LORNAY
ENVIRONMENTAL CONSULTING

IN-PROCESS
BASIC ASSESSMENT REPORT

Rusty Gate Mountain Retreat
Farm 824, Remainder of Farm 826 and Farm 887
Greyton, Caledon Regional District

13 March 2024
Updated 06 November 2024
16 May 2025

RUSTY GATE
MOUNTAIN RETREAT

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Lornay Environmental Consulting Pty Ltd**|** Reg 2015/445417/07

Western Cape Government
Environmental Affairs and Development Planning

FORM NO. BAR10/2019

BASIC ASSESSMENT REPORT

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

NOVEMBER 2019

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

GENERAL PROJECT DESCRIPTION

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

Basic Assessment Report for Rusty Gate Mountain Retreat, Farm 824, Remainder of Farm 826 and Farm 887, Greyton

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

1. **The purpose** of this template is to provide a format for the Basic Assessment report as set out in Appendix 1 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA"), Environmental Impact Assessment ("EIA") Regulations, 2014 (as amended) in order to ultimately obtain Environmental Authorisation.

2. The Environmental Impact Assessment ("EIA") Regulations is defined in terms of Chapter 5 of the National Environmental Management Act, 19998 (Act No. 107 of 1998) ("NEMA") hereinafter referred to as the "NEMA EIA Regulations".

3. The required information must be typed within the spaces provided in this Basic Assessment Report ("BAR"). The sizes of the spaces provided are not necessarily indicative of the amount of information to be provided.

4. All applicable sections of this BAR must be completed.

5. Unless protected by law, all information contained in, and attached to this BAR, will become public information on receipt by the Competent Authority. If information is not submitted with this BAR due to such information being protected by law, the applicant and/or Environmental Assessment Practitioner ("EAP") must declare such non-disclosure and provide the reasons for believing that the information is protected.

6. This BAR is current as of **November 2019**. It is the responsibility of the Applicant/ EAP to ascertain whether subsequent versions of the BAR have been released by the Department. Visit this Department's website at http://www.westerncape.gov.za/eadp to check for the latest version of this BAR.

7. This BAR is the standard format, which must be used in all instances when preparing a BAR for Basic Assessment applications for an environmental authorisation in terms of the NEMA EIA Regulations when the Western Cape Government Department of Environmental Affairs and Development Planning ("DEA&DP") is the Competent Authority.

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

9. This BAR must be duly dated and originally signed by the Applicant, EAP (if applicable) and Specialist(s) and must be submitted to the Department at the details provided below.

10. The Department's latest Circulars pertaining to the "One Environmental Management System" and the EIA Regulations, any subsequent Circulars, and guidelines must be taken into account when completing this BAR.

11. Should a water use licence application be required in terms of the National Water Act, 1998 (Act No. 36 of 1998) ("NWA"), the "One Environmental System" is applicable, specifically in terms of the synchronisation of the consideration of the application in terms of the NEMA and the NWA. Refer to this Department's Circular EADP 0028/2014: One Environmental Management System.

12. Where Section 38 of the National Heritage Resources Act, 1999 (Act No. 25 of 1999) ("NHRA") is triggered, a copy of Heritage Western Cape's final comment must be attached to the BAR.

13. The Screening Tool developed by the National Department of Environmental Affairs must be used to generate a screening report. Please use the Screening Tool link

https://screening.environment.gov.za/screeningtool to generate the Screening Tool Report. The screening tool report must be attached to this BAR.

14. Where this Department is also identified as the Licencing Authority to decide on applications under the National Environmental Management: Air Quality Act (Act No. 29 of 2004) ('NEM:AQA"), the submission of the Report must also be made as follows, for-
Waste Management Licence Applications, this report must also (i.e., another hard copy and electronic copy) be submitted for the attention of the Department's Waste Management Directorate (Tel: 021-483-2728/2705 and Fax: 021-483-4425) at the same postal address as the Cape Town Office.

Atmospheric Emissions Licence Applications, this report must also be (i.e., another hard copy and electronic copy) submitted for the attention of the Licensing Authority or this Department's Air Quality Management Directorate (Tel: 021 483 2888 and Fax: 021 483 4368) at the same postal address as the Cape Town Office.

DEPARTMENTAL DETAILS

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

MAPS

Provide a location map (see below) as Appendix A1 to this BAR that shows the location of the proposed development and associated structures and infrastructure on the property.	
Locality Map:	The scale of the locality map must be at least 1:50 000. For linear activities or development proposals of more than 25 kilometres, a smaller scale e.g., 1:250 000 can be used. The scale must be indicated on the map. The map must indicate the following: • 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; and • a linear scale. For ocean based or aquatic activity, the coordinates must be provided within which the activity is to be undertaken and a map at an appropriate scale clearly indicating the area within which the activity is to be undertaken.

	Where comment from the Western Cape Government: Transport and Public Works is required, a map illustrating the properties (owned by the Western Cape Government: Transport and Public Works) that will be affected by the proposed development must be included in the Report.
Provide a detailed site development plan / site map (see below) as Appendix B1 to this BAR; and if applicable, all alternative properties and locations.	
Site Plan:	Detailed site development plan(s) must be prepared for each alternative site or alternative activity. The site plans must contain or conform to the following: • The detailed site plan must preferably be at a scale of 1:500 or at an appropriate scale. The scale must be clearly indicated on the plan, preferably together with a linear scale. • The property boundaries and numbers of all the properties within 50m of the site must be indicated on the site plan. • On land where the property has not been defined, the co-ordinates of the area in which the proposed activity or development is proposed must be provided. • The current land use (not zoning) as well as the land use zoning of each of the adjoining properties must be clearly indicated on the site plan. • The position of each component of the proposed activity or development as well as any other structures on the site must be indicated on the site plan. • Services, including electricity supply cables (indicate aboveground or underground), water supply pipelines, boreholes, sewage pipelines, storm water infrastructure and access roads that will form part of the proposed development **must** be clearly indicated on the site plan. • Servitudes and an indication of the purpose of each servitude must be indicated on the site plan. • Sensitive environmental elements within 100m of the site must be included on the site plan, including (but not limited to): o Watercourses / Rivers / Wetlands o Flood lines (*i.e.,* 1:100 year, 1:50 year and 1:10 year where applicable); o Coastal Risk Zones as delineated for the Western Cape by the Department of Environmental Affairs and Development Planning ("DEA&DP"): o Ridges; o Cultural and historical features/landscapes; o Areas with indigenous vegetation (even if degraded or infested with alien species). • Whenever the slope of the site exceeds 1:10, a contour map of the site must be submitted. • North arrow A map/site plan must also be provided at an appropriate scale, which superimposes the proposed development and its associated structures and infrastructure on the environmental sensitivities of the preferred and alternative sites indicating any areas that should be avoided, including buffer areas.
Site photographs	Colour photographs of the site that shows the overall condition of the site and its surroundings (taken on the site and taken from outside the site) with a description of each photograph. The vantage points from which the photographs were taken must be indicated on the site plan, or locality plan as applicable. If available, please also provide a recent aerial photograph. Photographs must be attached to this BAR as **Appendix C**. The aerial photograph(s) should be supplemented with additional photographs of relevant features on the site. Date of photographs must be included. Please note that the above requirements must be duplicated for all alternative sites.
Biodiversity Overlay Map:	A map of the relevant biodiversity information and conditions must be provided as an overlay map on the property/site plan. The Map must be attached to this BAR as **Appendix D**.
Linear activities or development and multiple properties	GPS co-ordinates must be provided in degrees, minutes and seconds using the Hartebeeshoek 94 WGS84 co-ordinate system. Where numerous properties/sites are involved (linear activities) you must attach a list of the Farm Name(s)/Portion(s)/Erf number(s) to this BAR as an Appendix. For linear activities that are longer than 500m, please provide a map with the co-ordinates taken every 100m along the route to this BAR as **Appendix A3**.

ACRONYMS

DAFF:	Department of Forestry and Fisheries
DEA:	Department of Environmental Affairs
DEA& DP:	Department of Environmental Affairs and Development Planning
DHS:	Department of Human Settlement
DoA:	Department of Agriculture
DoH:	Department of Health

DWS:	Department of Water and Sanitation
EMPr:	Environmental Management Programme
HWC:	Heritage Western Cape
NFEPA:	National Freshwater Ecosystem Protection Assessment
NSBA:	National Spatial Biodiversity Assessment
TOR:	Terms of Reference
WCBSP:	Western Cape Biodiversity Spatial Plan
WCG:	Western Cape Government

ATTACHMENTS

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

The following checklist of attachments must be completed.

APPENDIX			**✓ (Tick) or x (cross)**
APPENDIX A – LOCALITY			
	Appendix A:	**Locality Map**	✓
	Appendix A:	**Coastal Risk Zones as delineated in terms of ICMA for the Western Cape by the Department of Environmental Affairs and Development Planning**	N/A
	Appendix A:	**Map with the GPS co-ordinates for linear activities**	N/A
APPENDIX B – SITE PLAN	**Appendix B:**	**Site development plan(s)** **APPENDIX B1 – ALTERNATIVE 1** **APPENDIX B2 – ALTERNATIVE 2 MAP** **APPENDIX B3 – ALTERNATIVE 2 AERIAL** **APPENDIX B4 – ALTERNATIVE 3 FINAL PREF** **APPENDIX B5 – ALTERNATIVE 3 FINAL PREF AERIAL**	✓
	Appendix B2	**A map of appropriate scale, which superimposes the proposed development and its associated structures and infrastructure on the environmental sensitivities of the preferred site, indicating any areas that should be avoided, including buffer areas;**	AS ABOVE
APPENDIX C – PHOTO REPORT	**Photographs**		✓
APPENDIX D - BGIS	**Biodiversity overlay map**		✓
APPENDIX E – Heritage	**Permit(s) / license(s) / exemption notice, agreements, comments from State Department/Organs of state and service letters from the municipality.**		
	Appendix E1:	**Final comment/ROD from HWC**	✓
	Appendix E2:	**Final comment/ROD from HWC**	✓
APPENDIX F – PUBLIC PARTICIPATION	**Proof of Public Participation Report**		✓

APPENDIX G – SPECIALIST REPORTS & SERVICES	**Appendix G1 – Agricultural Compliance Statement** **Appendix G2 – Ecological Impact Assessment** **Appendix G3 – Heritage Impact Assessment with AIA** **Appendix G4 – Palaeontological Impact Assessment** **Appendix G5 – Aquatic Screening Report** **Appendix G6 – Freshwater Impact Assessment** **Appendix G7 – Faunal Impact Assessment** **Appendix G8 – TWK WWTW Service Confirmation** **Appendix G9 – Boland Toilet Hire Service Confirmation** **Appendix G10 – TWK Solid Waste Confirmation** **Appendix G11 – Ecological Botanical comment on Alt 3** **Appendix G12 – Aquatic freshwater comments on Alt 3** **Appendix G13 – HIA update letter** **Appendix G14 – Agricultural Support for rezoning to PNR**	✓
APPENDIX H:	**Appendix H1 – EMP for construction** **Appendix H2 – EMP for operation – post construction**	✓
APPENDIX I:	**Appendix I1 – Screening Tool** **Appendix I2 – Site Sensitivity Verification Report**	✓
APPENDIX J:	**Appendix J1 – Water Use Licence Confirmations** **Appendix J2 – Proof of submission of GA**	✓
APPENDIX K:	**Appendix K1 –Block Burn Map Rusty Gate** **Appendix K2 – Block Burn Plan Rusty Gate**	✓

SECTION A: ADMINISTRATIVE DETAILS

Highlight the Departmental Region in which the intended application will fall	**CAPE TOWN OFFICE:**		GEORGE OFFICE:
	REGION 1 (City of Cape Town, West Coast District	REGION 2 (Cape Winelands District & Overberg District)	REGION 3 (Central Karoo District & Garden Route District)
Duplicate this section where there is more than one Proponent Name of Applicant/Proponent:	RUSTY GATE MOUNTAIN RETREAT (PTY) LTD		
Name of contact person for Applicant/Proponent (if other):	STEFANUS JOHANNES DE WET FOURIE (BOKKIE FOURIE)		
Company/ Trading name/State Department/Organ of State:	-		
Company Registration Number:	2006/019367/07		
Postal address:	PO BOX 90		
	GREYTON	Postal code:7233	
Telephone:	028 215 8212	Cell:072 476 9058	
E-mail:	bokkie@rustygate.co.za	Fax: ( )	
Company of EAP:	LORNAY ENVIRONMENTAL CONSULTING		
EAP name:	MICHELLE NAYLOR		
Postal address:	Unit 5/1F		
	HEMEL & AARDE WINE VILLAGE, HERMANUS	Postal code:7200	
Telephone:	-	Cell: 083 245 6556	
E-mail:	michelle@lornay.co.za	Fax: 086 585 2461	
Qualifications:	Master of Science (Rhodes University)		
EAPASA registration no:	EAPASA. 2019/698,., SACNASP., IAIASA		
Duplicate this section where there is more than one landowner Name of landowner:	N/A		
Name of contact person for landowner (if other):	-		
Postal address:	-		
	-	Postal code:-	
Telephone:	-	Cell:-	
E-mail:	-	Fax: -	
Name of Person in control of the land:	AS ABOVE		
Name of contact person for person in control of the land:	-		
Postal address:	-		
	-	Postal code:-	
Telephone:	-	Cell:-	
E-mail:	-	Fax: -	

Duplicate this section where there is more than one Municipal Jurisdiction Municipality in whose area of jurisdiction the proposed activity will fall:	THEEWATERSKLOOF MUNICIPALITY	
Contact person:	ENVIRONMENTAL MANAGER	
Postal address:	6 PLEIN STREET	
	CALEDON	Postal code:7230
Telephone	028 214 3300	Cell: -
E-mail:	johannespi@twk.go.za	Fax: -

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

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

Rusty Gate Mountain Retreat, consisting of three farm properties, spans 290 hectares including mountainous topography peaking at 870 metres above sea level and the lowest point at 330 metres above sea level. The combination of location, topography, and varying geology on the farm results in a wide range of mountain fynbos and other indigenous fauna and flora, which makes it an ideal tourism destination for nature lovers and outdoor enthusiasts.

Rusty Gate Farm was developed in the mid 1980's as a commercial nursery for apple and pear trees, and during its peak production years, the nursery produced between 200 000 and 250 000 saplings per annum restricted to a very small viable area on the farm

Commercial agricultural production on the farm ceased in the early 2000's with change of ownership to non-farming owners who purchased and used the property for recreational purposes only. The land has therefore been left unfarmed and the natural rehabilitation of these previously disturbed areas have seen natural rehabilitation and reinstatement of indigenous habitats. For example, during the Faunal Impact Assessment, the vulnerably listed Striped flufftail *Sarothrura affinis,* was recorded adjacent to the old orchard sites.

In 2006 the ownership changed again and these owners purchased the property for personal use, and in approximately 2013 / 2014, the then owners started using the existing buildings and infrastructure for commercial tourism as a self-catering guest farm. The offering at that time, included:

- → The existing labourers' accommodation units converted and used as follows:
  - Cottages 1 to 5 for tourism overnight, self-catering purposes offering 22 beds.
  - Cottages 6 and 7 to house the caretaker and farm labourer.
- → The existing main building, now referred to as Eagle Eyrie, utilised as:
  - Self-catering accommodation (26 bed) in a portion of the building
  - Storage shed, workshop and laundry in the remainder of the building.
- → No changes or expansions to existing footprints were implemented.

The property was then sold to the current owners and applicant herein, in 2019. The property was purchased as a going concern and has been operating as such with a renewed focus on eco-tourism. The offering was rebranded as the now known, Rusty Gate Mountain Retreat.

The existing buildings and infrastructure are currently used as follows:
5 x Self-catering Cottages with 22 beds.
2 x cottages for owners' and caretaker's accommodation.
Eagle Eyrie self-catering accommodation with 20 beds.
No new building infrastructure development took place to date by the current owner.
No additions to any existing buildings have taken place.

Note: DEA&DP – Development Management, in response to the Notice of Intent to Develop (NOI), requested that the lawfulness of the existing overnight tourist facilities should be confirmed prior to submission of the application for Environmental Authorisation (DEA&DP comment dated 23/05/2023 and 1/06/2023, DEA&DP Ref. 16/3/3/6/7/1/E4/12/1151/23). Submission was made and inspection undertaken by DEA&DP – Law Enforcement. It was subsequently confirmed by Law Enforcement (Najah Ben Jeddou) that no unlawful activity had been determined, and the case was closed.

The application is for the expansion and addition to an existing tourism operation, includes the following (as per the Preferred Alternative):

- → Consolidation of all three farms and rezoning from Agriculture Zone 1 to Open Space 4 in terms of Section 15(2)(a) of the Theewaterskloof Municipality By-Law on Municipal Land Use Planning

- → Consent uses in terms of Section 15(2)(o) of the Theewaterskloof Municipality By-Law on Municipal Land Use Planning for the proposed Amphitheatre, events terrace, conference facility, sundowner boma and parking area, hiking trails (Conference facility, Function venue, Outdoor trading and dining, Tourist accommodation, Tourist facilities as indicated on the site development plan).

~~3.~~	**~~For Linear activities or developments~~**				
~~3.1.~~	~~Provide the Farm(s)/Farm Portion(s)/Erf number(s) for all routes:~~				
~~3.2.~~	~~Development footprint of the proposed development for all alternatives.~~	~~m²~~			
~~3.3.~~	~~Provide a description of the proposed development (e.g. for roads the length, width and width of the road reserve in the case of pipelines indicate the length and diameter) for all alternatives.~~				
~~3.4.~~	~~Indicate how access to the proposed routes will be obtained for all alternatives.~~				
3.5.	~~SG Digit codes of the Farms/Farm Portions/Erf numbers for all alternatives~~				
3.6.	**~~Starting point co-ordinates for all alternatives~~**				
	~~Latitude (S)~~	~~º~~	~~‘~~	~~“~~	
	~~Longitude (E)~~	~~º~~	~~‘~~	~~“~~	
	~~Middle-point co-ordinates for all alternatives~~				
	~~Latitude (S)~~	~~º~~	~~‘~~	~~“~~	
	~~Longitude (E)~~	~~º~~	~~‘~~	~~“~~	
	~~End point co-ordinates for all alternatives~~				
	~~Latitude (S)~~	~~º~~	~~‘~~	~~“~~	
	~~Longitude (E)~~	~~º~~	~~‘~~	~~“~~	
~~Note: For Linear activities or developments longer than 500m, a map indicating the co-ordinates for every 100m along the route must be attached to this BAR as Appendix A3.~~					
4.	**Other developments**				
4.1.	Property size(s) of all proposed site(s):	FARM 824 – 73.14 HA FARM 826 – 190.32 HA FARM 887 – 27.79 HA Note that the final Preferred Alternative, being **Alternative 3** excludes development on Farm 824 and 887, and limits it to Farm 826 only, however the three farms will be consolidated and rezoned to Open Space 4 – Private Nature Reserve.			
4.2.	Developed footprint of the existing facility and associated infrastructure (if applicable):	The following infrastructure **exists** on site: 1. Boskloof se Nek Dam 2. Elandskloof Uitvlugt Dam 3. Header Dam 4. Pump house 5. Events related camping / occasional use 6. Main dwelling (to change to SC) 7. 5 X Self-catering units 8. Existing events terrace 9. Existing shed 10. Workshop 11. Communal lounge 12. Dining hall			

		13. Dormitory 14. Kitchen 15. Farm manager's house 16. Internal roads Approximate Size = 2125 m^2 excluding roads
4.3.	Development footprint of the proposed development and associated infrastructure size(s) for all alternatives:	

Alternative 1 and 2:

	New Development Type	No. of units	Pax	Size per unit	Total Size (m^2)
2	Main Dwelling	1	6	0	120
3A	Camp site plus internal access	6	36	225	1600
3B	Eco pods	2	4	56	112
6	Eco cabin	1	4	124	124
7	Eco cabin	2	8	124	248
21	Conference facility	1	0	0	150
24	Eco cabin	1	4	124	124
25	Eco cabin	1	4	124	124
26	Eco cabin	2	8	124	248
27	Eco cabin	2	8	124	248
28	Eco pods	2	4	56	112
29	Sundowner boma	1	0	0	50
30	Eco pod	1	2	56	56
31	Eco cabin	1	4	124	124
			92		3440

Alternative 3 – preferred:

	New Development Type	No. of units	Pax	Size per unit	Total Size (m^2)
2	Main Dwelling	1	6	120	120
3	Camp site (plus internal road)	6	36	225	1600
5	Eco pods	2	4	56	112
7	Eco cabins	2	8	124	248
8	Eco cabins	2	8	124	248
22	Conference facility	1	0	0	150
25	Eco cabins	6	4	124	744
26	Sundowner boma	1	0	0	80
27	Eco pods	2	4	56	112
28	Eco cabin	1	4	124	124
			94		3538

4.4.	Provide a detailed description of the proposed development and its associated infrastructure (This must include details of e.g. buildings, structures, infrastructure, storage facilities, sewage/effluent treatment and holding facilities).

THE PROPOSAL

Rusty Gate Mountain Retreat (Pty) Ltd is an existing self-catering guest farm located in the Riviersonderend Mountains in the Caledon District within the Theewaterskloof Municipality. Rusty Gate is comprised of three separate farm titles owned by Rusty Gate, namely Farm 826, Farm 824 and Farm 887. Rusty Gate currently offers a range of tourism overnight opportunities on site, and due to the popularity and demand, the expansion of the offerings on the farm, are applied for herein.

The rezoning of all three farm portions from Agriculture Zone 1 to Open Space Zone 4, Nature Reserve, is proposed (Alternative 2 and 3). Under such zoning, the following should be noted:

The primary right is Nature Reserve

Land use description: "nature reserve" means a national park or some other nature area that is owned by an organ of state or remains in private ownership and has been declared as a nature reserve or has a similar status in terms of legislation; it consists of an area that is utilised as a game park or reserve for fauna and flora in their natural habitat and:

- → includes environmental facilities and worker accommodation; and
- → does not include accommodation facilities for tourists or holiday makers.

Development parameters:

- → An Environmental Management Plan must be submitted to the Municipality, SANParks or CapeNature for their approval or to all of them for approval
- → SANParks or CapeNature or both must, in consultation with the Municipality, determine the land use restrictions and the development parameters for the property based on the objectives of this zoning, the particular circumstances of the property, and in accordance with an approved environmental management plan.
- → When Consent Uses, to provide tourist facilities or tourist accommodation in a "nature reserve" are approved, conditions must be imposed with regard to density, layout, landscaping, and building design.
- → A Site Development Plan must be submitted to the Municipality for its approval, clearly indicating the position of all structures, stands, services and internal roads.

The following Consent Uses will be applied for at Rusty Gate:

- → Conference facility
- → Function / Venue
- → Outdoor trading and dining
- → Tourist accommodation
- → Tourist facilities

Based on the above Land Use Planning Application (Plan Active Town Planners), the addition of the camp sites, eco pods (2 sleepers) and eco cabins (4 sleepers) are proposed at strategic locations across the three properties.

The current tourism offering at Rusty Gate provides clustered tourism in the form of overnight cottages (former labourers cottages) and temporary campsites, with minimal privacy from neighbours or other guests, typically more suitable for group stays or functions and events.

Through the operation of the existing tourism accommodation facilities, Rusty Gate has identified a need and demand for more secluded overnight accommodation which showcases the unique environment in which the properties are located.

Each new site indicated in the expansion application, has been selected for specific reasons relating to various factors as outlined below, with the total expansion footprint being very small at approximately 3500 m^2.

Alternative 3 – Final Preferred:

Note that the number of pods and cabins is reduced in Alternative 3 (Preferred) and the number of tourism overnight beds is reduced from 94 to 88 in the amended Alternative 3.

- → 6 new camp sites sleeping a max. of 6 people each = 36 camping guests
- → Eco pods x 4, sleeping 2 people each = 8 eco pod guests
- → Eco cabins x 11, sleeping 4 people each = 48 guests

Accommodation type	Number of units	Number of guests per unit	Total Guests
Camp sites	6	6	36
Eco pods	4	2	8
Eco cabins	11	4	44
			88

A camp site with 6 new sites (36 guests,) 4 eco-pods and 11 eco-cabins are proposed, as outlined below. The new tourism offering will sleep a maximum of 88 pax.

	New Development Type	No. of units	Pax	Size per unit	Total Size (m^2)
2	Main Dwelling	1	6	120	120
3	Camp site (plus internal road)	6	36	225	1600
5	Eco pods	2	4	56	112
7	Eco cabins	2	8	124	248
8	Eco cabins	2	8	124	248
22	Conference facility	1	0	0	150
25	Eco cabins	6	4	124	744
26	Sundowner boma	1	0	0	80
27	Eco pods	2	4	56	112
28	Eco cabin	1	4	124	124
		Tourism overnight *Total incl. permanent*	88 94		3538

PRINCIPLES AND APPROACH TO DEVELOPMENT

The following principles have provided guidance in the evolution of the layout alternatives:

Ecological impact

The locality of Rusty Gate within the Cape Fynbos Biome and more specifically, the Riviersonderend Mountains ecosystem, are primary factors in any considerations and decisions regarding the design and locations of the intended accommodation units. Placement of units focussed on accessibility via existing internal roads and using areas previously which have some form or previous disturbance. All sites were assessed by the Botanist, Faunal and Freshwater specialists, findings of which, resulted in layout evolutions and alternatives.

The intent is that construction of the new accommodation units will be conducted in such a manner as to minimise the ecological impact, with the following principles being applied:

- → Design methodology - use of renewable energy (solar and/or wind) and sustainable and eco-friendly treatment of sewage and wastewater.
- → Location – the placement of units in specifically identified locations with least possible adverse impact on fauna, flora and aquatic features, with the placement of every unit guided by the specialist team.
- → Construction type - use of light steel construction with prefabricated components, raised units on pillar type foundations, minimize site impacts and reduce on-site construction, excavations, terracing and site preparations.
- → Sustainability - use of sustainable and non-toxic materials with minimal maintenance requirements over the lifetime of accommodation units, materials to be environmentally sensitive with fire retardation materials built into it.
- → Aesthetics – specific aim to create units which are visually unobtrusive in the landscape with the use of neural and natural colour schemes, screens and overhangs.

Sewage and wastewater

Since the proposed expansion areas are located away from existing service infrastructure on the farm, it is not possible to link into these without significant construction activities and therefore environmental impact and disturbance. For this reason, environmentally friendly, low impact, sustainable solutions have been explored during the design phase. Closed conservancy tank systems will be utilised, which will be serviced as required, by an appropriate service provider. Boland Toilet Hire already services the existing infrastructure on site and has confirmed capacity to service the additional areas proposed in the expansion application. The existing internal roads on the farms allow for easy access to these tanks.

Construction considerations

The followings aspects have been taken into account regarding the construction types for the proposed tourism units:

- → Topography – All three farms are located on elevated, rocky and uneven terrain
- → The sites are located across the farm in remote areas not suitable for construction teams and large construction vehicles
- → Service infrastructure to the new units cannot be via already existing service infrastructure or municipal networks and therefore sustainable, off the grid options needed to be included.

As a result of the above, alternative construction and building methods will be implemented and are considered upfront in the project design process. Light steel frame construction will be used, with pillar / stilt foundation types applied to the uneven and / or rocky areas. Depending on the soil type and incline at each individual site, the units may be elevated above the rocky outcrops or extended over the landscape in the case of uneven inclines. This construction type limits the excavation required, extent of construction activities and general disturbance to the areas.

Examples of accommodation units and pillar / stilt foundations and vision for the proposal at Rusty Gate:

The use of these light steel frame construction types is the proposed method for construction of the units as it offers cost effective alternatives to other construction methods considered, of which the most significant include:

Transport and Logistics

Light steel frames are pre-manufactured and easily transported to the site, for on-site assembly. This addresses a number of challenges faced in other conventional construction methods, where large construction vehicles would be required with heavy loads etc. The offsite manufacturing considerably reduces onsite construction works and thereby reduces related construction impacts such as cement batching and mixing, establishment of construction camps, construction storage areas, risks of heavy machinery leaking fuels, waste management, trampling and activity sprawl which is experienced when using large construction teams.

Fast Build Times

Faster construction is possible when using prefabricated light steel frames as they arrive on site pre-engineered, and ready to use.

Comparative case studies for construction of similar type accommodation units shows that a weatherproof building can be erected within a week, and total construction projects including electrical wiring, plumbing, fittings, and finishes can

be completed within a month. A regular brick and mortar structure takes considerably longer, needing foundation preparation, materials and construction teams.

Versatility

Steel can be prefabricated into any shape and used in a broad variety of ways in construction. Further to this a wide range of material options are available for roofing, wall cladding, insulation, flooring etc. for this type of construction. The versatility in design and materials assist in fire suppression and reduction in long term maintenance requirements when compared to conventional building designs.

Durability

Durability is a major consideration from a maintenance perspective during the commercial lifetime of the accommodation units. Steel structures are durable and require little maintenance, which reduces operating costs. It also provides sturdy structures to withstand adverse conditions severe weather, fire, decay, and pests.
In addition, materials for walls, floors and roofing can also be pre-selected to be flame retardant which is a critical consideration in a fire driven ecosystem.

Eco-friendliness

Steel buildings can provide excellent energy efficiency, especially when combined with other solutions. Airtight connections between steel parts create a completely sealed envelope for the building. Off the grid, renewable energy sources are also included in the design phase.

Cost-effective

Realisable savings for and from the above-mentioned benefits of light steel frame construction versus other methods is significant over the asset lifetime.

ACCOMMODATION TYPES

The architectural designs of the proposed units have been chosen in order to achieve the following specific objectives:

Sustainability

The choice of "green" construction materials and methods is one of the primary decision criteria for the design of accommodation units. Electricity, potable water, and sewerage services make use of renewable and recycling technologies as far as possible to allow "off-the-grid" functioning of the units and minimal external service requirements. The use of flame-retardant materials is of critical importance to reduce the risk of damage due to fire. Minimising maintenance and operations cost of accommodation units during commercial lifetime will also be a significant factor in the choice of construction materials and methods.

Aesthetics

Aesthetics of the proposed development is of importance on two levels. Firstly, the structure and facades visible to the eye should blend in with- and/or complement the surrounding environment e.g., topography, geology, and flora. Secondly, structural design and layout should maximise the enjoyable experience of occupants e.g., large windows and French doors for view of the landscape, minimalistic and comforting interior design.

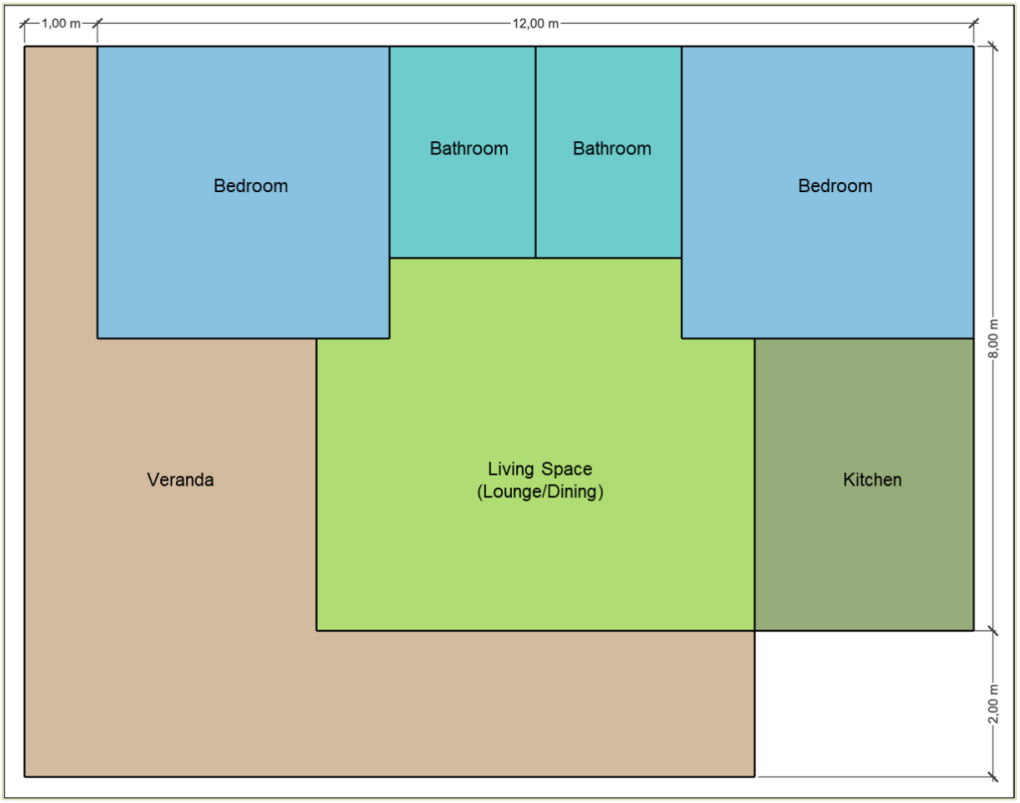
Ergonomics

As the locations of intended accommodation units will predominantly be on inclined planes and/or rocky outcrops optimal use of surface area will be of material importance to provide comfortable and functional guest accommodations on the smallest possible construction footprint. This will require smart design and layout of the units and placement of furniture, fittings, and appliances to create the illusion of space and maximising comfort and ergonomics.

The expansion of the accommodation offering at Rusty Gate will be through the addition of eco pods, eco cabins and camp sites. A new singe residential dwelling is also proposed.

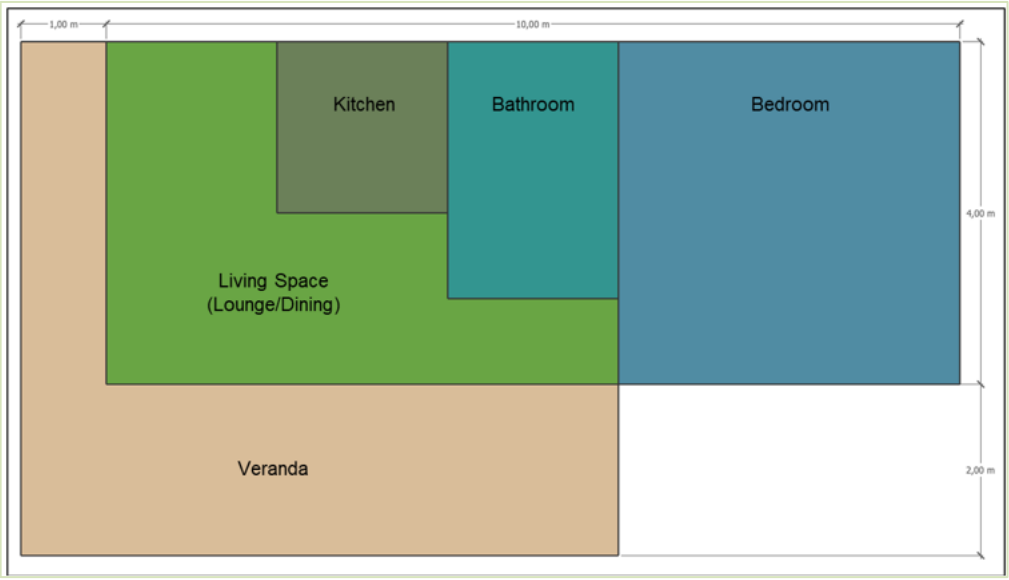
Eco cabins

Eco cabins will be suitable to small family units or groups of up to 4 people and will include 2 bedrooms with ensuite bathrooms and an open living area. The total floor area will be 84 m^2 with a 40 m^2 veranda, as follows:



Eco pods

Eco pods will be suitable for an individual or a couple, with one bedroom and ensuite and open living area. Total floor area will be 40 m^2 with a 16 m^2 veranda.



Campsite

The campsite layout will comprise three terraced platforms with two camp stands per terrace i.e. 6 sites in total. The slope of the campsite area varies between 10 and 20 % and therefore in order to provide level sites, the soils will need to be excavated to create an upper terrace on the west site and part of the middle terrace, the excavated material will be used as backfill for a lower terrace on the east side of the campsite.

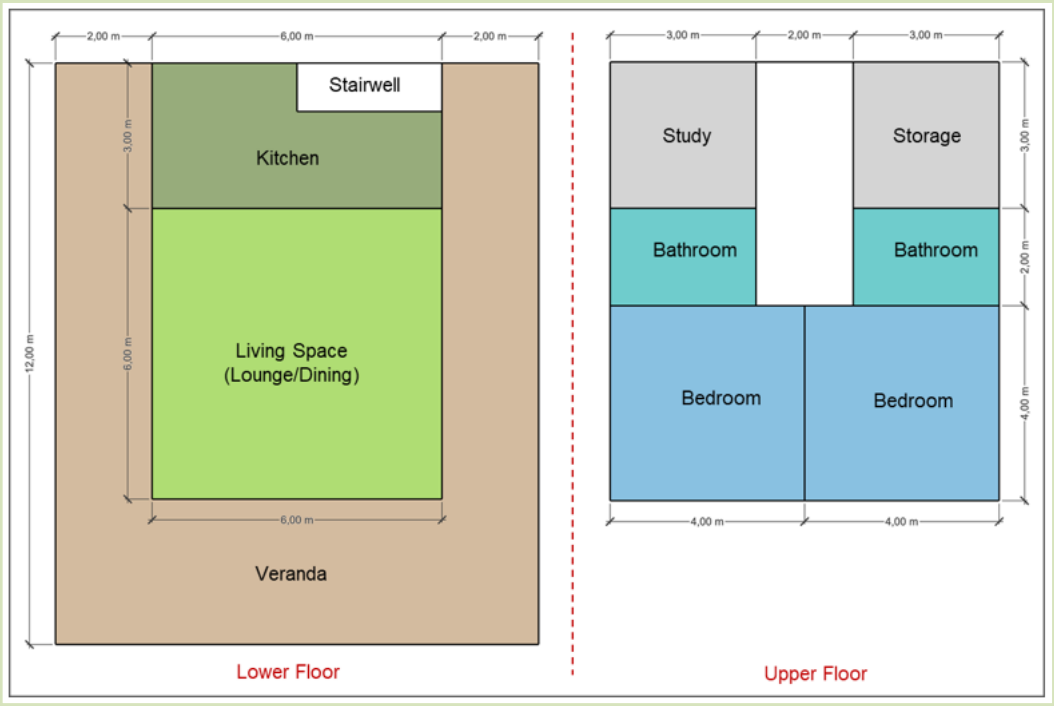
Kikuyu or similar grass will be planted on the sites to stabilise the disturbed soil and provide dust free camping. Access roads to sites on each terrace will be via 3 m wide gravel access track on the eastern side of each terrace.

Each camping stand will be 15 m x 15 m to allow for sufficient turning space of vehicle with off-road trailers or caravans. Each camping stand will be provided with individual ablutions and an adjacent "outside scullery" which will be located in a corner at the back of the stand. Ablutions will include a shower, basin, and toilet and the scullery will include a wash-up zinc and lockable cabinet to house gas geyser and cylinder, and solar power equipment to be protected from environment.

New dwelling

There is currently no main dwelling on the property and therefore the addition of this is proposed along with the expansion application. This accommodation will be occupied by the owners and / or manager at Rusty Gate. The preferred site is located on an incline and in order to minimise the direct footprints, the design includes a lower and upper floor. Total ground floor area will be approximately 120 $m^{2:}$

- → Lower Floor: Open living space and dining area with 36m^2 floor area, kitchen with 15m^2 floor area stairwell with 3m^2 floor area, wrap around deck with 64m^2 floor area, i.e., total floor area of maximum 120m^2.
- → Upper Floor: Two bedrooms with 16m^2 floor area each, two ensuite bathrooms with 6m^2 floor area each, a study with 9m^2 floor area, storage room with 9m^2 floor area, and stairwell passage with 10m^2 floor area, i.e., total floor area of 72m^2



SERVICE INFRASTRUCTURE

Sewage

Due to site constraints and sensitivity, closed conservancy tanks systems (5000 ℓ) will be utilised for sewage services. The relevant service provider and receiving municipal treatment site have confirmed capacity for service. For the Eco cabins and pods, the conservancy tank will be installed under each unit, this will limit the need for additional disturbance, excavation and installation of extensive pipeline networks. Where the incline does not allow for placement beneath the units, the tanks will be placed at a location between the accommodation and access roads.

Sewage and wastewater at the campsite will be managed via a single conservancy tank system with sufficient capacity for all six camping stands. The conservancy tank will be installed underground at the north-western corner of the camp site. This location will provide necessary slope from the campsite to the conservancy tank to allow for flow of sewage without blockages and will be accessible for a service vehicle from the main access road.

All sewerage piping (if required) from the unit to conservancy tanks, and from conservancy tanks to discharge service points will be HDPE as per applicable building regulations. All sewerage pipe joints, and plumbing connection points will be appropriately sealed to prevent seepage or spillage.

All sewerage piping will be run underground where possible. Should the underlying soil, bedrock and/or rocky outcrops at a site prohibit trenching for underground laying of sewerage pipes, then such pipe sections will be run above ground along the shortest possible route at the required slope to prevent blockages. Above ground sewerage pipe sections will be obscured from view and protected from elemental damage by covering with rocks and foliage.

Any section of “near horizontal” sewerage pipe (i.e., with slope between 1:4 to 1:6) in excess of 15 meters will be fitted with a rodding eye access point to allow for clearing of unanticipated blockages.

Water

Existing Water Rights on the farm(s) are lawful in terms of the National Water Act (Act 106 of 1998) – see Appendix J of the BAR.

The proposed new development will use harvested rainwater from rainwater tanks at each new unit. In the event that rainwater is not enough, then water will be carted to each site from the other approved sources on site. In addition to the existing water rights, a new General Authorisation for groundwater (39 000 m^3) is currently in process with BOCMA, and will also form as 'back up' water.

Roads

All access roads and internal roads to each unit are already in place and are in good working order for most vehicle types. In response to specialist input and the avoidance of sensitive areas, minor extensions on existing roads to access unit 27 (new road length 92 m), Site 3a (124 m) and 3b (48 m), these roads will be low impact jeep track extensions, not in excess of 4 m and no longer than 300 m.

Electricity

The units will function via off the grid, solar PV panels to be located on the roofs of the structures.

SPECIALIST INPUT

As per the Screening Tool, Themes and Protocols, the following themes and ratings were indicated for the three Rusty Gate properties:

Theme	Very High sensitivity	High sensitivity	Medium sensitivity	Low sensitivity
Agriculture Theme			X	
Animal Species Theme		X		
Aquatic Biodiversity Theme	X			
Archaeological and Cultural Heritage Theme		X		
Civil Aviation Theme				X
Defence Theme				X
Paleontology Theme	X			
Plant Species Theme			X	
Terrestrial Biodiversity Theme	X			

Based on the findings of the above and the Specialist Assessment recommended in the Screening Tool report, the following specialists were appointed as part of the NEMA process and informed the evolution of alternatives and individual placement of the units:

- Freshwater Impact Assessment (Nick Steytler)
- Botanical Impact Assessment (Nick Helme)
- Agricultural Compliance Statement (Johann Lanz)
- Heritage Impact Assessment (Jonathan Kaplan)
- Archaeological Impact Assessment (Jonathan Kaplan)
- Paleontological Impact Assessment (John Almond)
- Faunal Compliance Statement – upgraded to Faunal Impact Assessment in April 2025 (Prof. J. Venter)

The Alternatives evolved in line with specialist input:

→ Freshwater Impact Assessment – Units 27, 26, 3A and 3B were identified as being located within or in very close proximity to wetlands on site. As a result, and through the application of the Mitigation hierarchy and avoidance of sensitive areas, Alternative 2 resulted in these units being shifted out of these identified areas.

→ Ecological / Botanical Impact Assessment – Units 7, 27 and 31 were noted to be of high botanical significance and / or containing Species of Conservation Concern (SOCC) and for this reason, Alternative 2, sees all new proposed development shifted out of these high sensitivity botanical areas.

- → Faunal Assessment – The Striped Flufftail was recorded through a response to the call playback in the vicinity of the proposed camp site. Therefore, the Faunal specialist recommended that the camp site should be moved further west outside of the possible Striped Flufftail habitat. Due to the fact that the proposed location of the camping area was found to infringe into this habitat, the camp site was shifted westwards to reduce possible risks as well as impact ratings. The layout of the actual camp was also amended to further reduce possible impacts on this habitat.
- → Faunal Assessment – The Faunal Compliance Statement was amended and upgraded to a full Faunal Impact Assessment (April 2025).
- → A significant change which took place during the impact assessment process was the decision to consolidate all three farms and rezone from Agricultural Zone 1 to Open Space 4 (Private Nature Reserve). This change in zoning allows for the long-term protection of the properties and allows for the integration with the adjacent Nature Reserves, opening up a valuable ecological corridor for the area.
- → Once the strategy above was implemented, it was decided that in order to fulfil the objectives of the proposed Nature Reserve Status of the consolidated Rusty Gate Farms, all development proposed for the 2, currently vacant, outlying farms (Farm 824 and 887), as presented in Alternatives 1 and 2, is removed from the proposal. *As a result, Alternative 3 – the new and final preferred layout alternative, restricts all development to the core Farm 826.*

ALTERNATIVES

Alternative 1

The addition and expansion of tourism overnight opportunities is proposed. This layout alternative was guided by site specific constraints, (internal existing access, topography, need and desirability etc) however, sees some of the new development areas located within or in very close proximity to wetlands or within areas of high botanical sensitivity or at risk of impacting SOCC. Note that the number of units and overnight opportunities remain the same between Alternative 1 and 2. This layout alternative also proposes that the Farm portions remain under Agricultural Zoning 1 as follows:

- → Footprint rezoning from Agriculture Zone 1 to Resort Zone in terms of Section 15(2)(a) of the Theewaterskloof Municipality By-Law on Municipal Land Use Planning to accommodate 5 eco-pods, 10 eco cabins, 7 self-catering units and the dormitories including the communal lounge area, dining hall and kitchen, and the occasional camping area for related events; (some uses are existing and form part of the municipal rectification application)
- → Consent uses in terms of Section 15(2)(o) of the Theewaterskloof Municipality By-Law on Municipal Land Use Planning for the proposed natural amphitheatre, events terrace, conference facility, sundowner boma and parking area, hiking trails.
- → Due to the retention of the Agricultural Zoning, there is no scope for rehabilitation of the natural habitats of the previously disturbed agricultural areas.

	New Development Type	No. of units	Pax	Size per unit	Total Size (m^2)
2	Main Dwelling	1	6	0	120
3A	Camp site plus internal access	6	36	225	1600
3B	Eco pods	2	4	56	112
6	Eco cabin	1	4	124	124
7	Eco cabin	2	8	124	248
21	Conference facility	1	0	0	150
24	Eco cabin	1	4	124	124
25	Eco cabin	1	4	124	124
26	Eco cabin	2	8	124	248

27	Eco cabin	2	8	124	248
28	Eco pods	2	4	56	112
29	Sundowner boma	1	0	0	50
30	Eco pod	1	2	56	56
31	Eco cabin	1	4	124	124
			92		3440

Alternative 2

This alternative is the previously preferred layout. The number of units and number of overnight opportunities remain the same as Alternative 1, however the following changes have been implemented in response to specialist input and comments received during the first round of public participation.

- → Sites 6, 26 and 27 have been moved to fall outside of identified sensitive wetland areas, to the satisfaction of the Freshwater Specialist
- → Sites 7, 27 and 31 have been moved to avoid sensitive botanical areas and species of conservation concern as recommended by the Botanist.
- → Minor extension of access points to Units 27 and the camp in the form of jeep tracks is required to avoid the sensitive areas identified above.
    - Site 27 - ~100 m extension
    - Site 3b - ~ 47 m
- → The camp site location at 3A was found to infringe on Striped Flufftail habitat and was moved west and parallel-aligned to the firebreak to avoid impacting this species habitat.
- → The three farm portions will be consolidated and rezoned to Open Space 4 – Nature Reserve. This change responds to concerns from DEA&DP and DOA regarding the impact of loss of Agricultural land. In addition, after extensive consultation with Cape Nature and in response to the unique natural offering of Rusty Gate, the proposal to preserve the site in the long term under the Private Nature Reserve status, as well as provide a mechanism for connecting the Riviersonderend Mountain Catchment Area and Riviersonderend Nature Reserves was found to have significant positive impacts for the broader area and conservation management strategies. The option of collaborating with Cape Nature, as the neighbours, provides positive benefits for both parties in the form of consolidated land management and unlocking possible opportunities for eco-tourism and revenue generation on the adjacent Cape Nature reserve in the future. The applicant is also in discussion with Cape Nature regarding their Biodiversity Stewardship Programme and adding Rusty Gate as a Stewardship site.

	New Development Type	No. of units	Pax	Size per unit	Total Size (m^2)
2	Main Dwelling	1	6	0	120
3A	Camp site plus internal access	6	36	225	1600
3B	Eco pods	2	4	56	112
6	Eco cabin	1	4	124	124
7	Eco cabin	2	8	124	248
21	Conference facility	1	0	0	150
24	Eco cabin	1	4	124	124
25	Eco cabin	1	4	124	124
26	Eco cabin	2	8	124	248

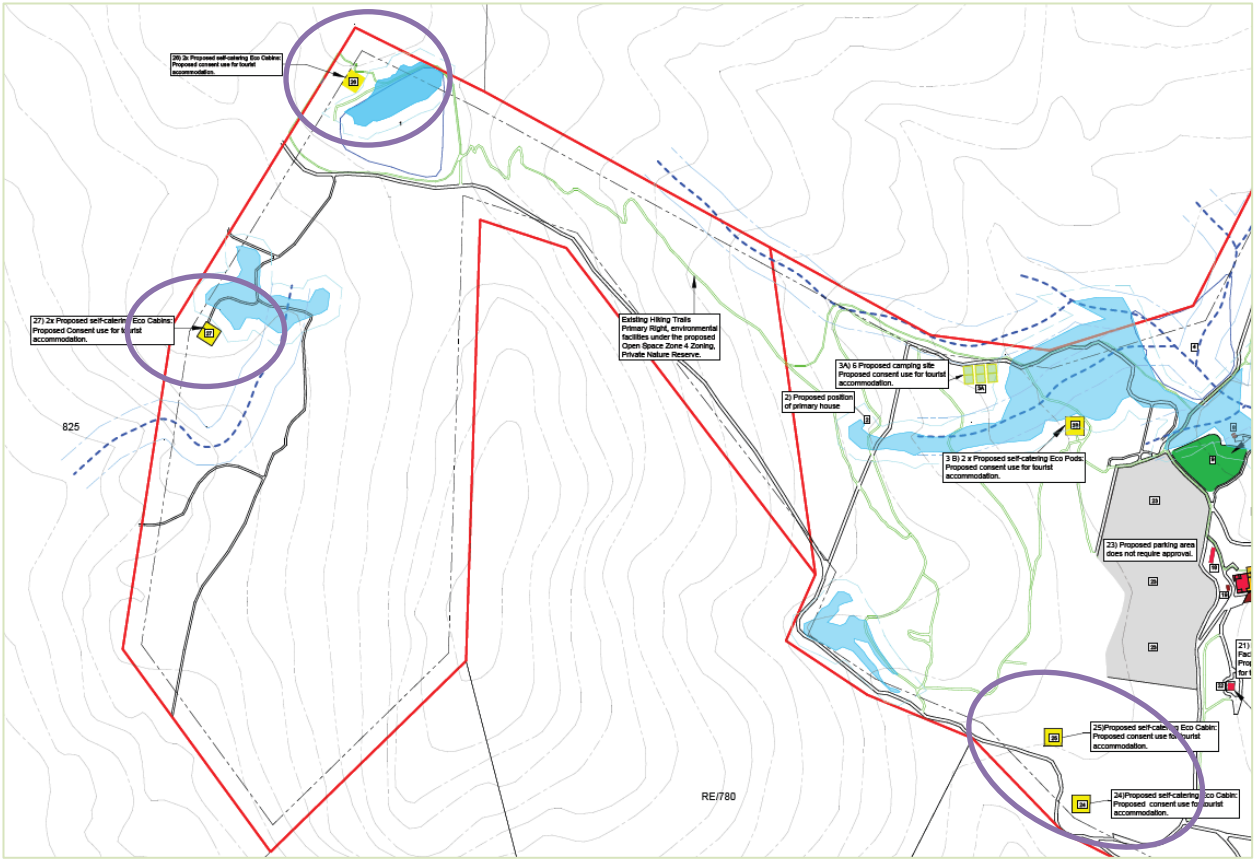
27	Eco cabin	2	8	124	248
28	Eco pods	2	4	56	112
29	Sundowner boma	1	0	0	50
30	Eco pod	1	2	56	56
31	Eco cabin	1	4	124	124
			92		3440

Alternative 3 – New Preferred Layout Alternative

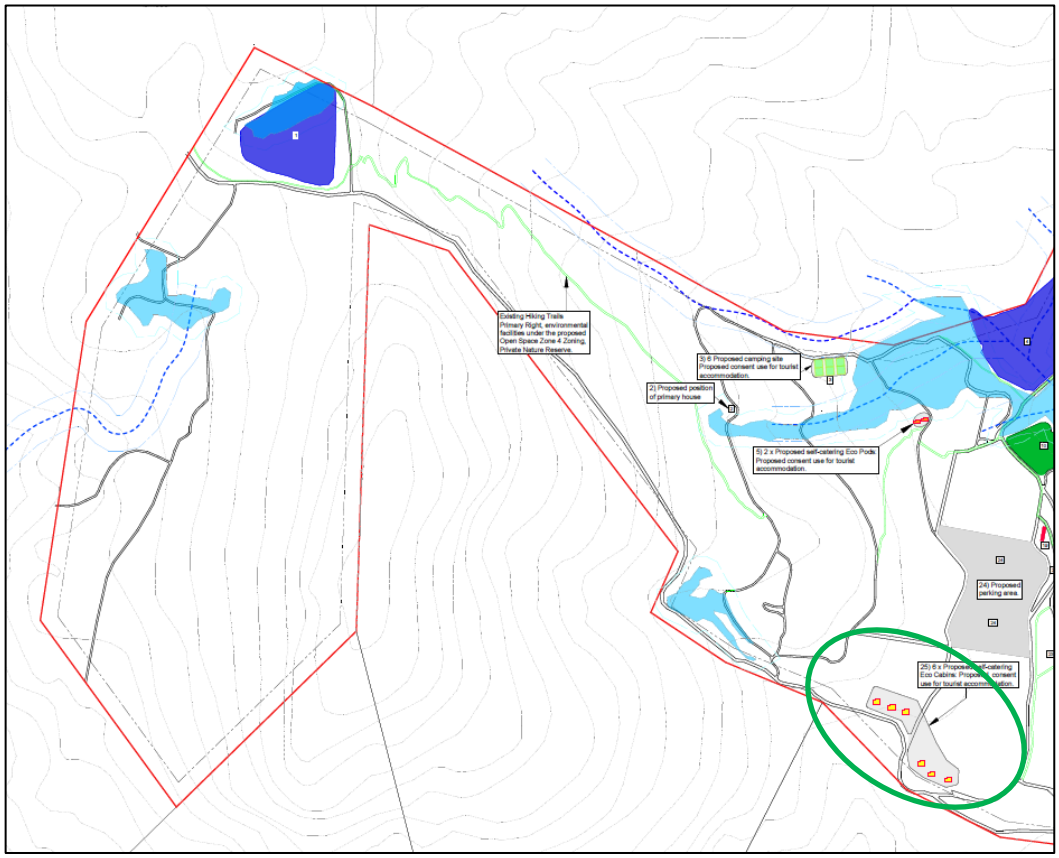
During further consultation with Organs of State, the concern relating to the dispersed layout over three Farms, remained. As a result of this, it was decided that along with the consolidation and rezoning of the three farms to Open Space 4, the complete removal of all new development on the two outlying farms (Farm 824 and 887) must be implemented in a revised site plan. The aim of this evolution was to concentrate the expansion activities on the already developed core Farm 826 and retain the natural state of the two outlying properties. This strategy also allows for improved alignment with the broader protected areas and long-term conservation strategies and provides significant ecological benefits to long term conservation of the area.

To achieve this, the following amendments were implemented:

1. Former Site 26 & Site 27 – proposed as 2 x Eco Cabins, moved to cluster with Site 24 and 25 on Farm 826 to now form a consolidated Site 25 on Alternative 3.
   Site 25 now includes 6 self-catering Eco cabins clustered along an existing access road on Farm 826.

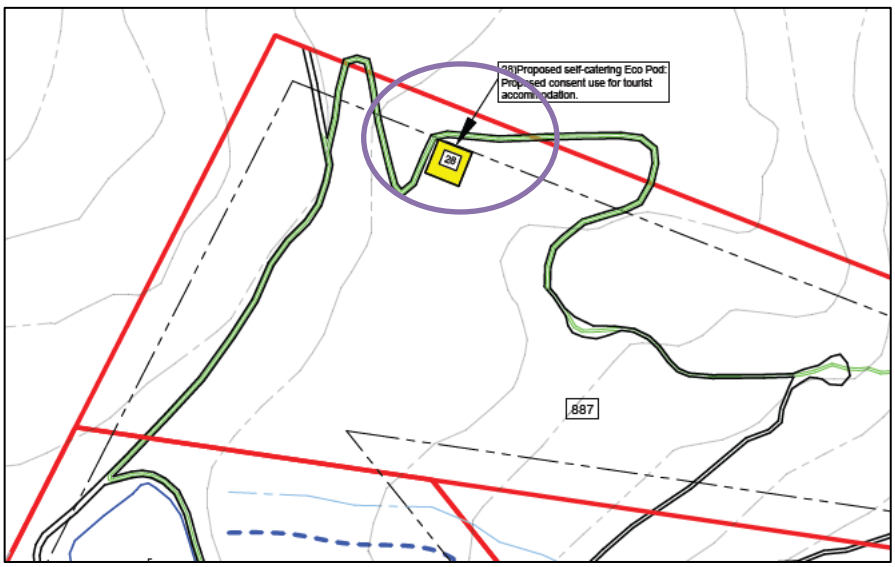


Locations of site 26 and 27 on Farm 824 as reflected on Alternative 2

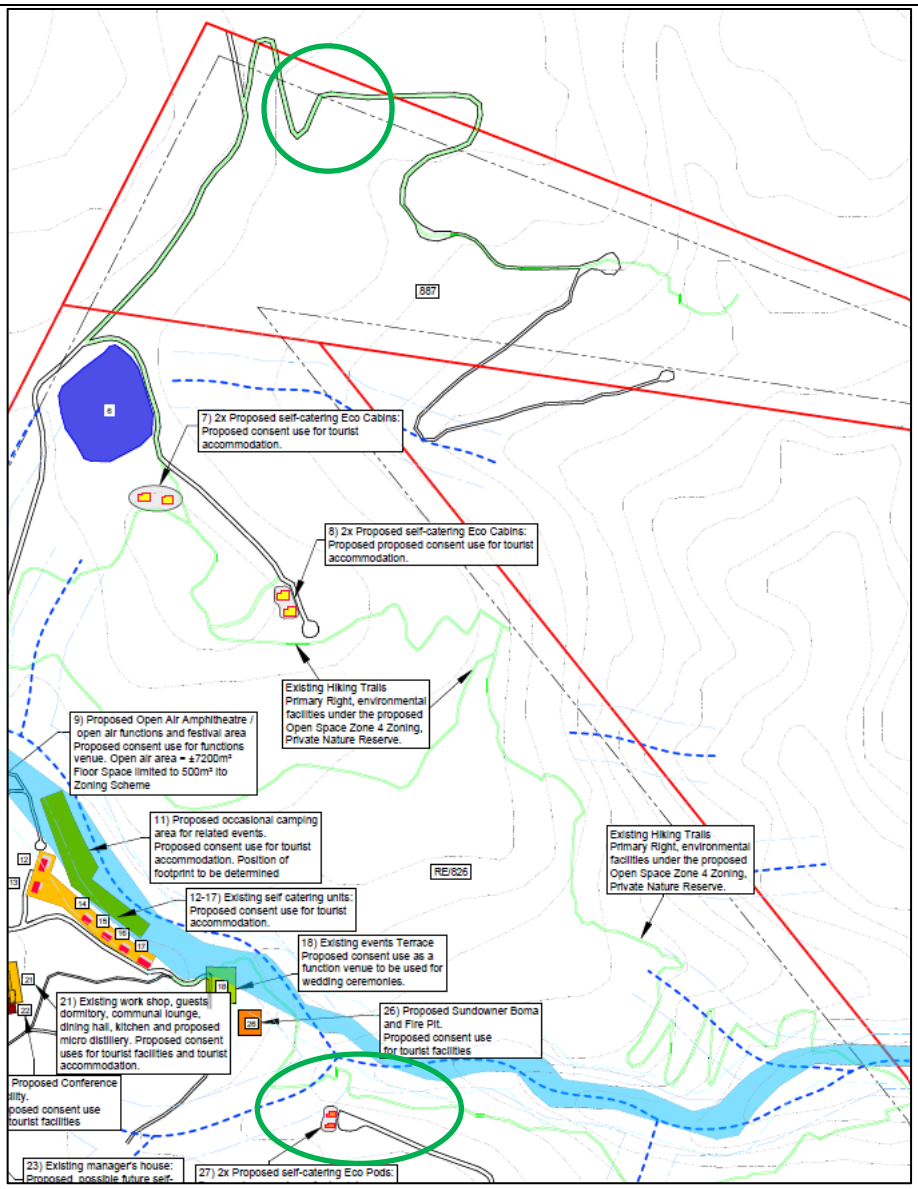


New preferred layout Alternative 3 above, showing no proposed expansion on Farm 824 and clustering at Site 25 on Farm 826

2. Site 28 as indicated on former preferred layout Alternative 2 (1 x eco pod), was removed from Farm 887 to join with Site 30 on Farm 826.
    a. This site was moved from Farm 887 (top right of site plan) to sites 30 on Farm 826
    b. See purple circles in image below



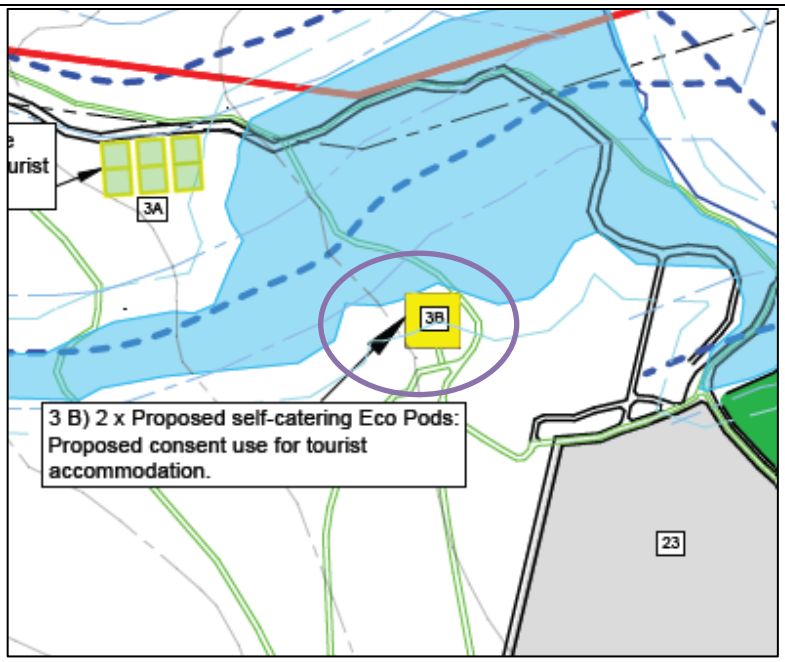
Alternative 2 and former Site 28 on Farm 887



Layout Alternative 3 showing no development on 887 and new Site 27 on Farm 826.

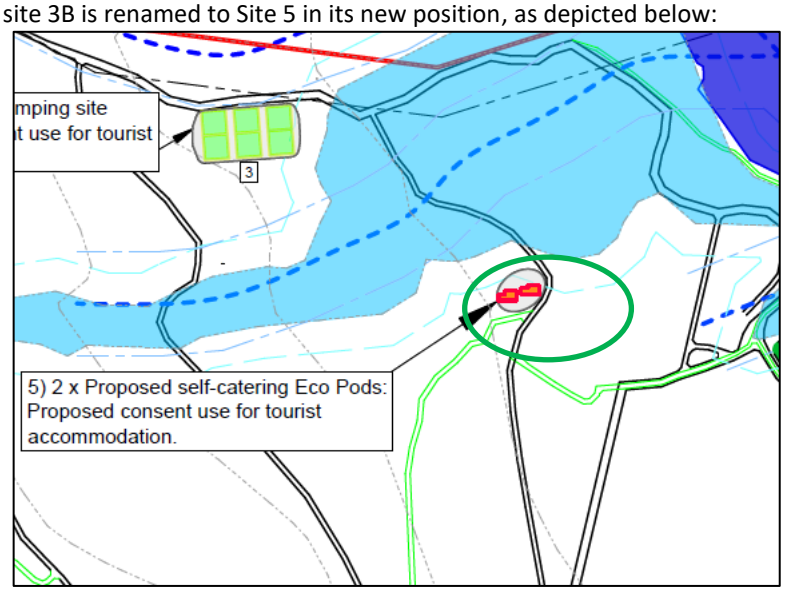
3. Previous Site 28 on Farm 887 and Site 30 on Farm 826 are combined to one cluster at former site 30 and are renamed in Layout Alternative 3, as site 27. This new cluster on Farm 826 now contains 2 x Eco pods.

4. Site 3B on former Layout Alternative 2 (Farm 826), with 2 x eco pods was moved southwards to fall outside the buffer area of the wetland, as required by the wetland specialist.
    a. This site was moved south 20 meters to fall outside of the buffer area of the delineated wetland.



Former site 3B as per Alternative 2

In Layout Alternative 3, site 3B is renamed to Site 5 in its new position, as depicted below:



Points 1 to 4 listed above indicated the physical location changes for sites in the evolution of Layout Alternative 3 – the new preferred alternative.

Additional changes were made in annotations from Alternative 2 to Alternative 3 on request from authorities, including

5. Indicating actual footprint size of proposed accommodation units at each site (see polygons with red boundaries with orange fill (eco pods) or yellow fill (eco cabins)
6. Better colour indication of water related features i.e., non-perennial rivers, dams, delineated wetlands, buffers from drainage lines and seepage areas
    a. Indicating proposed development clusters with grey bounded areas

The specialists reviewed all of the above amendments and support the new preferred Alternative 3 layout as per the addendums contained under Appendix G of the BAR.

Based on the above, the new preferred layout Alternative 3 is as follows:

	New Development Type	No. of units	Pax	Size per unit	Total Size (m^2)
2	Main Dwelling	1	*6*	0	120
3	Camp site (including internal access)	6	36	225	1600
5	Eco pod	2	4	56	112
7	Eco cabins	2	8	124	248
8	Eco cabins	2	8	124	248
22	Conference facility	1	0	0	150
25	Eco cabins	6	24	124	744
26	Sundowner boma	1	0	0	80
27	Eco pods	2	4	56	112
28	Eco cabin	1	4	124	124
		Tourism overnight *Total incl. permanent*	88 94		3538

Alternative 4 No Go

The option of not developing the site, where the status quo remains was also included in the assessment. The no development option presents the following points of consideration:

- → No development means no access for users to this unique resource
- → No opportunity for long term conservation and ecological connectivity. No development means that the current zoning remains as is which presents risks to the property with no long-term conservation option. The rezoning to Open Space 4 and removal of the three properties from the Agricultural Register presents a significant benefit for conservation on these very strategically placed properties.
- → No option to pursue collaboration with the adjacent landowner, Cape Nature, to unlock possible financial and socio-economic opportunities on those properties.
- → No investment in the area and benefits to nearby towns and communities as the existing offerings create significant influx of tourists, athletes, event attendees etc.
- → No opportunity to implement the Cape Nature Biodiversity Stewardship Programme
- → No opportunity for collaboration with neighbouring landowners for long term Fire and Alien Vegetation Management
- → Lack of securing the property to protect against the real risk associated with inappropriate and unregulated future land uses
- → No Responsible Eco-tourism and education opportunities, particularly with the presence of the Stripped Flufftail

CLUSTERING AND SITE ASSESSMENT

Both the planning team and applicant acknowledge the role which "clustering" of new development proposals play in site development and design, particularly in green field development sites which are located in rural areas outside urban areas.

The Rusty Gate properties present a unique environment to work with in terms of layout and future development planning and there are a number of factors which are relevant to this specific case, and which motivate for a more sprawled approach as opposed to clustering of the expansion at existing sites.

These include:

- → Existing road infrastructure – Rusty Gate has existing, good quality internal roads which traverse the three properties. The placement of every new unit was based on these already existing access roads to avoid the need to create any new roads. There are no new roads required to accommodate the proposal, except for the extension of the minor access via jeep track to access Sites 3a, 3b and 27. These sections are less than 300 m collectively and informal in nature (not required in Alternative 3). The reason that these extensions are required were in response to recommendations from specialists, to avoid wetland and / or sensitive botanical features. However, the overall design was based on access via existing routes on site.
- → Once existing roads were used, the exceptional and unique environmental offering of the site was then considered with the aim to showcase the flora, fauna and surrounding mountains and catchments and maximise the enjoyment by the visitor.
- → Topography – as per the attached contour plan, Rusty Gate is extremely mountainous with little to no flat land available for clustering development areas on site. In the event that clustering would be pursued, extensive excavations and terracing would be required to create a suitable building platform. It is expected that the earth works and disturbance to accommodate one or 2 clustered areas would be much higher compared to scattered, low impact units which work with the topography and natural environment. The areas proposed for the campsite area already require terracing to provide flat land suitable for tents and caravans.
- → Wetlands and botanical – there are many sensitive areas on the property, and it is expected that should the development be clustered into one or two larger sites, larger more significant impacts on ecological functioning would be experienced as opposed to the low impact, small scale impacts associated with the placement of a units within a single area. Operational effects such as trampling, creation of informal footpaths, littering, noise and use of vehicles is also expected to be amplified where units are clustered together as opposed to singularly placed in remote areas.
- → The scattered nature and small footprints of the individual proposed development sites allows for optimal connectivity of natural habitats and low disturbance for non-sedentary species (e.g. species who are not dependant on very specific localized habitat conditions). It is therefore reasonable to assume that the development will not influence connectivity for animal species or flora in a significant way as the majority of areas are retained as natural, without large-scale transformation which would create barriers in the landscape and hinder movement.
- → Need and desirability – there is an increased demand for remote tourism overnight offerings in nature. Rusty Gate already offers clustered and collective tourism but has no secluded or remote locations with privacy on offer. The existing tourism is more suited toward group gatherings rather than providing private seclusion in nature. The remote units offer a unique experience to the user where a stronger sense of place and belonging is envisaged with each guest able to experience the environs in a personal and unique way. With a deeper engagement with nature, it is expected that the guest can experience a sense of ownership and improved sense of responsibility for the land's preservation.
- → The small, low impact design on the units across the site offer smaller impacts over larger areas of concentration development. Concentrated development pockets also increase the visibility and visual impact of the activities.
- → Aesthetics and design – the "look and feel" of outward facing facades and other visible elements was one of the key considerations when designing the units to ensure that the sense of place is maintained. The scattered design across the properties is more likely to "blend" into the environment when compared with one or two larger, clustered footprints.
- → Construction materials – the units will consist of light steel frame construction with pillar and beam foundations, which together require very low impact construction activities and short construction timeframes which greatly minimise environmental disturbance. No large-scale construction vehicles and machinery or construction camps will be required. This results in a much smaller impact at each site compared to the large-scale construction and site preparations which would be required at larger clustered sites. The units will be elevated off the ground with

the aim to allow natural vegetation to persist whilst the units will become nestled in natural fynbos. With the low impact construction requirements, impacts such as trampling and hardening of ground around the construction camps is not expected.

- → Maintenance – the light steel frame construction, which is possible with the small construction sites, reduces the maintenance intervals and associated costs i.e., wall panel colours and textures come in a range of suitable colours and materials which can blend into the natural environment and therefore reducing painting etc.
- → Fire management - Several fire protection measures are already in place and maintained at Rusty Gate. These measures, and in particular several fire breaks and access roads are required and maintained to protect the property and respond to wildfires due to topography of the farm, regardless of distributed or clustered locations for the proposed accommodation units. Rusty Gate believes that the dispersed locations of sites reduce the risk of property damage and financial implications due to wildfires in the case of distributed versus clustered location(s).
- → Integration with existing infrastructure – the expansion will piggyback on existing infrastructure and the existing ecotourism components on site ensures for a smoother transition whilst maintaining operational sustainability.
- → Cost implications – A clustered approach to the proposed development would be detrimental for feasibility of the intended development from a financial perspective. Clustered construction at one or two sites will have a significant impact on the architectural and engineering design to date for the accommodation units and associated services (e.g., potable water, sewerage, waste management, and vehicle access. Such designs will have to be assessed and changed to facilitate for clustered approach, resulting in material cost increases for required professional service providers (e.g., architect and civil engineer). It is anticipated that the clustered approach will require substantial earthmoving and civils.
- → Compliance with density calculations and low impact development – the proposal adheres to the density of 1 unit per 10 Ha, with sufficient space to prevent overcrowding. This compliance maintains the balance between development and conservation, preventing overuse of the land while allowing an exceptional ecotourism experience.

FIRE MANAGEMENT

Rusty Gate already implements various actions relating to fire management and fire emergency preparedness:

1. The current owners purchased Rusty Gate Mountain Retreat, including Farms 824, 826 and 887 in June 2019.
2. In early 2020, Rusty Gate joined the GOFPA (Greater Overberg FPA) and with their assistance assessed and implemented fire risk mitigation and management procedures on site
3. The property perimeter of Rusty Gate is approximately 13 km of which roughly half the length constitutes the boundary with Riviersonderend Nature Reserve. The northern boundary of approximately 4 km of Rusty Gate's property borders exclusively with the Riviersonderend Nature Reserve.
4. One of the major concerns already identified in 2020 is that the veld and vegetation on the farm and surrounding properties last burned in approximately 2010, resulting in substantial fuel build-up and increased wild-fire risk.
5. With the assistance of GOFPA, Rusty Gate actively engaged with Cape Nature from early 2020 to formalise a three-way firebreak agreement between the aforementioned parties and Boskloof Farm for collective management of and mitigation of wildfire risk, and specifically on the northern boundary of the property.
6. A formal Firebreak Agreement was drafted by Rusty Gate for approval by Cape Nature and Boskloof Farm. The Firebreak Agreement also included a request for controlled block burning of vegetation on Rusty Gate's property to reduce the fuel load and risk of uncontrollable wildfires.
7. By late 2021 Rusty Gate and Boskloof Farms were fully committed to the proposed Firebreak Agreement, but formalising the agreement was hampered by administrative and bureaucratic challenges at Cape Nature's legal department. Failure to formalise the proposed firebreak agreement led the three parties to a verbal agreement for the implementation of single fire break from Silverstream Dam (eastern extremity) via Rusty Gate to Boskloof

Dam (western extremity) to be jointly maintained by the three parties and each party being responsible for the portion of the fire break on their land.

Principles of fire management which have been considered in this application:

Rusty Gate acknowledges that the proposed expansion of their tourism offering must include appropriate fire management strategies and prevent fire suppression. As such, the applicant is already in consultation with various specialists including Chris Martens (goFPA) and Sean Privett (Grootbos) regarding fire management and block burning on site to ensure that appropriate fire intervals are implemented and maintained during operations. It is important that the natural fire regime be allowed to proceed despite the proposed development. It is therefore proposed that an Integrated Fire and Alien Vegetation Management Plan be prepared for the site, as a condition of Environmental Authorisation. The principles of such a report, which are mostly already implement, include:

1. Implementation and maintenance of correctly planned fire breaks across the properties and at each new site
2. Allowance for natural fire regimes
3. Allowance for strategic block burning in line with specialist recommendations
4. Suppression of fires which occur at increased frequencies
5. Ongoing Alien vegetation clearing and management across the site

See **Appendix K** for the Rusty Gate Block Burn Plan

ALIEN VEGETATION MANAGEMENT

The impact of alien and invasive vegetation on endemic fynbos is material and an ongoing challenge for all affected landowners. The most prominent invasive species found at Rusty Gate includes Hakea, Pine trees Myrtle in specific limited locations, and more recently "Paterson's Curse".

The owners of Rusty Gate and applicant herein, are committed to conservation and protection of indigenous flora, and have undertaken continuous effort for clearing and eradicating alien vegetation on the property since taking ownership in 2019. These actions include:

- → Ongoing clearing activities around infrastructure and buildings, hiking trails and other regularly used areas of the farm.
- → Dedicated clearing activities at least twice per annum in all other accessible areas of the property not mentioned above.
- → Clearing of invasives in inaccessible areas with assistance from Working for Water's High-Altitude team located in Genadendal when they conduct clearing in adjacent areas of the Riviersonderend Nature Reserve for Cape Nature.
- → "Project based" clearing of designated areas, e.g. Removal of all large (mature) pine trees planted or left to grow by previous owners at various locations on the farm, clearing of Hakea "clusters" found at remote areas of the farm, Removal of Myrtle hedgerow close to the farm's main entrance and seasonal work on eradicating Paterson's Curse, including weeding and pre-flowering slashing.
- → As outlined in the fire section above, alien vegetation management forms an integral part of fire risk management and preparedness.

MOUNTAIN CATCHMENT AREA (MCA)

The western half of Farm 824, Farm 887 and the northern section of Farm 826 are located within the Riviersonderend Mountain Catchment Area (MCA) and are therefore mapped as Protected Area in the Western Cape Biodiversity Spatial Plan (WCBSP).

Mountain Catchment Areas were declared in terms of the Mountain Catchment Areas Act (Act 63 of 1970) and are considered to be a protected area in terms of the National Environmental Management: Protected Areas Act NEM:PAA, Act 57 of 2003). Mountain Catchment Areas are included within the Western Cape Biodiversity Act (WCBA, Act 6 of 2021) and the Mountain Catchment Areas Act will be repealed once this section of the WCBA comes into effect. According to the WCBA, MCAs may be declared where the control and management of activities and resources in the area concerned are required to:

- → Maintain the biodiversity and ecosystems in the area.
- → Sustain the ecological infrastructure and provision of ecosystem services, particularly water provisioning.
- → Ensure that the use of biodiversity and ecosystems in the area is sustainable.

There are currently no regulations or restrictions for development within MCA's however the designation as MCAs is used as an informant for land use applications whereby any developments which may compromise the ability of the MCA to provide a secure, steady supply of water into the downstream catchment will not be permitted. Section 41(b) of the WCBA makes provision for activities which are prohibited in an MCA. Management of fires and alien invasive species are an important consideration, and the Mountain Catchment Areas Act makes provision for the establishment of fire protection committees and development of fire protection plans.

With regards to the MCAs status of a portion of the property, the low-impact ecotourism development proposed is considered compatible particularly with the various commitments that Rusty Gate already implements and commits to improve as part of the Environmental Authorisation.

The evolution of layout Alternative 3 and the exclusion of development on Farms 824 and 887, as well as the proposed consolidation and rezoning of the farm to Open Space 4, allows for improved alignment with the MCA and adjacent Protected areas. The exclusion of development on the outlying farms also allows for the linking of the 2 protected areas and the creation of a uninterrupted ecological corridor on Farm 824 northwards towards the Riviersonderend Nature Reserve.

WESTERN CAPE RURAL DEVELOPMENT GUIDELINES

The proposed development has taken cognisance of, and is aligned with, the Western Cape's Land Use Planning

The key points for development in rural areas such as Rusty Gate and as outlined in the various land use planning documents and guidelines such as the Western Cape Land Use Planning Guideline: Rural Areas, include the following principles:

The Conservation Objectives - Compliance of Rusty Gate Rezoning and Consolidation with the Conservation Objectives:

The proposed rezoning of Rusty Gate from Agriculture Zone 1 to Open Space Zone 4, Private Nature Reserve, together with the consolidation of three farm portions adjacent to a nature reserve, aligns with key conservation objectives:

- → Safeguarding Key Terrestrial, Aquatic, and Marine Habitats through Biodiversity Planning

Rusty Gate contains essential natural habitats, including important terrestrial and aquatic ecosystems. Rezoning to Open Space Zone 4 (Private Nature Reserve) provides legal protection against incompatible land uses, preserving sensitive habitats and protecting biodiversity. This designation supports Western Cape biodiversity planning by establishing a protected area that enhances ecological stability, conserves indigenous flora and fauna, and protects vital natural resources on the property.

→ Supporting Formal Protection and Conservation Management for Priority Areas

Designating Rusty Gate as a Private Nature Reserve will contribute to the formal protection of Critical Biodiversity Areas (CBAs) and Ecological Support Areas (ESAs) within the region. These zones are crucial for maintaining biodiversity and ecosystem resilience, especially under development pressures. Rezoning aligns with established conservation management objectives, enabling effective monitoring, habitat restoration, and ecological research in cooperation with neighbouring conservation areas. This approach bolsters habitat connectivity across landscapes, supporting the ecological processes that sustain CBAs and ESAs.

This objective is further secured through the evolution of Alternative 3, where all development is excluded from the 2 outlying farms and confined to development nodes on Farm 826 only. These nodes have been assessed by the specialist team and have evolved through the process in response to specialist concerns and other comments. The areas are strategically placed in previous agricultural areas, along existing access routes and on suitably sloped terrain.

→ Establishing Ecological Corridors to Mitigate Climate Change Impacts

The rezoning and consolidation facilitate Rusty Gate's role as an ecological corridor, bridging fragmented habitats to allow species migration, genetic diversity, and adaptation to climate change. This connectivity is essential for supporting species in finding suitable microhabitats or ranges in response to environmental shifts. Rusty Gate's mountainous terrain and variety of landscapes provide diverse microclimates and natural refugia, making it ideal for mitigating climate change effects on local wildlife.

With the evolution of layout Alternative 3, and the exclusion of development from the 2 outlying farms, the link between the two protected areas has been secured and the creation of a large, ecological corridor has been secured. This has a significant benefit for the broader protected areas in this area.

→ Preserving the Scenic and Cultural Integrity of the Western Cape's Landscapes

Rusty Gate is situated within a region known for its scenic landscapes and high natural value. The rezoning to Private Nature Reserve ensures that future development respects and preserves the area's aesthetic and cultural appeal, maintaining it as a desirable destination for eco-tourism and sustainable recreation. Limiting development that could detract from the area's pristine beauty aligns with the Western Cape's goals to protect its unique landscapes, ensuring that the region's scenic and experiential qualities remain intact for future visitors.

→ Alignment with Rural Heritage Preservation, Respecting Cultural Landscapes

While no significant rural heritage or archaeological sites have been identified on Rusty Gate, the transition to a Private Nature Reserve upholds best practices for respecting cultural landscapes and historical features should any such sites be uncovered in the future. This commitment underscores the Western Cape's dedication to conserving cultural elements within natural landscapes. The nature reserve zoning therefore promotes both environmental and cultural stewardship, ensuring the area is managed in a way that is sensitive to its potential heritage.

Through rezoning and consolidation, Rusty Gate not only strengthens regional conservation efforts but also advances the Western Cape's broader environmental objectives of biodiversity protection, climate resilience, scenic preservation, and

sustainable land use. These measures provide for a carefully balanced development approach, blending eco-tourism, conservation, and cultural respect to support the long-term ecological and social health of the region.

Guidance for Implementation:

Rusty Gate will implement the following guidelines to ensure that conservation and land management practices align with national and regional standards, promoting sustainable development while preserving the property's natural and cultural assets.

→ Setting Conservation Priorities

Rusty Gate's conservation priorities will follow the Western Cape Biodiversity Spatial Plan (WCBSP), emphasizing the protection of sensitive terrestrial and aquatic ecosystems and preserving the scenic landscapes. Adherence to WCBSP guidelines will enhance Rusty Gate's commitment to biodiversity and respect for the region's cultural landscape.

→ Biodiversity Offsets

In cases where unavoidable environmental impacts occur, Rusty Gate will apply national and provincial biodiversity offset guidelines to balance these impacts. Biodiversity offsets will help sustain broader conservation efforts and reinforce Rusty Gate's role in regional biodiversity protection.

→ Formal Protection Mechanisms

The proposed implementation of the Biodiversity Agreement and Stewardship Program at Rusty Gate in conjunction with Cape Nature, will allow for formal conservation protections on the property through:

i. Private Land: Stewardship contracts or Protected Environment status will be pursued if applicable, reinforcing conservation goals through long-term commitments.
ii. Title Deed Restrictions: Where applicable, title deed restrictions may be implemented under stewardship or nature reserve designations, ensuring lasting conservation compliance.
iii. Rezoning and Tax Incentives: Land use through rezoning will align with conservation goals, with potential tax incentives from SARS used to support stewardship and preservation efforts.

→ Formal Heritage Protection

While no significant cultural or archaeological sites have been identified on the property, Rusty Gate will adhere to the National Heritage Resources Act to ensure any culturally significant sites that are identified are managed responsibly. This approach provides a safeguard for cultural respect in the conservation framework.

→ Development Controls

Rusty Gate will adopt precise development controls with spatial planning and land-use restrictions that align with approved management plans. This strategy will help limit development impact, protecting the property's ecological and scenic integrity.

→ Community-Based Conservation

Rusty Gate will engage with community-based initiatives like Land Care, Working for Water, and other regional programs to support conservation. This partnership approach will foster local engagement, providing employment and encouraging community support for Rusty Gate's conservation objectives.

→ Invasive Species & Resource Management

Effective management of invasive species as well as fire, grazing, and resource usage will be a priority to prevent environmental degradation. Regular control of invasive species and resource management will maintain ecological balance, supporting native flora and fauna.

→ Building Regulations

Building regulations at Rusty Gate will focus on conservation, limiting construction to essential structures only such as:

a. Necessary accommodation, utilities, and a single homestead will be the only permitted developments.
b. Permanent employee housing within conservation areas will be avoided, with housing provided in nearby settlements unless the location is too remote.

→ Tourism Accommodation

Rusty Gate's tourism facilities will be thoughtfully managed to allow guests to experience the property's biodiversity with minimal impact on ecosystems. Limited and carefully designed tourist accommodations will support Rusty Gate's conservation objectives, while Chapter 11 offers further guidelines to balance tourism and environmental preservation.

By applying these guidelines, Rusty Gate will ensure that its conservation and development plans align with regional conservation goals, support biodiversity, and promote sustainable tourism, benefitting the environment and community alike.

Tourist accommodation

Rusty Gate aligns with the Western Cape Government's (WCG) Rural Accommodation Guidelines by providing tourism accommodation in a way that respects the unique rural landscape and local character of the area. This compliance is reflected through the following approaches:

→ Support for Rural Tourism Economy: Rusty Gate's development focuses on short-term tourist accommodations, offering eco-friendly cabins and pods, as well as occasional camping areas. This aligns with the WCG's goal of leveraging tourism to diversify and strengthen the rural economy while preserving the scenic integrity of the Western Cape's rural landscape. The accommodation options are carefully integrated into the natural environment, avoiding urban sprawl and enhancing the tourism appeal of the mountainous terrain.

→ Preservation of Agricultural Integrity: Rusty Gate adheres to the WCG's Rural Accommodation Guidelines by ensuring that tourism development does not encroach on the limited viable agricultural land. Due to the mountainous topography of the farm portions, agriculturally productive land is naturally restricted; however, natural vegetation is starting to reappear within the agricultural areas, indicating a gradual return to the pristine surrounding ecosystem. Consequently, all new tourist accommodations have been strategically positioned on non-arable areas, allowing the land to evolve back to its natural state. This approach respects the farm's agricultural function while prioritizing eco-tourism over permanent residential or lifestyle development. By concentrating on rugged, less arable portions of the property, Rusty Gate not only preserves the agricultural integrity of the land that remains suitable for farming but also supports the re-establishment of the natural vegetation, aligning with WCG's objectives to balance agricultural and tourism uses in rural landscapes.

- → Restrained Residential Development: Rusty Gate complies with the policy to prevent extensive residential lifestyle properties and smallholdings within rural landscapes. Accommodation facilities are designed specifically for short-term tourism, avoiding permanent residential structures beyond the existing main homestead. No new settlements or alienable units are proposed, aligning with WCG's intent to limit urban expansion into the rural landscape.

- → Agri-Worker Housing: The current project scope does not include additional on-farm housing for agri-workers.

- → Promotion of Sustainable Tourism Facilities: In line with the policy to avoid multiple residential developments on nature reserves or resorts, Rusty Gate's tourism facilities prioritize ecological sustainability and integration into the landscape. The project limits new structures to essential tourist facilities, which are modestly sized and raised off the ground, minimizing environmental impact and maintaining the scenic quality of the landscape.

- → Preventing Urban Sprawl: By restricting development to designated areas within Rusty Gate and avoiding linear or extensive coastal developments, the project aligns with WCG's strategy to limit urban sprawl. The choice to consolidate existing farm portions and limit expansion further reinforces this commitment.

Compliance with Rural Accommodation Objectives

Rusty Gate fully aligns with the outlined Rural Accommodation objectives, ensuring that all proposed activities are contextually appropriate, generate positive socio-economic returns, and safeguard the environment while supporting the municipality's mandate. The compliance is illustrated through the following points:

- → Contextually Appropriate Activities: Rusty Gate is committed to ensuring that all tourism activities fit the rural context and enhance the local community. By providing eco-friendly accommodations such as eco cabins and pods, the development not only respects the natural surroundings but also aligns with the existing landscape. The transition of the farm portions from Agriculture Zone 1 to Open Space Zone 4, Private Nature Reserve, allows for a focus on conservation and tourism rather than agricultural practices.

- → Positive Socio-Economic Returns: The development is designed to generate positive socio-economic impacts for the municipality by creating jobs, supporting local businesses, and encouraging tourism. By offering diverse accommodation options, Rusty Gate aims to attract visitors who will contribute to the local economy, thereby ensuring sustainable financial growth for the area.

- → Sustainability of Resources: Rusty Gate prioritizes the long-term sustainability of resources and minimizes environmental impacts by positioning accommodations away from sensitive ecological areas. This strategy protects natural resources and aligns with the municipality's objectives for effective resource management.

- → Diverse Accommodation Opportunities: By offering a variety of accommodation types—such as eco cabins, pods, and camping facilities—Rusty Gate provides tourists and visitors with opportunities to experience the unique rural landscapes of the Western Cape. This diversification enriches the tourism experience, allowing visitors to connect with nature and engage in recreational activities that may not have been possible otherwise.

- → Access to Natural Resources: The proposed accommodations are designed primarily for short-term visitors, facilitating access to the surrounding natural beauty and conservation areas. This aligns with the objective of enabling tourists to engage with the local environment, enhancing their appreciation of the region's ecological and cultural significance.

- → Reinforcing Rural Landscape Qualities: The form and scale of the proposed accommodations have been carefully considered to harmonize with the rural landscape's character. By incorporating appropriate architectural designs and natural buffers, Rusty Gate minimizes visual impacts, preserving the scenic qualities of the area while adhering to heritage and visual assessments.

- → Diversification of Income Sources: The transition to a Private Nature Reserve and the introduction of tourism facilities at Rusty Gate provide a means to diversify income sources, ensuring financial viability. This balance allows for both conservation and tourism growth, benefiting the overall economic health of the property.

- → Accommodation in Nature Reserves: By positioning the development within a Private Nature Reserve, Rusty Gate complies with the objective to provide accommodations that facilitate access to conservation areas. This proximity not only enhances the visitor experience but also promotes awareness and appreciation of the region's biodiversity.

In summary, Rusty Gate's commitment to the Rural Accommodation objectives reflects a thoughtful approach to development that supports the local economy, preserves the environment, and enriches the tourism landscape while aligning with the broader goals of sustainable rural development in the Western Cape. By adhering to these guidelines, Rusty Gate demonstrates its dedication to prioritizing tourism and ecological integrity, enhancing the local economy while preserving the character and functionality of the agricultural landscape.

Tourist and Recreational Facilities

Rusty Gate is committed to enhancing the rural economy of the Western Cape by diversifying its economic base into the tourism and recreation sectors. The proposed facilities and activities are designed to promote sustainable and equitable development while offering unique experiences that benefit both visitors and the local community.

To achieve this, Rusty Gate plans to host a variety of events and activities that make full use of the existing natural resources and landscapes:

- → Mountain Biking and Cross-Country Running: Leveraging the existing trails on the property, Rusty Gate will host mountain bike races and cross-country running events. These activities encourage active participation in the beautiful natural environment, attracting both local and visiting athletes and outdoor enthusiasts. The trails will be maintained to ensure safety and sustainability, promoting ongoing community engagement with the landscape.

- → Amphitheatre for Folk Concerts: The existing amphitheatre will serve as a venue for folk concerts and other cultural events, providing a platform for local artists and creating a vibrant cultural scene. This facility will not only enhance the cultural offerings in the region but also foster community involvement and support for local talent.

- → Small Conference Facility: A small conference facility is proposed to cater to business meetings, workshops, and retreats. This venue will provide an ideal setting for corporate events, allowing participants to connect with nature and experience the tranquillity of the rural landscape. By accommodating such events, Rusty Gate aims to attract diverse groups and contribute to the local economy.

- → Diverse Recreational Opportunities: In addition to the aforementioned activities, Rusty Gate may explore other recreational facilities such mountain biking, bird watching, hiking etc. These facilities will offer a wide range of activities that cater to various interests, making Rusty Gate a multifaceted destination for recreation and leisure.

Guidance and Implementation

Rusty Gate is committed to adhering to the guidelines for tourist and recreational facilities within the rural landscape, ensuring that all developments are contextually appropriate and environmentally sensitive. The following points outline how Rusty Gate complies with these guidelines:

- → Alignment with Environmental Characteristics: Rusty Gate's proposed facilities are designed to align closely with the environmental characteristics of the local context. By situating developments in areas that do not disrupt the natural landscape, Rusty Gate respects the unique ecological attributes of the region while enhancing the overall visitor experience.

- → Rural Context Justification: Any facility not directly related to the rural landscape is carefully assessed to ensure it meets the criteria for placement within or near urban centres. Rusty Gate recognizes the importance of justifying why certain land uses cannot be accommodated in urban areas, ensuring transparency and alignment with planning policies.

- → Minimal Adverse Effects: The development plan has been crafted to prevent any adverse effects on society, natural systems, and the environment. Rusty Gate is dedicated to maintaining the integrity of the municipality's resources and financial sustainability while carefully considering the long-term impact on water supply and the cultural landscape.

- → No Permanent On-Site Residences: In accordance with guidelines, Rusty Gate will not establish additional permanent on-site employee residences. Any future and additional necessary staff accommodation will be sourced from existing nearby settlements, ensuring that the rural character is preserved and aligning with the sustainable use of land.

- → Support for Natural Ecosystems: Rusty Gate’s tourism and recreational facilities have been positioned to ensure they do not compromise the natural ecosystems and the functionality of the land. This integration of tourism respects the ecological integrity of the property while promoting sustainable practices.

- → Site Development Plan: A comprehensive site development plan will be submitted to the municipality, clearly indicating the proposed footprint of developments. This plan will demonstrate how the new facilities relate to existing structures, outline infrastructure provision, and detail access and parking arrangements. It will also address signage and landscaping to ensure visual harmony with the rural environment.

- → Avoidance of Sensitive Areas: Rusty Gate is committed to avoiding environmentally sensitive areas, such as wetlands and critical habitats. Facility placement will be informed by a landscape assessment that considers biodiversity, cultural significance, and scenic attributes.

- → Utilization of Existing Structures: Where possible, Rusty Gate will utilize existing structures or disturbed footprints to minimize environmental impact. Any new buildings will be designed to reflect the farm's vernacular architecture, incorporating appropriate landscaping and screening to reduce visual impact on the rural landscape.

- → Contextual Considerations: The scale and nature of all facilities will be determined by the extent of the cadastral portion and the sensitivity of the receiving environment. By limiting the scale of developments, Rusty Gate ensures that secondary development, such as service stations or retail activities, does not occur, thereby maintaining the rural character of the area.

- → Socio-Economic Benefits: Rusty Gate's proposed developments aim to generate positive socio-economic returns while ensuring no compromise to the environment or the municipality's operational capabilities. By providing a variety of tourism and recreational facilities, Rusty Gate will contribute to the local economy while maintaining the integrity of the surrounding environment.

- → Preventing Visual Obstruction: The development will avoid contributing to visually obtrusive or ribbon development along sensitive areas, ensuring that any infrastructure does not detract from the natural beauty of the landscape.

- → Environmental Impact Mitigation: Rusty Gate is committed to ensuring that associated services have no negative impact on the environment. Careful planning will be conducted to ensure that services, such as sewerage provision, do not pollute surface or groundwater.

By following these guidelines and implementing the necessary measures, Rusty Gate demonstrates a strong commitment to sustainable tourism development that aligns with the objectives of preserving the rural landscape and enhancing the local community while maintaining a focus on environmental integrity. Through these initiatives, Rusty Gate aims to provide citizens and visitors with increased access to the rural landscape, allowing them to engage with and appreciate the natural and cultural resources of the Western Cape. By aligning with the objectives of developing sustainable tourism and recreational facilities, Rusty Gate contributes to the overall enhancement of the region's economic and social fabric, promoting a healthy, active lifestyle while ensuring the preservation of the unique rural environment.

- → *Sustainable Development*
- → Environmental Protection: Ensure that development minimizes environmental impact and conserves natural resources. Implement practices that protect biodiversity, water sources, and ecosystems.
- → Resource Management: Use land and resources efficiently to support long-term sustainability. Encourage practices that enhance soil health, water conservation, and energy efficiency.

Alignment with Rusty Gate – the proposal as it stands, offers the option for development with the least environmental impact. Each unit has been strategically located where access is already in place and shifted in response to specialist recommendations to avoid sensitive ecological features. The units have been designed to be low impact, requiring minimal constructed related actions and ongoing maintenance. The units are also designed to function off renewable energy sources.

- → *Agricultural Land Preservation*
- → Protect Agricultural Land: Prioritize the protection of prime agricultural land from conversion to other uses. Support practices that sustain and enhance agricultural productivity.
- → Support Local Farming: Promote policies and initiatives that support local farmers and agricultural activities, including access to markets and infrastructure.

Alignment with Rusty Gate – Rusty Gate has not been actively farmed for almost 20 years and even during that time, only a very small area (approximately 27 ha) was used for agriculture. As indicated in the Agricultural Specialists' report agricultural activities and future potential are not commercially viable and have low potential for high productivity. Given the unique natural resource which Rusty Gate offers, the undulating terrain and sensitive environmental features on site, it was decided that Rusty Gate would hold more value in a long-term protection zoning (Open Space 4) as opposed to Agriculture and therefore this application includes the rezoning of the properties from Agriculture Zone 1 to Open Space 4.

- → Balanced Land Use
- → Zoning and Planning: Implement zoning regulations that clearly define areas for different types of land use (e.g., agriculture, residential, industrial) and prevent conflicting uses.

→ Integrated Land Use: Encourage mixed-use development where appropriate, integrating residential, commercial, and agricultural uses to support local economies and reduce travel distances.

Alignment with Rusty Gate – the proposal allows for tourism development on the outskirts of the farms away from the main commercial hub. The units are designed in such a way that they can be easily removed in the event that any potential future, viable agricultural use arises. The tourism activities proposed will not have long term impacts on any future agricultural use should it take place. In addition, the proposal allows for a diversity of different land use options as opposed to one blanket zoning.

→ Community Involvement:
→ Engage Local Communities: Involve local residents in the planning process to ensure that development meets their needs and respects local traditions and values.
→ Foster Collaboration: Promote cooperation between local governments, community organizations, landowners, and other stakeholders.

Alignment with Rusty Gate – the tourism application at Rusty Gates plays an important role in attracting people to the general area and encourages local spending. rail running events, mountain bikes races and music festivals that can and have been hosted at Rusty Gate attract large numbers of people to the area. The local communities also benefit from additional job creation and skills transfer opportunities. In terms of collaboration, during various meetings held with Cape Nature, it was concluded that there are significant and beneficial opportunities for collaboration with Cape Nature due to their ownership directly adjacent to Rusty Gate. The overnight opportunities proposed at Rusty Gate have the potential to unlock further tourism opportunities on the Cape Nature properties. The option of following one of the various Stewardship options on Rusty Gate is also being investigated. Rusty Gate is already affiliated with Cape Nature (and adjacent landowners) regarding fire management in the area and future opportunities are also possible.

→ Infrastructure Development:
→ Improve Access: Develop and maintain infrastructure such as roads, water supply, and sanitation to support rural development and improve quality of life.
→ Support Services: Provide essential services including healthcare, education, and emergency services to meet the needs of rural populations.

Alignment with Rusty Gate – Rusty Gate works in collaboration with adjacent neighbours and Cape Nature for area wide fire management and emergency response, as well as Alien vegetation management. The large events which are held at Rusty Gate from time to time, result in a large influx of people to the area and with this comes local spending and investment. Rusty Gate also offers various levels of support to staff of the farm.

→ Economic Opportunities:
→ Diversify Economies: Encourage economic diversification beyond traditional agriculture to include tourism, small-scale industries, and other opportunities that can enhance local livelihoods.
→ Enhance Local Businesses: Support small and medium-sized enterprises and local businesses to stimulate economic growth and job creation.

Alignment with Rusty Gate – Rusty Gate proposes activities which are focussed on long term conservation which show cases the unique offering of the sites. The proposed activities also offer options for eco-tourism growth for the local community e.g. Greyton tourism in general, opportunity for future collaboration with Cape Nature and the benefits of job creation and skills transfer from additional accommodation capacity and possible expanded eco-tourism activities.
re-emphasise future collaboration opportunities with Cape Nature. Opportunity for additional job creation from additional accommodation capacity and possible expanded eco-tourism activities

→ Conservation and Heritage:
→ Protect Natural and Cultural Heritage: Identify and preserve areas of natural beauty, historical significance, and cultural value. Implement conservation measures and promote heritage tourism where appropriate.
→ Promote Sustainable Tourism: Develop tourism initiatives that are environmentally and culturally sensitive, contributing to local economies without compromising rural character.

Alignment with Rusty Gate – the rezoning of the property will allow for long term conservation, expanding ecological corridors connecting the Riviersonderend Mountain Catchment and Nature Reserve areas with other areas of ecological importance, and create opportunity for closer collaboration with Cape Nature as neighbours for effective area management.

→ Climate Resilience:
→ Adapt to Climate Change: Incorporate climate resilience into planning to address potential impacts of climate change on rural areas, such as extreme weather events and shifting agricultural conditions.
→ Promote Sustainable Practices: Encourage practices that reduce greenhouse gas emissions and enhance the resilience of rural communities to climate-related challenges.

Alignment with Rusty Gate – Existing alien vegetation and fire management activities will be formalised and expanded across the site to reduce fire load and encourage reinstatement of natural vegetation and wetland areas which aid in buffering against storm events. Our belief is that the above points are sufficiently considered in the Rusty Gate application to achieve a development which supports long-term sustainability, enhances quality of life, and preserves the unique characteristics of the site and surrounds.

Further considerations in terms of the Western Cape Rural Development Guideline:

→ A resort development should be closely associated with a resource which clearly benefits and distinguishes the site, in terms of its amenity value, from surrounding properties.

Rusty Gate properties is nestled within the Riviersonderend Mountains with natural landscapes, panoramic views, steep mountains, watercourses and exceptional fauna and flora. The proposed development offers the ability for visitors to Rusty Gate to experience these aspects. The units have been individually placed to maximise the experience in nature offered by the property and caters towards the strong demand for exclusive, private accommodation in nature.

→ Resort applications outside urban areas can only be considered if linked to a unique resource, unless the area in question has already been demarcated for resort development in terms of an approved SDF or overlay zone. Only in exceptional cases where special desirability factors can be motivated, would any probability arise for new resorts to be established. Such a resource is:
    a. High amenity value in the immediate coastal area, with direct access to the sea, river mouth, river and particularly a sandy beach.
    b. Unique physical features of the site which preclude the creation of a precedent for undesirable ribbon development or the establishment of an excessive number of nodes over a short distance.
    c. Usually a natural resource (e.g. a hot water source, beach, dam, mountain range, lagoon or river).
    d. Occasionally, an existing, established man-made feature (e.g. historic battlefield, or gallery of rock paintings), which has regional significance and is complementary to a unique natural resource.
    e. An established regional-scale dam with a surface area of at least 1km2 allowing recreation activities.
    f. Of such a nature that it makes the subject property particularly favourable in relation to other properties in the area (locational advantage).
    g. Of sufficient value to justify long-distance travel by visitors and the desire to stay longer than one day.
    h. Inseparable from the property on which the source is located.

Rusty Gate is located in a unique area with high mountains, and panoramic views which on a clear day, extend for kilometres across the Riviersonderend valley. The properties also contain kilometres of hiking trails and walking paths which unlocks access to adjacent Cape Nature properties and the Riviersonderend Mountain range.

Rusty Gate properties offer a plethora of "special desirability factors" including:

i. *Uninterrupted views of the Riviersonderend Mountain Range*
j. *Uninterrupted views over the Riviersonderend valley*
k. *Access via hiking trails, footpaths and cycle tracks to pristine natural areas, the Riviersonderend Conservation Area with its rugged peaks, forested kloofs, gorges, rivers, waterfalls and freshwater rockpools*
l. *Abundance of unique flora and fauna*
m. *Access to onsite recreational dams with water surface areas exceeding 2 Ha*
n. *Access to the Silver Stream Dam in adjacent Riviersonderend Nature Reserve*
o. *Unique landscape with undulating topography*

→ In the event of the linear source being general as opposed to unique (i.e., where it can be associated to more than one property along it with an advantage to justify resort development thereon), a maximum of 10 units per cadastral unit will apply.

Rusty Gate is considered to be unique in its offering and environs. The proposal adheres to a density of 1 unit per 10 Ha.

→ Rural resorts should be compact and clustered in nodes and a range of accommodation types is encouraged. Therefore, the planning policy of confining development to certain nodes, identified in terms of a strict application of desirability factors, is aimed precisely at avoiding ribbon development in the rural areas.

Rusty Gate Mountain Retreat already offers accommodation on Farm 826 which was in place upon purchase by the applicant. This accommodation, along with the temporary camp sites and other facilities are nestled in one area on Farm 826. The accommodation here, although very popular, does not unlock the site and area specific attributes of Rusty Gate, such as privacy, uninterrupted views and eco-centred, rustic accommodation. The accommodation currently on offer is more suited towards group stays or events rather than off the grid, secluded, low key offerings. A need has been identified for this type of opportunity on these properties. A major practical consideration relative to the sprawled approach is based on the fact that Rusty Gate has a well-developed internal network of roads which require no changes. These roads provide access to every location which has been proposed in this development application significantly reducing the extent of the development actions required to accommodate the layout. Refer to the motivation regarding the proposed sprawled layout for the expansion application.

→ Resorts may not be located within productive agricultural landscapes, but must be situated adjacent to a natural feature or resource (e.g. Dam, river) that offers a variety of leisure and recreation opportunities (e.g. Hiking, mountain biking, water-based activities), and is well connected to regional routes.

Due to the topography of the site, its location within an exquisite natural landscape and the limited historical agricultural; use (See Agricultural Impact Assessment Report), the farms will be rezoned from Agricultural Zone 1 to Open Space 4 in conjunction with Cape Nature's Stewardship Programme. All three properties are part of and have access to natural resources and features such as dams, stream, gorges, mountain tops, waterfalls, rock pool, indigenous vegetation and panoramic views. Furthermore, only two sites (3a & 3b) are situated within areas of previously cultivated land and the natural vegetation has already significantly creeped back to these site locations since mid 2000's creating a natural habitat once again. All other proposed site locations are significantly removed from old orchards locations.

→ If the resource is located on a different parcel of land, there should be binding agreement or notarial tie, which links the respective properties.

All three properties are under the same ownership.

→ Should there be more than one cadastral unit linked to the source, a proportional share for each cadastral unit linked to the source, has to be calculated based on mutual agreements with the point of departure being the respective cadastral units' frontage to the source and its size combined relative to the other cadastral units involved, with the total for all the cadastral units not exceeding 50 units in the case of a hot spring, or 50 units per 1km^2 of water surface in the case of a water body (in the latter case maximally 50 units per cadastral unit).

All three properties are under the same ownership.

→ The resort density norms, relative to other land use factors and environmental impacts must be used to establish the maximum number of units permitted on land units outside the urban edge.

The expansion proposal for Rusty Gate, although collectively the farms amount to ~ 290 Ha, adheres to a density calculation of 1 unit per 10 hectares, with no unit exceeding footprint area of ~ 120 m^2.

Table extracted from the Western Cape Rural Development Guideline Document (2019) – Resort Size Categories:

SIZE	DESCRIPTION
Small	1-10 units and floor area not being more than 120m² per unit
Medium	11-30 units and floor area not being more than 120m² per unit
Large	31-50 units and floor area not being more that 120m² per unit (Approval of a resort of more than 50 units, though not impossible, is discouraged)

ADDITIONAL MOTIVATIONS & CONSIDERATIONS

The western half of Farm 824, Farm 887 and the northern section of Farm 826 are located within the Riviersonderend Mountain Catchment Area (MCA) and are therefore mapped as a Protected Area in the Western Cape Biodiversity Spatial Plan (WCBSP). There is Critical Biodiversity Area 1 (CBA) and Ecological Support Area 1 (ESA) in the eastern half of the remainder of Farm 826. The eastern half of Farm 824 and western half of Farm 826 are classified as No Natural apart from ESA 2 along the watercourses. The properties are bounded to the north and the east by the Riviersonderend Nature Reserve managed by Cape Nature which forms part of the Cape Floral Region Protected Areas World Heritage Site. This results in the Rusty Gate properties, in their location and environs, to provide for significant contributions towards increased area wide benefits in terms of conservation. With the proposal to consolidate and rezone all three farms (290 Ha collectively) for Private Nature Reserve, ensures that these areas will be protected in the long term for conservation purposes. The proposal also unlocks the opportunity for collaboration with Cape Nature for significant environmental gains. The proposal discussed herein aligns with the visions for the specialist management areas.

Agricultural activities last took place on Farm 826 almost 20 years ago, and the sites have well commenced with the transformation back to a natural state. The Botanical Impact Assessment report states that many of the lowland habitats are under pressure from agriculture, urbanisation and alien plant infestation, and thus many of the range restricted species are also under severe threat of extinction, as habitat is reduced to extremely small fragments. Data from the nationwide plant Red Listing project indicate that 67% of the threatened plant species in the country occur only in the

southwestern Cape, and these total over 1800 species (Raimondo *et al* 2009). It should thus be clear that the southwestern Cape is a major national and global conservation priority and is quite unlike anywhere else in the country in terms of the number of threatened plant species. The proposal to rezone 290 Ha to Open Space 4 for long term conservation, therefore forms a critical step towards protecting the unique flora recorded for this area. This option goes hand in hand with the tourism expansion application.

The Faunal specialist noted that the vulnerably listed Striped Flufftail (*Sarothrura affinis)* was recorded at the vicinity of Site 3A and 3B. These areas are associated with historical agricultural activities and the presence of this bird here, indicates that the previous habitats are rehabilitating naturally back to a more pristine ecosystem.

→ As part of the approval and management of the land, Rusty Gate will rehabilitate the old orchards area in line with specialist recommendations to create more natural habitats
→ Due to Rusty Gate's position alongside, and between Cape Nature properties, the applicant will explore possible options of a Stewardship / Conservation Agreement with Cape Nature.

CONSULTATION PROCESS TO DATE

→ Public Participation Round 1 – pre-application
  a. 13 April 2024 to 16 April 2024
→ Meeting 1 – Plan Active Office, Hermanus
  a. 11 June 2024, 10.45
  b. Present – R. Smart (Cape Nature), J. Mc Lachlan (Plan Active), B. Fourie (Applicant), M. Naylor (EAP)
→ Meeting 2 and site visit at Rusty Gate Mountain Retreat
  a. 2 July 2024
  b. O. Mabi (Cape Nature), R. Smart (Cape Nature), J. Mc Lachlan (Plan Active), B. Fourie (Applicant), M. Naylor (EAP)
→ Meeting 3 and site visit at Rusty Gate Mountain Retreat
  a. 16 September 2024
  b. M. Oosthuizen (DEA&DP), M. Schippers (DEA&DP), B. Osbourne (DEA&DP), C. Charles (TWK), K. Thomas, (TWK), C. van der Walt (DOA), F. Mohammed (DOA), C. Claasen (Cape Nature), J. Mc Lachlan (Plan Active), B. Fourie (Applicant), M. Naylor (EAP)
✓ Public Participation Round 2 – pre-application
  o 13 November 2024 to 31 January 2025

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

All access and internal roads on the subject properties already exist. Minor extensions to some of the remote eco cabins and pods will be required in certain layout alternatives and where these are required, they will be via small jeep-tracks extended from existing access routes. These extensions equate to a total of approximately 300 m in total and have been recommended by one or all of the specialist team, in order to avoid sensitive areas at the proposed development areas. The impact of these have been included in the impact assessment by the team of specialists and the Environmental Assessment Practitioner (EAP).

4.6	SG Digit code(s) of the proposed site(s) for all alternatives:	FARM 824	C	0	1	3	0	0	0	0	0	0	0	0	8	2	4	0	0	0	0	0
		FARM 826	C	0	1	3	0	0	0	0	0	0	0	0	8	2	6	0	0	0	0	0
		FARM 887	C	0	1	3	0	0	0	0	0	0	0	0	8	8	7	0	0	0	0	0

4.7.	Coordinates of the proposed site(s) for all alternatives:			
	Latitude (S)	34°	2‘	2.83“
	Longitude (E)	19°	22‘	43.84“

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

1. Exemption applied for in terms of the NEMA and the NEMA EIA Regulations

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

2. Is the following legislation applicable to the proposed activity or development.

The National Environmental Management: Integrated Coastal Management Act, 2008 (Act No. 24 of 2008) ("ICMA"). If yes, attach a copy of the comment from the relevant competent authority as Appendix E4 and the pre-approval for the reclamation of land as Appendix E19.	YES	**NO X**
The National Heritage Resources Act, 1999 (Act No. 25 of 1999) ("NHRA"). If yes, attach a copy of the comment from Heritage Western Cape as Appendix E1.	**YES X**	NO

The Notice of Intent to Develop (NID) was submitted to Heritage Western Cape (HWC) as required in terms of the National Heritage Resources Act (NHRA). Heritage Western Cape (HWC), in response, requested a Full Heritage Impact Assessment with an Archaeological Impact Assessment (AIA) and a Palaeontological Impact Assessment (PIA). These studies have been completed and no major findings are noted. See reports under Appendix F.

On the 18th July 2024, Heritage Western Cape issues their final comments on the Heritage Impact Assessment (HIA) and confirmed that the HIA has been endorsed by HWC, with the following provisions:

- → No archaeological mitigation is required prior to construction excavations commencing
- → No archaeological monitoring is required
- → Pending the exposure of significant new fossils during construction, no further specialist paleontological studies are recommended and there are no objections on paleontological heritage grounds to the authorisation of the proposed development.

No further heritage assessment or actions are required.

The National Water Act, 1998 (Act No. 36 of 1998) ("NWA"). If yes, attach a copy of the comment from the DWS as Appendix E3.	**YES X**	NO

The Applicability of the National Water Act (NWA) was assessed by the Freshwater Specialist. Comments from BOCMA were also recorded during the first round of pre-application public participation.

All of the activities potentially generating negative freshwater ecological impacts were found to be associated with a **LOW-risk** class (Alternative 2 and 3). Most of the identified negative impacts are limited to the impact site or are site-specific with the exception of water quality impairment because of the slope of the wetland which causes the contaminants to potentially migrate off-site. All the identified negative impacts have a duration of one month to one year and impact on the PES, EIS and/or REC but with no change in status. The Freshwater specialist will undertake the necessary General Authorisation application via the EWULAA's online application process.

The application for General Authorisation for Section 21a – Taking of water from groundwater (borehole) has been submitted to BOCMA and the General Authorisation will be issued in due course.

All other waters rights are in order for the properties in question – See **Appendix J** for the details of the Existing Lawful Water Rights for Rusty Gate.

The National Environmental Management: Air Quality Act, 2004 (Act No. 39 of 2004) ("NEM:AQA"). If yes, attach a copy of the comment from the relevant authorities as Appendix E13.	YES	**NO X**
The National Environmental Management Waste Act (Act No. 59 of 2008) ("NEM:WA")	YES	**NO**

		X
The National Environmental Management Biodiversity Act, 2004 (Act No. 10 of 2004 ("NEMBA").	YES	**NO X**
The National Environmental Management: Protected Areas Act, 2003 (Act No. 57 of 2003) ("NEMPAA").	YES	**NO X**
The Conservation of Agricultural Resources Act, 1983 (Act No. 43 of 1983). If yes, attach comment from the relevant competent authority as Appendix E5.	YES	**NO X**

3. Other legislation

List any other legislation that is applicable to the proposed activity or development.

This application entails a multi-faceted development proposal and includes the following components in accordance with the Theewaterskloof By-Law on Municipal Land Use Planning:

1. Consolidation of Farm Portions

Proposal to consolidate Farm Portions 824, 826, and 887 in terms of Section 15(2)(e) of the Theewaterskloof By-Law on Municipal Land Use Planning.

2. Rezoning Application

Rezoning of the consolidated land parcels from Agricultural Zone 1 to Open Space Zone 4 (Private Nature Reserve) in terms of Section 15(2)(a) of the aforementioned By-Law.

3. Consent Use Application

In terms of Section 15(2)(o), consent is sought for the following land uses:

- → Conference facility
- → Function venue
- → Outdoor trading and dining
- → Tourist accommodation
- → Tourist facilities

4. Proposed and Existing Land Uses to be Accommodated

The comprehensive application aims to support the following developments:
New Developments:

- → 6 proposed camp sites
- → 11 proposed eco cabins
- → 6 proposed eco pods
- → A proposed sundowner boma
- → A proposed conference facility

Regularisation of Existing Facilities:

- → Existing amphitheatre, open-air functions area, and festive gathering space
- → 5 existing self-catering units
- → Existing events terrace
- → Communal lounge area including kitchen, dining hall, dormitory-style accommodation (capacity: 20 persons), and a micro-distillery

Note that elements of the above town planning application are applied in order to rectify land uses not originally applied for by the previous landowner and therefore are part of the existing uses on site.

4. Policies

Explain which policies were considered and how the proposed activity or development complies and responds to these policies.
The following policies have been considered in this Basic Assessment process: → Western Cape Provincial Spatial Development Framework (WCPSDF) → Theewaterskloof Municipality Integrated Development Plan (IDP) (2022 – 2027) → Theewaterskloof Municipal Spatial Development Framework, 2020

5. Guidelines

List the guidelines which have been considered relevant to the proposed activity or development and explain how they have influenced the development proposal.
The following guidelines were considered and implemented during the Environmental Impact Assessment process: → DEA&DP Guideline on Public Participation → Department of Environmental Affairs Public Participation guideline in terms of NEMA EIA Regulations → Circular EADP 0028/2014: One Environmental Management System → Environmental Impact Assessment (EIA) Guideline and Information Document Series, 2013 → Guideline for Environmental Management Plans → Guideline for the Review of Specialist Input in the EIA process → Guideline on Alternatives → Guideline on Need and Desirability → Public Participation Guideline → The Protocols for the Assessment and Minimum Report Content Requirements for Environmental Themes (GN 320 of 2020) → Western Cape Guideline for Rural Development (2019)

6. Protocols

Explain how the proposed activity or development complies with the requirements of the protocols referred to in the NOI and/or application form
The Protocols for the Assessment and Minimum Report Content Requirements for Environmental Themes (GN 320 of 2020) came into effect on 9 May 2020. These protocols mandate site sensitivity verifications for identified Themes of a proposed development site, based on the National Environmental Screening Tool Report. The Site Sensitivity Verification Report (SSVR) has been compiled for the proposed development and outlines the proposed specialist studies to be conducted as part of the impact assessment process and included in the Basic Assessment Report. The various Themes were listed in the Screening Tool Report as follows:

Theme	Very High sensitivity	High sensitivity	Medium sensitivity	Low sensitivity
Agriculture Theme			X	
Animal Species Theme		X		
Aquatic Biodiversity Theme	X			
Archaeological and Cultural Heritage Theme		X		
Civil Aviation Theme				X
Defence Theme				X
Paleontology Theme	X			
Plant Species Theme			X	
Terrestrial Biodiversity Theme	X			

→ ***Agricultural Theme*** - Agricultural Assessment has been undertaken (Johann Lanz)
→ ***Animal Species Theme*** - Faunal specialist has appointed (Prof J Venter and Dr R Swart) – Terrestrial Animal Site Sensitivity Verification Report and Compliance Statement completed. This report was upgraded to a full Faunal Impact Assessment in April 2025.
→ ***Aquatic Biodiversity Theme*** – Specialist appointed, and Impact Assessment conducted (Nick Steytler)
→ **Archaeological and Cultural Heritage Theme** – HIA completed and endorsed by Heritage Western Cape
→ ***Palaeontology*** – PIA completed and endorsed as part of HIA approval by HWC
→ ***Plant species Theme*** – Specialist appointed, and impact assessment completed (Nick Helme)
→ ***Terrestrial Biodiversity Theme*** – Specialist appointed, and impact assessment completed (Nick Helme)

SECTION D: APPLICABLE LISTED ACTIVITIES

List the applicable activities in terms of the NEMA EIA Regulations

Activity No(s):	Provide the relevant **Basic Assessment Activity(ies)** as set out in **Listing Notice 1**	Describe the portion of the proposed development to which the applicable listed activity relates.
12	The development of— (i) dams or weirs, where the dam or weir, including infrastructure and water surface area, exceeds 100 square metres; or (ii) infrastructure or structures with a physical footprint of 100 square metres or more; where such development occurs - (a) within a watercourse; (b) in front of a development setback; or (c) if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse;	Some of the new proposed development may fall within 32 m of a watercourse / wetlands on site, as verified by the Freshwater specialist
Activity No(s):	Provide the relevant **Basic Assessment Activity(ies)** as set out in **Listing Notice 3**	Describe the portion of the proposed development to which the applicable listed activity relates.
6	The development of resorts, lodges, hotels, and tourism or hospitality facilities that sleeps 15 people or more. i. Western Cape i. Inside a protected area identified in terms of NEMPAA; ii. Outside urban areas; (aa) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans; or (bb) Within 5km from national parks, world heritage sites, areas identified in terms of NEMPAA or from the core area of a biosphere reserve; - excluding the conversion of existing buildings where the development footprint will not be increased.	The property is located partially within the Riviersonderend Mountain Catchment Area and more than 15 overnight opportunities are proposed.

12	The clearance of an area of 300 square metres or more of indigenous vegetation i. Western Cape i. 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 ii. Within critical biodiversity areas identified in bioregional plans; iii. Within the littoral active zone or 100 metres inland from high water mark of the sea or an estuarine functional zone, whichever distance is the greater, excluding where such removal will occur behind the development setback line on erven in urban areas; iv. On land, where, at the time of the coming into effect of this Notice or thereafter such land was zoned open space, conservation or had an equivalent zoning; or v. On land designated for protection or conservation purposes in an Environmental Management Framework adopted in the prescribed manner, or a Spatial Development Framework adopted by the MEC or Minister.	Some areas of EN / CR endangered vegetation will require removal. The total new footprint size is approx. 3000 m^2, however not all of this will require vegetation clearance, however more than 300 m^2 will require vegetation clearance
Note: • The listed activities specified above must reconcile with activities applied for in the application form. The onus is on the Applicant to ensure that all applicable listed activities are included in the application. If a specific listed activity is not included in an Environmental Authorisation, a new application for Environmental Authorisation will have to be submitted. • Where additional listed activities have been identified, that have not been included in the application form, and amended application form must be submitted to the competent authority.		

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

~~Activity No(s):~~	~~Provide the relevant **Basic Assessment Activity(ies)** as set out in **Category A**~~	~~Describe the portion of the proposed development to which the applicable listed activity relates.~~
	N/A	

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

~~Activity No(s):~~	~~Provide the relevant **Listed Activity(ies)**~~	~~Describe the portion of the proposed development to which the applicable listed activity relates.~~
	N/A	

SECTION E: PLANNING CONTEXT AND NEED AND DESIRABILITY

1.	Provide a description of the preferred alternative.

The preferred alternative is **Alternative 3.**

The consolidation and rezoning of the three Rusty Gate farm properties from Agricultural Zone 1 to Open Space 4, is proposed. Accommodated under this rezoning, a Consent Use application for Conference faciality, Function venue, Outdoor Trading and dining, Tourist accommodation and Tourist facilities, will be applied for. Note that some of the Consent uses are for existing activities on site, for which municipal rectification is required and currently underway.

The expansion to existing tourism overnight offering through the addition of eco cabins, eco pods and camping on Farm 826 only, is proposed as follows:

	New Development Type	No. of units	Pax	Size per unit	Total Size (m^2)
2	Main Dwelling	1	6	120	120
3	Camp site	6	36	225	1600
5	Eco pods	2	4	56	112
7	Eco cabins	2	8	124	248
8	Eco cabins	2	8	124	248
22	Conference facility	1	0	0	150
25	Eco cabins	6	4	124	744
26	Sundowner boma	1	0	0	80
27	Eco pods	2	4	56	112
28	Eco cabin	1	4	124	124
		Tourism overnight *Total incl. permanent*	88 94		3538

Three layout alternatives and the no development option, are assessed in this impact assessment, as follow:

- → Alternative 1
- → Alternative 2 (Previous preferred)
- → **Alternative 3 (Preferred)**
- → Alternative 4 (No Go) – where the status quo remains

The evolution of the layouts and final preferred layout have been driven by fixed physical factors on site, which formed the starting point for the consideration of, and assessment of alternatives. The layouts then further evolved in line with specialist input and public participation, as described herein.

The collective size of the three Rusty Gate properties is approximately 290 Ha of which less than 2 Ha is currently developed and ~3500 m^2 is proposed for the expansion activities. This allows for approximately 280 Ha for long term conservation. Rusty Gate engaged on numerous occasions with Cape Nature regarding their Biodiversity Stewardship Programme and / or options for long term conservation and Cape Nature has indicated that Rusty Gate would be an important area for their conservation strategies going forward. Following on from these discussions, and with the evolution of the Preferred Alternative 3, it was decided that the three properties would be consolidated and Rezoned

from Agricultural Zone 1 to Open Space 4. This zoning allows for long term conservation opportunities for Rusty Gate and the surrounding areas as described above. This objective is further improved in Alternative 3, where development is excluded from Farm 887 and 824 completely.

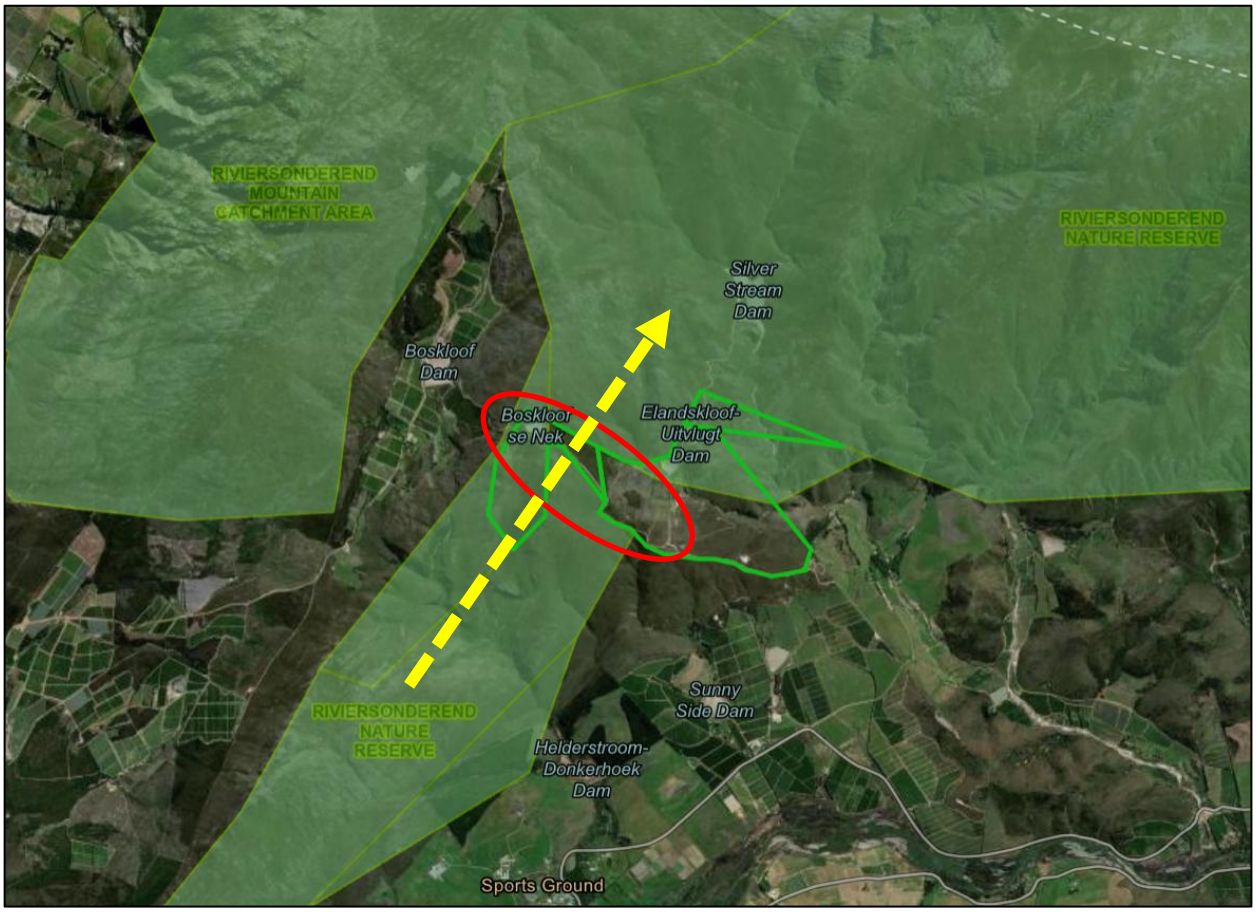
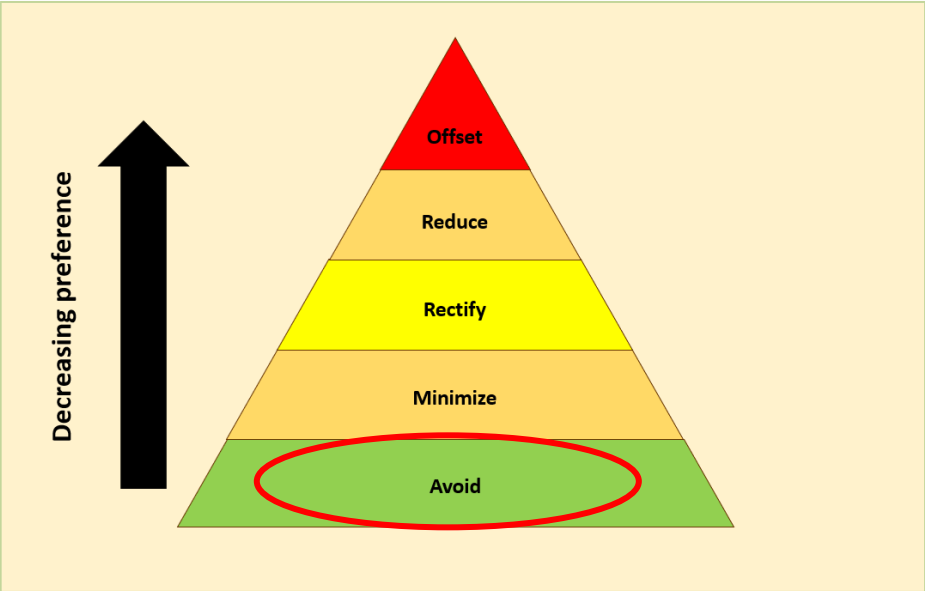


Image above showing the Cape Nature Riviersonderend Nature Reserve and Riviersonderend Mountain Catchment Area and the important location of Rusty Gate in terms of protected area connectivity. With the proposed consolidation of the three properties and rezoning to Open Space 4 as per Alternative 3, the conservation corridor can be secured and provide a positive contribution towards the vision of the adjacent protected areas.

With regards to the MCA status of a portion of the property and the adjacent World Heritage Site (WHS), the low-impact ecotourism development proposed is considered compatible with the negligible impacts on biodiversity, ecosystem services and sense of place. Coupled with the management of the catchment area in terms of integrated Fire and Alien Management currently taking place at Rusty Gate, further supporting the proposal at hand. As per Alternative 3 and with the exclusion of new development on the outlying farms, a important ecological corridor has been created and with the Open Space 4 zoning, can be protected in the long term.

Evolution of alternatives

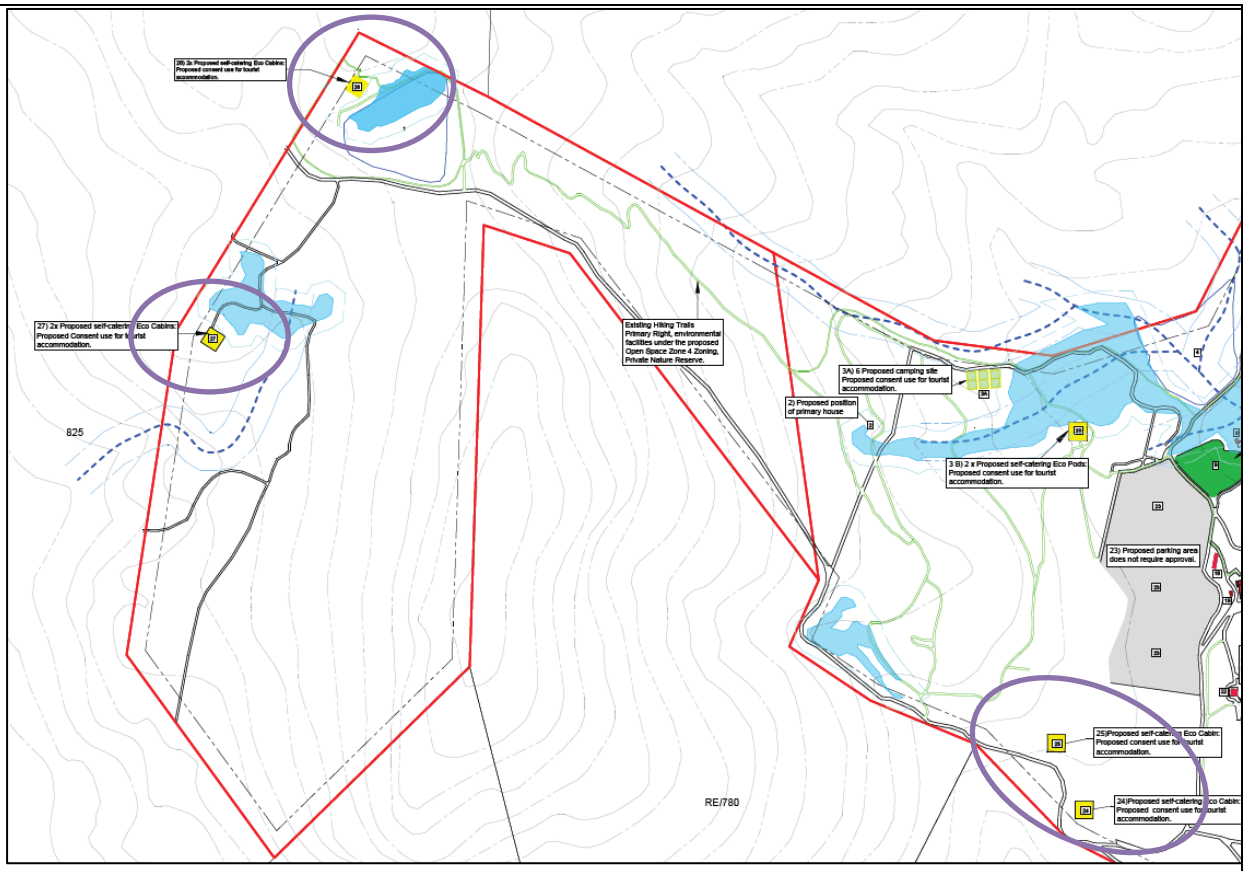
The main difference between Layout Alternative 1 and Alternative 2 (former preferred layout) was that the evolved layout Alternative ensured that the all-new infrastructure was located outside of all sensitive Botanical, Faunal and Wetland areas which were identified by the specialists. Alternative 2 resulted in area specific changes in response to specialist findings. These alternatives were informed by specialists and evolved in line with the mitigation hierarchy principles as per the diagram below:



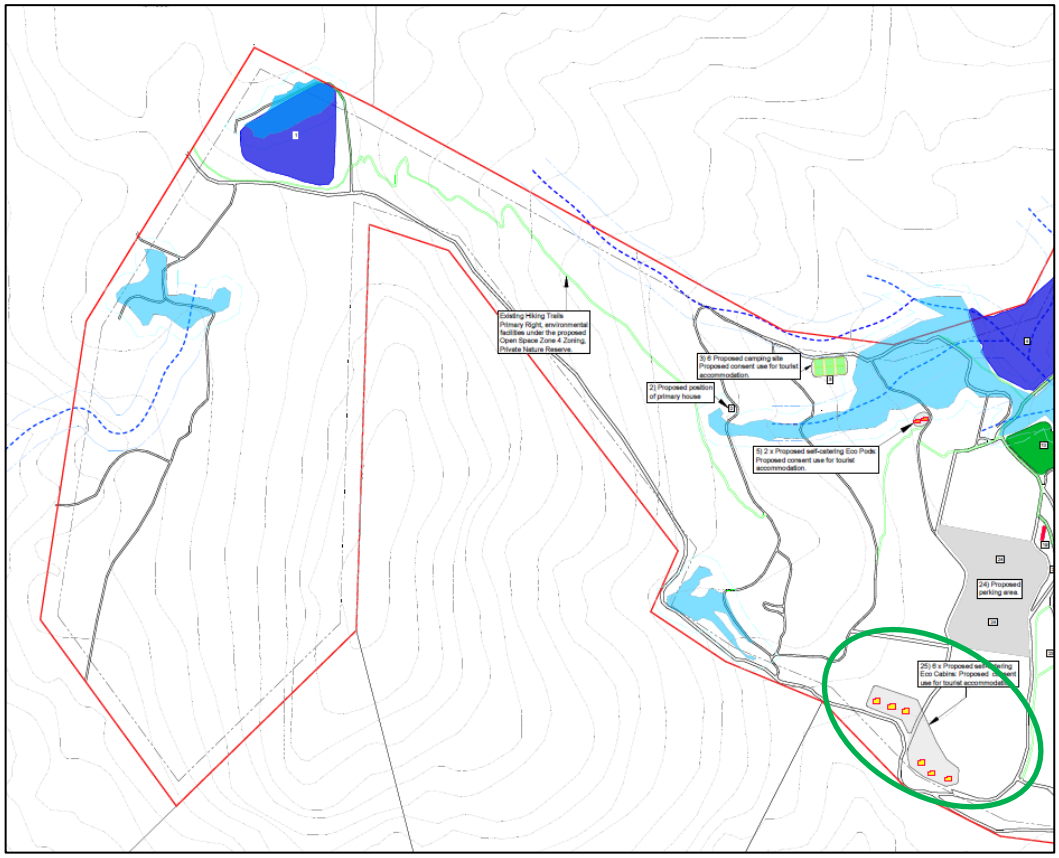
Alternative 3, the final Preferred Alternative, then evolved after 2 rounds of public participation and other consultation with Organs of State. In response to ongoing concerns relating to the spread of development across the three farms, Alternative 3 evolved with all development options for the two outlying farms, being Farm 887 and 824, removed from the proposal. As such Alternative 3 sees all expansion actions confined to limited development clusters on Farm 826 only.

To achieve this, the following amendments were implemented:

1. Former Site 26 & Site 27 – proposed as 2 x Eco Cabins, moved to cluster with Site 24 and 25 on Farm 826 to now form a consolidated Site 25 on Alternative 3.
   Site 25 now includes 6 self-catering Eco cabins clustered along an existing access road on Farm 826.

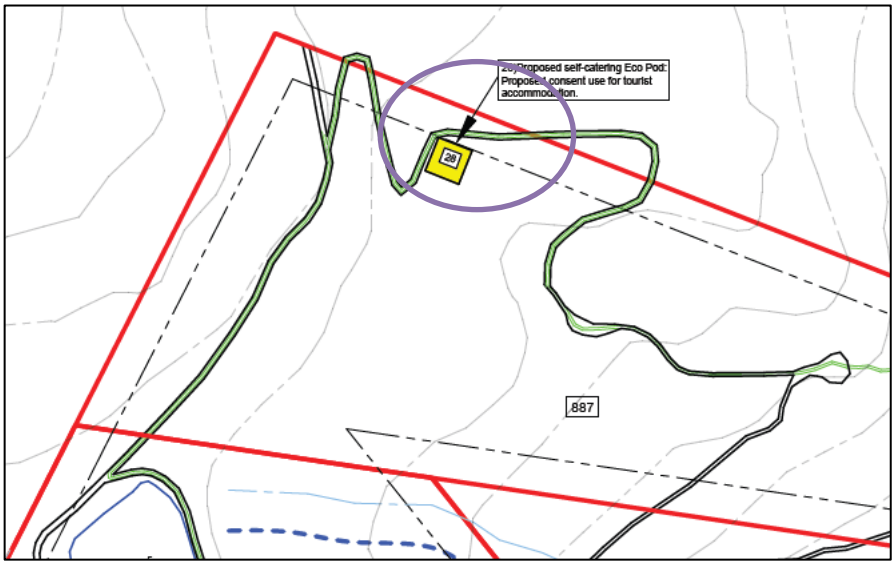


Locations of site 26 and 27 on Farm 824 as reflected on Alternative 2

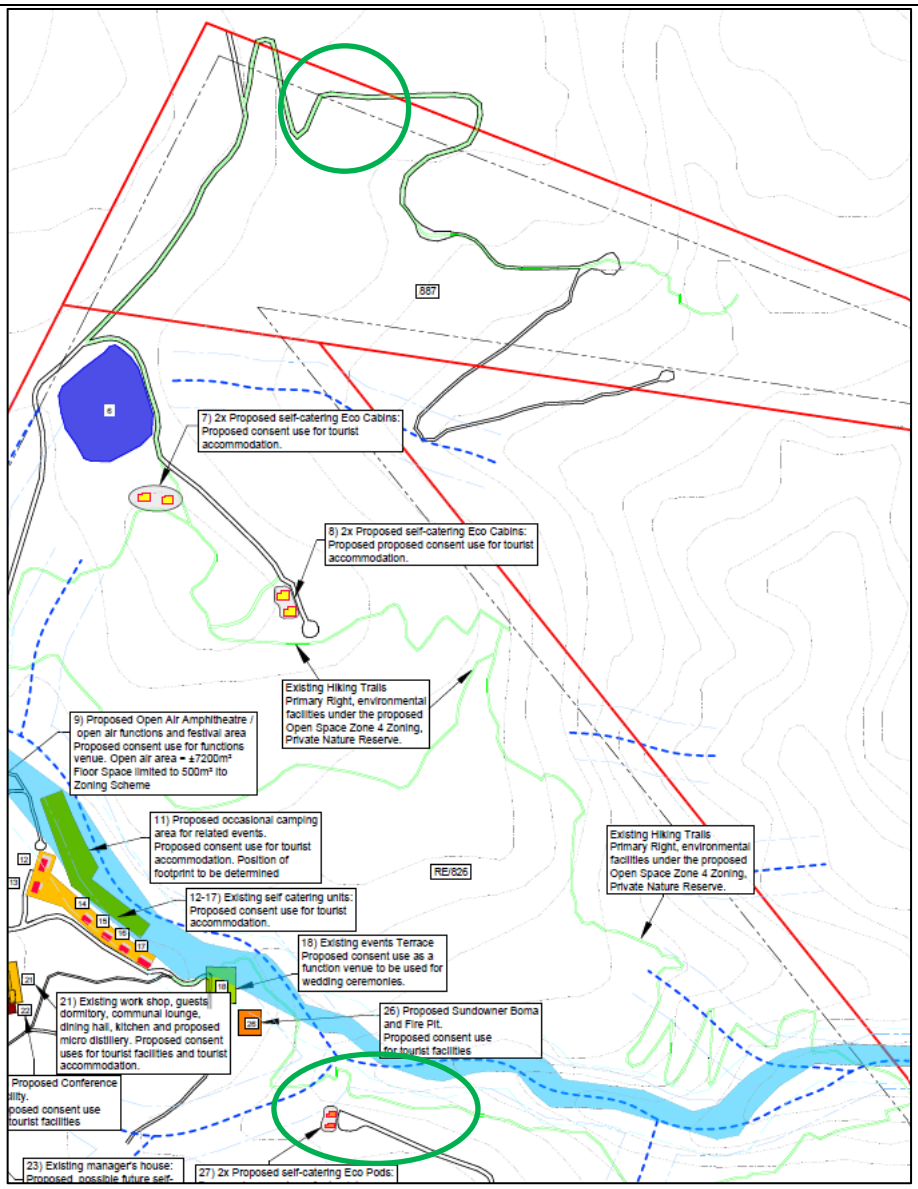


New preferred layout Alternative 3 above, showing no proposed expansion on Farm 824 and clustering at Site 25 on Farm 826

2. Site 28 as indicated on former preferred layout Alternative 2 (1 x eco pod), was removed from Farm 887 to join with Site 30 on Farm 826.
    a. This site was moved from Farm 887 (top right of site plan) to sites 30 on Farm 826
    b. See purple circles in image below



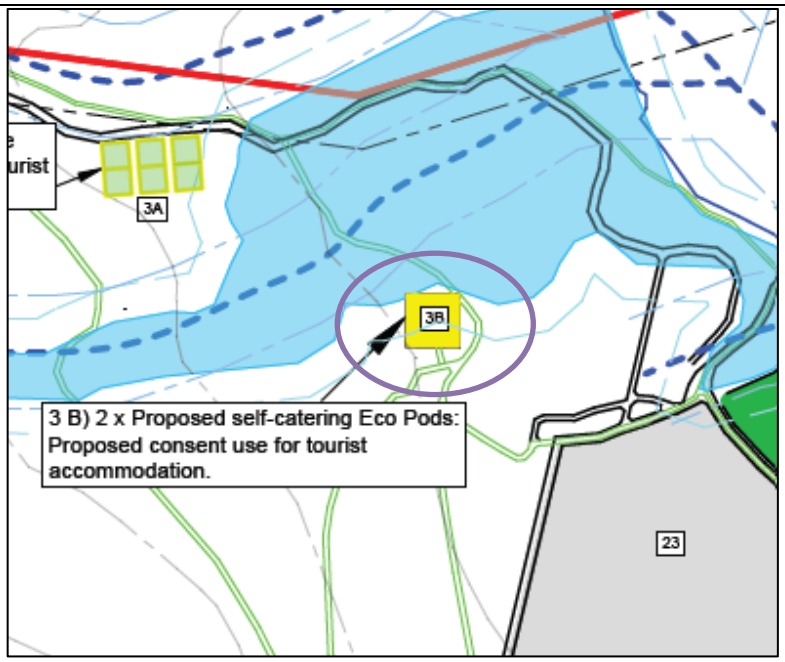
Alternative 2 and former Site 28 on Farm 887



Layout Alternative 3 showing no development on 887 and new Site 27 on Farm 826.

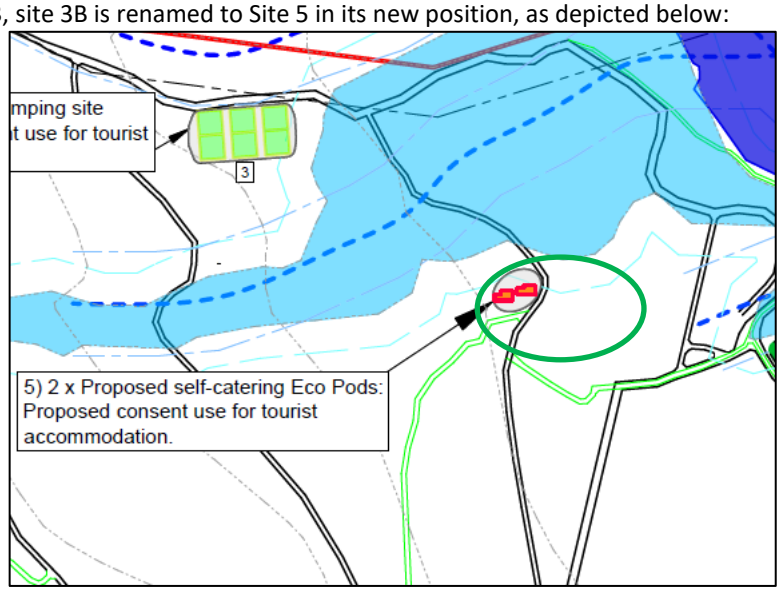
3. Previous Site 28 on Farm 887 and Site 30 on Farm 826 are combined to one cluster at former site 30 and are renamed in Layout Alternative 3, as site 27. This new cluster on Farm 826 now contains 2 x Eco pods.

4. Site 3B on former Layout Alternative 2 (Farm 826), with 2 x eco pods was moved southwards to fall outside the buffer area of the wetland, as required by the wetland specialist. This site was moved south 20 meters to fall outside of the buffer area of the delineated wetland.



Former site 3B as per Alternative 2

In Layout Alternative 3, site 3B is renamed to Site 5 in its new position, as depicted below:



Points 1 to 4 listed above indicated the physical location changes for sites in the evolution of Layout Alternative 3 – the new preferred alternative.

Additional changes were made in annotations from Alternative 2 to Alternative 3 on request from authorities, including

5. Indicating actual footprint size of proposed accommodation units at each site (see polygons with red boundaries with orange fill (eco pods) or yellow fill (eco cabins)
6. Better colour indication of water related features i.e., non-perennial rivers, dams, delineated wetlands, buffers from drainage lines and seepage areas
7. Indicating proposed development clusters with grey bounded areas

The specialists reviewed all of the above amendments and support the new preferred Alternative 3 layout as per the addendums contained under **Appendix G** of the BAR.

Based on the above, the new preferred layout Alternative 3 is as follows:

	New Development Type	No. of units	Pax	Size per unit	Total Size (m^2)
2	Main Dwelling	1	*6*	0	120
3	Camp site (including internal access)	6	36	225	1600
5	Eco pod	2	4	56	112
7	Eco cabins	2	8	124	248
8	Eco cabins	2	8	124	248
22	Conference facility	1	0	0	150
25	Eco cabins	6	24	124	744
26	Sundowner boma	1	0	0	80
27	Eco pods	2	4	56	112
28	Eco cabin	1	4	124	124
	Tourism overnight *Total incl. permanent*		88 94		3538

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

This application entails a multi-faceted development proposal and includes the following components in accordance with the Theewaterskloof By-Law on Municipal Land Use Planning:

1. Consolidation of Farm Portions

Proposal to consolidate Farm Portions 824, 826, and 887 in terms of Section 15(2)(e) of the Theewaterskloof By-Law on Municipal Land Use Planning.

2. Rezoning Application

Rezoning of the consolidated land parcels from Agricultural Zone 1 to Open Space Zone 4 (Private Nature Reserve) in terms of Section 15(2)(a) of the aforementioned By-Law.

3. Consent Use Application

In terms of Section 15(2)(o), consent is sought for the following land uses:

→ Conference facility
→ Function venue
→ Outdoor trading and dining
→ Tourist accommodation
→ Tourist facilities

4. Proposed and Existing Land Uses to be Accommodated

The comprehensive application aims to support the following developments:
New Developments:

→ 6 proposed camp sites
→ 11 proposed eco cabins
→ 6 proposed eco pods

→ A proposed sundowner boma
→ A proposed conference facility

Regularisation of Existing Facilities:

→ Existing amphitheatre, open-air functions area, and festive gathering space
→ 5 existing self-catering units
→ Existing events terrace
→ Communal lounge area including kitchen, dining hall, dormitory-style accommodation (capacity: 20 persons), and a micro-distillery

NOTE: Rusty Gate is currently in discussion with Cape Nature regarding their Biodiversity Stewardship Programme with the aim to voluntarily apply for and implement the Level 3 Nature Reserve Stewardship Option. Cape Nature has indicated that given the proposal at hand, the location of the properties in the landscape and in relation to their adjacent Cape Nature Reserves, the current alien and fire management strategies on site and the unique ecological offerings at Rusty Gate, that this would be supported subject to the findings of the Stewardship Review Committee. It is recommended that this be pursued as a condition of Authorisation, particularly in response to the consolidation and the three properties and rezoning to Open Space 4 – Private Nature Reserve.

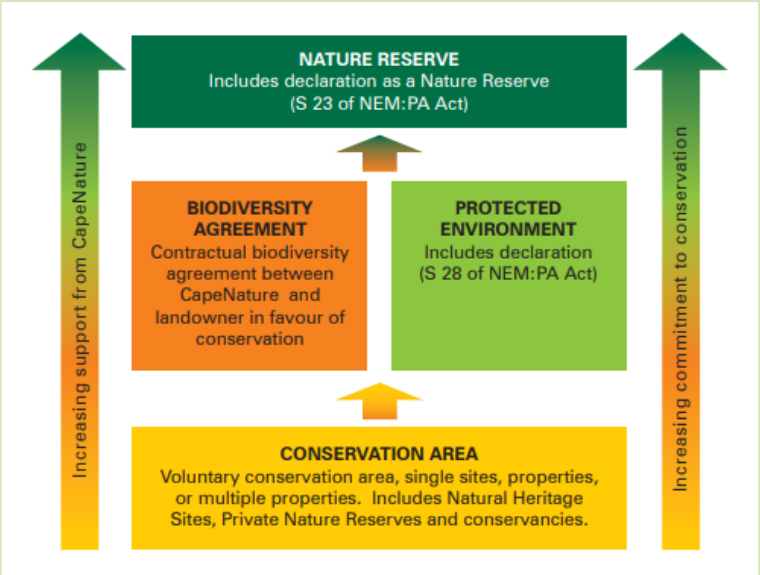


Image showing the various levels and options for landowners to be involved in the stewardship programme

OPTION	LEVEL 1 CONSERVATION AREA	LEVEL 2 BIODIVERSITY AGREEMENTS	LEVEL 2 PROTECTED ENVIRONMENT	LEVEL 3 NATURE RESERVES
Which option applies to your land?	• Any natural land is suitable. • If rare or endangered habitats, rather progress to higher level of conservation security. • Can use this as a stepping stone to more security later on in process.	• Suitable for any conservation-worthy land. • Focuses on improving the management of specific biodiversity features or elements	• Useful to pursue where large landscapes require some form of conservation management, but where it is unnecessary or unsuitable to restrict other forms of extractive land use. • Multiple properties, buffers to statutory Protected Areas.	• Priority areas adjacent to statutory reserves or sufficiently large to be self-contained ecosystems. • Containing critically important species, habitats and self-contained sites.
Legal status/ duration	• Flexible option with no defined period of commitment. • Registration document with the conservation agency.	• Has legal status by virtue of a legal contract between the landowner and the conservation agency. • Minimum period of 10 years suggested but may be longer or in perpetuity.	• Legal declaration under the Protected Area Act. • The duration for Protected Environments declared for other purposes is not prescribed.	• Minimum of 30 years, but preferably in perpetuity.
Qualifying criteria?	• Any landowner (s) willing to conserve the natural systems on their land.	• Site must have been assessed to the standard of the provincial agency and found to contain biodiversity features identified as important or a priority for the province.	• The landowner must be willing to submit to the declaration of the area as a Protected Environment, and to manage (or have managed) the site according to the norms and standards laid down for a Protected Area, but with fewer restrictions than a nature reserve.	• The site must contain significant biodiversity and/or process value to receive this status. • The landowner must consent to the declaration of the area as a nature reserve, and to manage (or have managed) the site according to the norms and standards laid down for nature reserves.
Possible land use limitations	• Very few, but the area needs to maintain its natural character & there has to be an Alien Invasive Plant clearing plan in place.	• Land must be managed in a way that will support natural processes.	• There is no limitation on activities other than those specifically listed in the gazetting notice of the establishment of the Protected Environment.	• Land use rights must be consistent with the provisions of the Protected Areas Legislation. • Access and resident rights are unrestricted. • Owners retain title.
Benefits to the land-owners	• Advice and support through basic extension services. • Guidance with management plans and farm maps.	• Specific agreements for fire, alien species, plant and animal management. • Advanced extension services (e.g. alien clearing planning).	• Advanced extension services (e.g. alien clearing planning). • Regulate the use of the landscape through co-operation between various landowners.	• Substantial assistance with habitat management • Increased recognition and marketing exposure. • Conservation authorities will be able to lobby on your behalf for incentives.

Image showing the various levels, applicability, legal status, qualifying criteria, land use limitations and benefits of the Stewardship Programme

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

As indicated above, the Land Use Application will also cover existing activities which have not been previously applied for by the previous landowner.

In terms of NEMA however, all existing activities on site were found to be lawful by the DEA&DP Law Enforcement team.

4.	Explain how the proposed development will be in line with the following?
4.1	The **Provincial Spatial Development Framework.**

The proposal aligns with the PSDF, as follows:

- → Sustainable and eco focussed development opportunity
- → Low impact development proposal allows for effective management of environmental assets
- → Income opportunity for local community and area in general
- → Effective development of areas already used for tourism
- → High quality land use with eco centred approach

The Provincial Strategic Plan identifies that ecosystem goods and services are the foundation of the Western Cape economy for inclusive economic growth and sustainable delivery of basic services. Through proactive identification of priority biodiversity areas and ecological infrastructure, informed protection and forward planning can be facilitated. Thereby enabling a resilient, sustainable, quality and inclusive living environment. Through the use of various specialists, this principle was applied to the proposal in order to find the preferred layout and development opportunity. Opportunities for conservation opportunities and agreements with the neighbouring landowners, Cape Nature, are also possible and will be investigated further by the landowner.

4.2	The **Integrated Development Plan** of the local municipality.

The IDP for the Theewaterskloof Municipality aims to ensure and preserve the heritage and natural resources within the region and create and develop a safe, healthy, crime free, economically stable and viable environment for all.

The proposal for expansion at Rusty Gate allows for environmentally sensitive development which has been informed by the specialist team whilst creating positive economic benefits such as investment in the area, job creation and tourism.

4.3.	The **Spatial Development Framework** of the local municipality.

The Spatial Development Framework for Theewaterskloof Municipality is based on the following spatial planning principles:

- → Overarching Spatial Development Strategy based on a clear hierarchy of main nodes and smaller settlements
- → Containment and directed growth
- → Compaction and densification
- → Ecological integrity
- → Agricultural enhancement
- → Strategic locational advantage.

The expansion of Rusty Gate has ensured that ecological integrity is at the forefront of the decision-making process to create an informed layout and expansion opportunity. Furthermore, the offering at Rusty Gate is unique based on its location as well as the success of existing tourism activities on site and therefore the principle of strategic locational advantage is fulfilled.

4.4.	The **Environmental Management Framework** applicable to the area.

N/A

5.	Explain how comments from the relevant authorities and/or specialist(s) with respect to biodiversity have influenced the proposed development.

Public Participation round 1
13 March 2024 to 16 April 2024

DEA&DP – Land Use Management (15/04/2024)

Listed Activities:	1. *Clarify applicability and location of Activity 12 of Listing Notice 1 for units within 32m of watercourses, and buffer areas.* 2. *Confirm applicability of Activities 12 and 27 of Listing Notice 1 for development footprint.* 3. *Include Activity 4 of Listing Notice 3 if access road extensions exceed 4m width.* 4. *Provide footprint details for new road extensions.*	*Included in Basic Assessment Report (BAR) and Comments and Response Report*

Site Development Plan:	*5. Justify why parking area (Block 23) does not require approval, particularly regarding indigenous vegetation.* *6. Address inclusion of amphitheatre and camping site (Blocks 9 and 10).* *7. Include buffer areas of 32m from drainage lines and 20m from wetlands.* *8. Distinguish between existing and new structures in the Site Development Plan*	*Included in Basic Assessment Report (BAR) and Comments and Response Report*
Services:	*9. Provide assurance for rainwater harvesting and contingency measures if supply is insufficient.* *10. Attach proof of existing water use rights (e.g., water use license).* *11. Clarify current and future water requirements for the expanded facility.* *12. Confirm local authority's capacity for effluent treatment and registered service provider's availability for conservancy tank servicing.* *13. Specify conservancy tank capacity.* *14. Indicate solid waste management plan and obtain confirmation of capacity from local authority for landfill disposal.*	*Included in Basic Assessment Report (BAR) and Comments and Response Report*
No-Go Alternative:	*15. Provide motivation for not preferring the No-Go alternative.*	*Included in Basic Assessment Report (BAR) and Comments and Response Report*
Additional Comments required:	*16. Obtain input from Breede-Olifants Catchment Management Agency on the need for a General Authorization or Water Use License.* *17. Include comments from the following: CapeNature, Department of Agriculture, Breede-Olifants Catchment Management Agency, Heritage Western Cape, and Theewaterskloof Municipality. Ensure to obtain the Department's Directorate of Pollution and Chemical Management's comment as well*	*Included in Basic Assessment Report (BAR) and Comments and Response Report*

Cape Nature – 17/04/2024

Desktop Information:	*1. Portions of the property are located within the Riviersonderend Mountain Catchment Area (MCA) and classified as Protected Areas in the Western Cape Biodiversity Spatial Plan (WCBSP).* *2. The site includes Critical Biodiversity Area 1 (CBA) and Ecological Support Area 1 (ESA).* *3. The site features critically endangered South Sonderend Sandstone Fynbos and endangered Western Coastal Shale Band Vegetation.*	*Noted*

	4. *The area contains wetlands and rivers and falls within the Boland Surface Water and Southwestern Cape Ranges Groundwater Strategic Water Source Areas (SWSAs).*	
Screening Tool and Site Sensitivity Verification:	5. *High sensitivity is indicated for terrestrial biodiversity, aquatic biodiversity, and animal species, while medium sensitivity is flagged for plant species.* 6. *The BAR lacks a Terrestrial Animal Species Compliance Statement, necessary to address the high sensitivity classification, specifically for species like the striped flufftail.* 7. *Recommendations include considering conservation concern for two local amphibians, **Capensibufo magistratus** and **Arthroleptella atermina**.*	*Noted*
Botanical Assessment:	8. *Protected Area (MCA) status was not recognized in the botanical assessment and should be addressed.* 9. *Site vegetation descriptions are supported, though the extent of shale soils differs from the National Vegetation Map.* 10. *Footprints assessed for habitat loss generally rated medium or low sensitivity; however, high-sensitivity areas remain for certain species of conservation concern (SCCs).*	*Included in Basic Assessment Report (BAR) and Comments and Response Report*
Site Sensitivity and Historical Disturbance:	11. *Indigenous vegetation recovery is noted on western portions of the property, previously impacted by agricultural activity, but overall mapping of site sensitivity was not provided.* 12. *Impact assessment ratings for construction and operational phases generally range from medium-negative to low-medium after mitigation.* 13. *Key indirect operational impact includes fire suppression on biodiversity and ecological function, with a risk of invasive Argentine ant spread.*	*Included in Basic Assessment Report (BAR) and Comments and Response Report*
Fire Management:	14. *Firebreaks should be maintained annually around buildings, extending 5m.* 15. *Concerns are raised regarding isolated unit placements, as fire protection challenges may impact biodiversity and firefighting resources.*	*Included in Basic Assessment Report (BAR) and Comments and Response Report – specific fire management strategies on ongoing and include both mechanisms for optimal fire regime, the ecological risk of preventing fires as well as fire management and actions, in the event of a fire.*
Layout and Design:	16. *Recommends a clustered layout for improved fire management and reduced environmental impact, while preserving ecotourism experiences.*	*This information has been updated accordingly and reflected in the BAR.*

	17. *Suggests that sensitivity mapping be used to select an optimal development layout per NEMA guidelines.*	
Freshwater Ecological Assessment:	18. *Additional wetlands identified through ground-truthing require layout adjustments to avoid these sensitive areas.* 19. *CapeNature advises a higher ecological protection level for wetlands than indicated in the EIS, especially for potential amphibian habitats.*	*Included in Basic Assessment Report (BAR) and Comments and Response Report*
Mountain Catchment Area and World Heritage Site:	20. *Portions of the property are within a protected MCA, with specific biodiversity and ecosystem service goals under the WCBA.* 21. *Proximity to the World Heritage Site requires sensitivity, with access regulated by CapeNature, though no specific development controls are in place yet.*	*The final preferred alternative allows for the "closing" of the current agriculturally zoned land on farm 824, to create a long-term ecological link between the adjacent reserves. The rezoning to Open Space 4 will see an addition of 290 ha to the protected area of this area.*

BOCMA – 23/05/2024

Wetland Presence:	1. *Specialist reports confirm the presence of wetlands on the site.*	*Noted*
Water Use Registration Amendment:	2. *Registration for the proportional volume of water for the five additional self-catering units should be amended to reflect the appropriate water use sector. Initiate this process promptly.*	*In process*
Compliance with National Water Act:	3. *Any development activity within the 1:100-year flood line, within 100 meters of a watercourse, or within a 500-meter radius from a wetland or pan boundary will trigger a water use activity under Section 21 (c) & (i) of the National Water Act, 1998 (Act 36 of 1998).*	*Noted*
Mitigation Measures:	4. *Implement suitable mitigation measures to reduce the overall risk to water resources.*	*Noted and included in EMPR*
Water and Sewage Compliance:	5. *If municipal services are not used, water for domestic use must meet SANS 241:2015 drinking water standards, and sewage disposal must comply with Sections 22 and 40 of the National Water Act, 1998 (Act 36 of 1998).*	*Noted*
Full Compliance with NWA:	6. *Ensure that the proposed development adheres to all relevant sections of the*	*Noted*

	National Water Act, 1998 (Act 36 of 1998), even if not mentioned in the letter.	

DOA – 16/07/2024

Agricultural Land Safeguarding:	1. *The development proposal lacks sufficient measures to protect agricultural land. Regardless of current cultivation status, all land portions remain designated as agricultural.*	*The rezoning from Agricultural Zone 1 to Open Space 4 is proposed.*
Property Consolidation:	2. *If the properties are not consolidated, each land portion's development proposal will be evaluated independently. Proposed rural accommodation for each portion must align with type and density recommendations outlined in the Western Cape Land Use Planning Guidelines for Rural Areas (2019).*	*The proposal is in line with the density requirements of 1 unit per 10 Ha*
Resort Zoning:	3. *Properties under 50 hectares are generally ineligible for rezoning to resort zones. Resort developments are required to have a distinct resource-based amenity that differentiates the property from its surroundings.*	*Proposal for Resort Zone has been removed from the application. The properties will all be rezoned from Agricultural Zone 1 to Open Space 4 with Consent Uses for Tourism Overnight.*
Support for Application:	4. *The application's current format and motivation are not supported.*	*Extensive meetings have been held to address DOA concerns.* *The proposal was amended to rezone the property from Agricultural Zone 1 to Open Space 4.*

DEA&DP and DOA Consolidated Comment – 10/10/2024

Site Visit Context	1. *A site visit on 16 September 2024 involved Directorate: Development Management (Region 1), the Provincial Department of Agriculture, CapeNature, Theewaterskloof Municipality, the applicant, and the Environmental Assessment Practitioner.*	-
Tourism Accommodation Concerns	2. *Concerns about the quantity and dispersed nature of proposed tourism units and the suitability of the proposed campsite location.*	*Discussed in the BAR*

Compliance with Land Use Planning Guidelines	3. *The scale of the development conflicts with Western Cape Land Use Planning Guidelines for Rural Areas (2019).* 4. *A stronger justification for deviation from these guidelines regarding development scale and context is needed, including the need and desirability of the project.*	*See Section above regarding the WC Land Use Planning Guidelines for Rural Areas (2019)*
Water Rights and Usage	5. *Although the farm has existing water rights, proof has not been provided.* 6. *The current water rights apply to agricultural activities, not tourism. Transferring these rights for tourism use needs to be addressed and discussed with relevant authorities per the National Water Act.*	*Attached under Appendix J*
Protection of Agricultural Land	7. *No options for protecting agricultural land were considered.* 8. *The potential future agricultural use of viable farmland with existing water rights should be addressed.*	*Refer to proposal for rezoning as well as Agricultural Assessment*
Veld Fire Risk	9. *The proposed development is in a high fire-risk area.* 10. *Specific attention is required for remote accommodation units located over 2km from existing facilities on the farm*	*See comments in BAR relating to Fire management and avoidance of fire suppression*
Mandatory Investigation of Alternatives	11. *Alternatives addressing these issues, including layout, activity, design, operational, and technology alternatives, must be investigated and reported on per NEMA and EIA regulations.*	*Alternatives are discussed in the BAR*
Further Pre-Application Draft BAR Circulation	12. *Recommends circulation of a revised Draft BAR containing significant new information before submitting an environmental authorisation application.*	*-*
Legal Status of Existing Development	13. *Clarity is sought regarding the legal status of the existing resort development under current planning legislation, as this impacts potential development expansion.*	*Legal status in terms of NEMA was confirmed as in order* *Legal status in terms of TWK municipal By Laws is currently being rectified*

Public Participation round 2
13 November 2024 to 31 January 2025

Overberg District Municipality – 13/12/2024

Fire management	*1. Active fire management to be prioritised*	*As per Fire Management Section above and currently underway at Rusty Gate.*

DEA&DP – 31/01/2025

Clustering	*1. Tourist accommodation in the rural area should be clustered in visually discreet nodes*	*Layout Alternative 3 removes all proposed development on the 2 outlying farms, where they are shifted to specific development nodes on Farm 826. This reduces the sprawled layout across the three farms and forms distinct nodes on the core farm 826.*
Fire	*2. Placement of units appropriately avoid risks such as fire and flooding*	*Alternative 3 confines all development to a few development nodes on farm 826 only and removes all development on the 2 outlying farms. This creates a more manageable fire risk situation where fire fighting can be done in smaller zones as opposed to across three farms with large distances between. In terms of fire intervals, excluding development on the 2 outlying farms, presents an easier manner to allow for natural fire regimes without needing to protect built infrastructure.* *All development in layout three is located more than 20 m from the edge of wetlands and watercourse and therefore flood risk is not likely.*
Core Areas and previously disturbed zones	*3. Essential Core areas are 'no-go' areas from a development perspective and human contact should be restricted to ensure no further loss of natural habitat. Subject to stringent controls, non-consumptive low-impact eco-tourism activities, such as visitor's overnight accommodation may be accommodated in Core 1 areas. Detailed site-level mapping of habitat conditions should inform the placement of essential buildings or structures in Core Areas, which should preferably be located on disturbed footprints.* *4. Due to historical farming practices, there are large areas on the application properties that are already disturbed. Units should ideally be positioned in already disturbed areas where it will have the least impact on the natural environment.*	*Alternative 3 excludes all development on Farm 824 and 887 and confines development to the main Farm 826. Furthermore, a more nodal type offering is presented where more units are clustered into development nodes.* *All sites proposed for development were chosen for the discussed physical factors and then moved in response to specialist input. All sensitive areas have been avoided through specialist input and evolution of the layout alternatives.*

Rural feel and architecture	*5. The form and scale of tourist accommodation should reinforce rural landscape qualities. Information on the architectural design must be provided for the purposes of heritage and visual assessments. Where buildings and structures in Core Areas are justified, environmentally sensitive and sustainable construction principles should be applied to ensure that development is in harmony with the character of the surrounding landscape.*	*The design of the cabins, pods and camp sites are specified in Section 4.4, page 14 to 20 above. Specific designs have been explored to ensure a visually unobtrusive offering which blends into the natural environment. Specific objectives relating to sustainability, aesthetics and ergonomics have been investigated and detailed herein. Conventional hard construction is avoided and prefabricated low impact, modular types are proposed.* *The intent is that construction of the new accommodation units will be conducted in such a manner as to minimise the ecological impact, with the following principles being applied:* *→ Design methodology - use of renewable energy (solar and/or wind) and sustainable and eco-friendly treatment of sewage and wastewater.* *→ Location – the placement of units in specifically identified locations with least possible adverse impact on fauna, flora and aquatic features, with the placement of every unit guided by the specialist team.* *→ Construction type - use of light steel construction with prefabricated components, raised units on pillar type foundations, minimize site impacts and reduce on-site construction requirements.* *→ Sustainability - use of sustainable and non-toxic materials with minimal maintenance requirements over the lifetime of accommodation units, materials to be environmentally sensitive with fire retardation materials built into it.*
WC Land Use Planning Guidelines for Rural Areas 2019	*6. The justification for the deviation from the principles of the Western Cape Land Use Planning Guidelines for Rural Areas 2019 in terms of the scale and context of the proposed development is not adequate.*	*Alternative 3 has evolved in response to concerns relating to the acknowledgement of the WC Land Use Planning Guidelines for Rural Areas 2019*
Planning consideration	*7. As per comment dated 10 Oct, planning considerations*	*With the evolution of layout alternative 3, and the more clustered approach, speaks more towards adherence to the planning principles and guidelines*
Legality off existing	*8. Clarity regarding the legality of the existing operations is requested*	*DEA&DP – Development Management, in response to the Notice of Intent to Develop (NOI), requested that the lawfulness of the existing overnight tourist facilities should be confirmed prior to submission of the application for Environmental Authorisation (DEA&DP comment dated 23/05/2023 and 1/06/2023,* *DEA&DP Ref.16/3/3/6/7/1/E4/12/1151/23).* *Submission was made and inspection undertaken by DEA&DP – Law Enforcement. It was subsequently confirmed by Law Enforcement (Najah Ben Jeddou)*

		that no unlawful activity had been determined and the case was closed. *Further to the above,* ○ *The current owners purchased the business (including properties) in June 2019 as a going concern self-catering guest farm and has been operating as such with focus on eco-tourism since then under the re-branded registered trade name Rusty Gate Mountain Retreat.* ○ *In 2022 the current owners wished to apply for a liquor license, which inter alia required a zoning certificate confirming that the relevant property is appropriately zoned for the applicable liquor license. On engagement with TWK Municipality the current owners were informed that the relevant property does not have the appropriate consent use specified for the current self-catering guest farm operations.* ○ *On recommendation from TWK Municipality, the current owners immediately commenced with the process of rectifying the outstanding consent use issues, which included appointment of a Town Planner (Plan Active) and Environmental Assessment Practitioner (Lornay).* ○ *Rusty Gate prepared a proposed Site Development Plan, which was reviewed in consultation with the TWK Municipality to obtain their input and implement any necessary revisions. From a town planning perspective, no negative feedback was received from TWK. The application will be submitted to the TWK Municipality once all comments from the NEMA process have been received and final amendments have been made to the prosed Site Development Plan. This approach aims to prevent the need for re-advertising once the formal application process begins.* ○ *Although this application includes details for the proposed new development, it also serves as part of the rectification with TWK to resolve the current consent use issues for the self-catering guest farm operations.*

Services	*9. Confirmation of services required*	*Due to site constraints and sensitivity, closed conservancy tanks systems (5000 ℓ) will be utilised for sewage services. The relevant service provider and receiving municipal treatment site have confirmed capacity for service – See Appendix G9 for Boland Toilet Hire confirmation and Appendix G8 and G10 for TWK solid waste and effluent waste capacity confirmation.*
Water rights	*10. Proof of such to be provided*	*Rusty Gate operates under confirmed Water Rights and Existing Lawful Use as per Appendix J of the BAR. In addition, a new application for General Authorisation for groundwater is currently lodged on the EWULAA Site with BOCMA and then GA will be issued in due course.*
32 m from Watercourse	*11. Which units will be located within 32 m*	*In Alternative 3 - All units are located outside of the required 20 m buffer as recommended by the Freshwater specialist. In addition, this preferred layout also sees all new proposed development located more than 32 m from watercourses and drainage lines. Alternative 1 and 2 contained units which fell within both the 20 m and 32 m lines.*
Conservancy tanks	*12. How many conservancy tanks will be installed and capacity*	Due to site constraints and sensitivity, closed conservancy tanks systems (5000 ℓ) will be utilised for sewage services. The relevant service provider and receiving municipal treatment site have confirmed capacity for service. For the Eco cabins and pods, the conservancy tank will be installed under each unit, this will limit the need for additional disturbance, excavation and installation of extensive pipeline networks. Where the incline does not allow for placement beneath the units, the tanks will be placed at a location between the accommodation and access roads. Sewage and wastewater at the campsite will be managed via a single conservancy tank system with sufficient capacity for all six camping stands. The conservancy tank will be installed underground at the north-western corner of the camp site. This location will provide necessary slope from the campsite to the conservancy tank to allow for flow of sewage without blockages and will be accessible for a service vehicle from the main access road. Thus, with reference to the above, - One conservancy tank of 5000L for each of the Eco-cabins and Eco-pods. - One larger conservancy for the campsite. Size to be finalised subject to location and number of stands (max 6 stands)
	13. Length and diameter of sewerage pipelines	All sewerage piping (if required) from the unit to conservancy tanks, and from conservancy tanks to discharge service points will be HDPE as per applicable building regulations. All sewerage pipe joints, and plumbing connection points will be appropriately sealed to prevent seepage or spillage. All sewerage piping will be run underground where possible. Should the underlying soil, bedrock and/or rocky outcrops at a site prohibit trenching for underground laying of sewerage pipes, then such pipe sections will be run above ground along

		the shortest possible route at the required slope to prevent blockages. Above ground sewerage pipe sections will be obscured from view and protected from elemental damage by covering with rocks and foliage. Any section of "near horizontal" sewerage pipe (i.e., with slope between 1:4 to 1:6) in excess of 15 meters will be fitted with a rodding eye access point to allow for clearing of unanticipated blockages. Thus, with reference to the above, o Ideally, conservancy tanks for Eco-cabins and Eco-pods will be installed under the platforms on stilt and pillar foundations. In cases where this is not possible the conservancy tanks will be installed downslope as close as possible to the applicable accommodation units. o Material used for sewerage pipes will be "standard" sewerage piping and fittings with 110mm diameter. o Distances will be kept to a minimum for each individual installation to reduce cost and risk of leakage. The longest anticipated length for sewerage pipes is at the campsite (subject to final location and number of stands) and will not be more than 70 meters from the furthest stand (top terrace) to the conservancy tank.
Buffer areas and wetlands	14. The buffer areas of 32m from any mapped drainage line and 20m from any wetland must also be included in the Site Development Plan.	→ Refer to BAR, Appendix B for detailed site plan, which illustrates that all structures for the proposed new development will be placed outside of the 32m boundary from drainage lines. → Refer to Appendix 1 of this document for the latest updated version of the site plan (Revision 5 dated 2025.03.10), and specifically: o Inclusion of 32m boundary from mapped drainage lines, and o Inclusion of 20m boundary from delineated wetlands. o Site location amendments following correspondence between Rusty Gate and DEADP (see items **Error! R eference source not found.** and **Error! Reference source not found.** in s ection **Error! Reference source not found.**.) → Further to the above o Note that sites 2, 3 and 5, which are outside the specified 32m from drainage lines, but may be close to or within the specified 20m boundary of designated wetland areas. o Rusty Gate is already in consultation

		process with appropriate specialists to comment on the Amended Site Plan – Revision 5. Specialists' comments in this regard are pending. o Should any of the above mentioned sites bet determined to be inside the 20m boundary from delineated wetlands the necessary listed activities will be included as per NEMA requirements.

DOA – 10/02/2025

Rezone	Application to rezone to Open Space 4: Nature Reserve does not exclude the properties from the provisions of Subdivision of Agricultural Land Act 70 of 1970. Only by proclaiming it in a government gazette as a private nature reserve will the properties be removed from the agricultural register.	Noted
Stewardship	A Stewardship agreement and management plan must be established between Cape Nature and the land landowners should the approval for rezoning be obtained	Noted and in process
Existing Water Rights	-Should approval for the rezoning be gained, the water registered for the purpose of irrigation must be surrendered and reallocated for the purpose of irrigation	To be discussed with BOCMA and included as a condition of approval
Clustering	Units to be clustered in line with WC Rural Development Guideline	See revised Alternative 3

Cape Nature – 17/02/2025

Dispersed layout	1. Layout considered dispersed resulting in habitat fragmentation and fire management challenges 2. Assessment at predetermined areas not exposed to previous agriculture	The layout has evolved to final preferred Layout alternative 3. All development removed from 2 outlying farms and confined to 826 only. This amendment allows for the linkage of the 2 PA and the creation of a uninterrupted ecological corridor to join the 2 PA.
2019 BSP	3. 2017 BSP upgraded to 2023 and CBA	See Section 4.6, page 14 of the BAR and Section G of the BAR – The information has been updated as per comment
Terrestrial Animal SSVR	4. CS to be upgraded 5. Flufftail 6. Spring survey recommended 7. Verreaux Eagle 8. Amphibians	CS upgraded to full Terrestrial Impact Assessment Flufftail details added to the Terrestrial Impact Assessment as per CN comment. Camp site moved to avoid possible flufftail habitat. As agreed with Cape Nature the spring survey will be undertaken as a condition of authorisation at the closest next spring. Comment re Verreaux Eagle assessed and added to the Faunal Report Comments re amphibians and specific species highlighted by CN added to Terrestrial Animal Report

	9. Ecological connectivity	Relevant information added to Faunal Report and BAR
Scattered proposal	10. Concern relating to placement of units	The layout has evolved – final preferred alternative is now Layout Alternative 3
Fire management	11. The dispersed nature of the layout presents fire management challenges 12. Fire break agreement to be formalised	New preferred layout has evolved which confines all development to Farm 826 only FBA to be formalised as condition of authorisation. Landowner is in process of trying to achieve this with CN
Stewardship	13. To be pursued	The proposed consolidation and rezoning to Open Space 4 (Private NR) will result in a significant long-term benefit for conservation. Stewardship options in conjunction with Cape Nature can be explored as a condition of approval.

6.	Explain how the **Western Cape Biodiversity Spatial Plan** (including the guidelines in the handbook) has influenced the proposed development.

The Western Cape Biodiversity Spatial Plan (WCBSP) is a spatial tool showing biodiversity priority area's and associated contextual information. This system provides the most recent biodiversity data with the aim to guide and inform land use and development planning. This Western Cape Biodiversity Spatial Plan Handbook provides all stakeholders with the strategic and practical guidance on how to ensure that planning and decision-making build resilience of our ecological infrastructure.

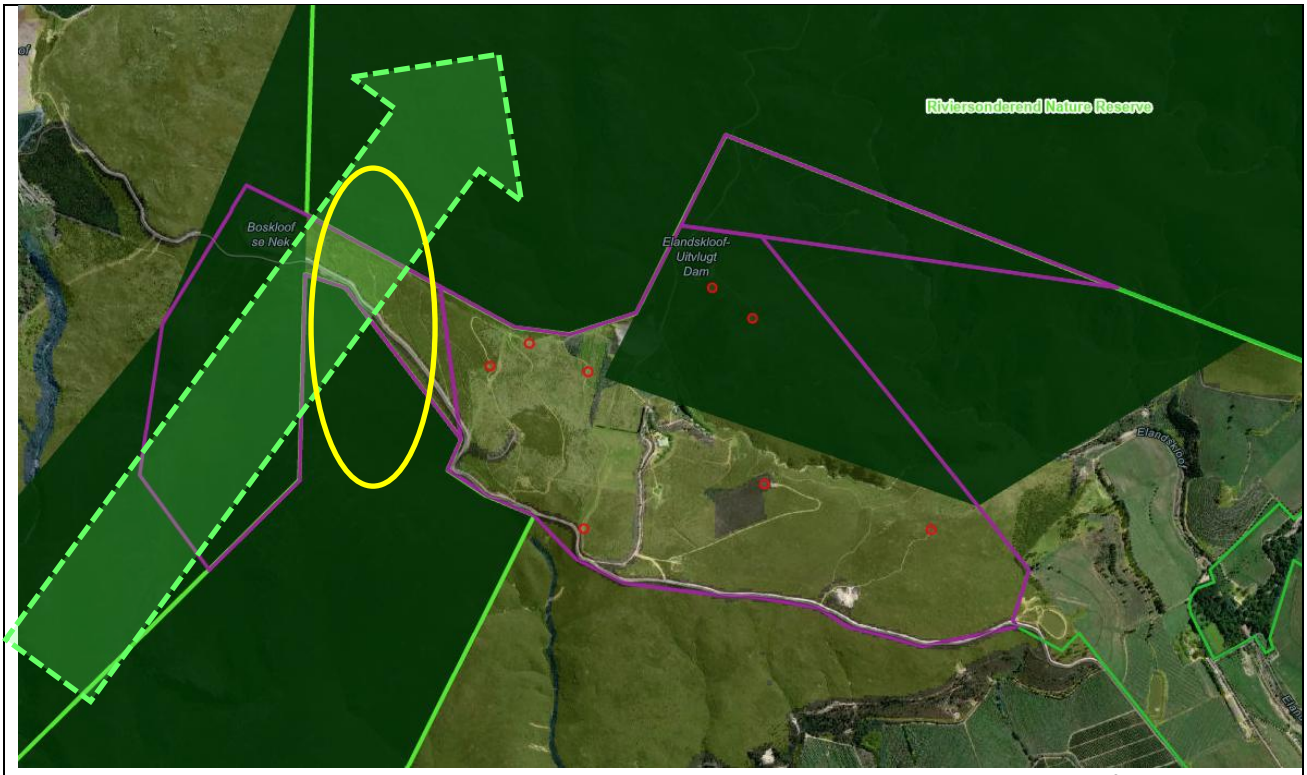
Development planning and subsequent decision making by the relevant competent authorities must aim for development which is sustainable and to achieve this, proposals must be guided by biodiversity assessments and data, in order to determine where and how a development proposal should take place.

Land use planning and decision-making should strive for sustainable development and therefore requires spatial biodiversity assessments to better inform where and how development takes place.

The proposal at Rusty Gate, in addition to being low impact and small in scale, has been informed by both Botanical, Freshwater and Faunal specialists, where the biodiversity spatial data available was used and verified on site to determine the preferred layout alternative for the proposal. These informants were used in the evolution of the layout alternative at Rusty Gate and is one of the main reasons for the locations as they stand. Sensitive areas were flagged, and the layout was amended to avoid impacts on the various ecological aspects.

The application was initially assesses din accordance with the 2017 BSP, however in DEC 2024, the 2023 BSP was Gazetted. The 2023 BSP maps a much larger area on the Rusty Gate Farms as CBA. This has been taken into account, along with the other guidelines and policies. As per Layout Alternative 3, the BSP is mapped as follows, relative to the proposed development:

2023 BSP, with Layout Alternative 4 indicated by red dots.



Linkage opportunity with Riviersonderend and MCA indicate in yellow which contributes to a significant Ecological Corridor and connectivity indicating the strategic importance of the location of the Rusty Gate Farms.

7.	Explain how the proposed development is in line with the intention/purpose of the relevant zones as defined in the ICMA.

N/A

8.	Explain whether the screening report has changed from the one submitted together with the application form. The screening report must be attached as Appendix I.

Screening report is still applicable and attached hereto.

9.	Explain how the proposed development will optimise vacant land available within an urban area.

N/A

10.	Explain how the proposed development will optimise the use of existing resources and infrastructure.

The subject properties are located outside the urban area. Services on site are already existing however the new development will make use of off-the-grid resources as far as possible. One of the primary criteria in the placement on site was related to using the existing internal access routes. This allowed for a sprawled layout with minimal impact since no new roads are required.

11.	Explain whether the necessary services are available and whether the local authority has confirmed sufficient, spare, unallocated service capacity. (Confirmation of all services must be included in Appendix E16).

Services on site are already existing in the vicinity of the existing activities. The new proposed development areas will utilise off-the-grid solutions including solar power and rainwater harvesting. Sewage will be contained in a closed conservancy tank system which will be serviced by a private contractor and transferred to the municipal sewerage works as required. All conservancy tanks will be fitted with float level alarms to alert the operator at 75 % capacity.

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

- → Rusty Gate Mountain Retreat already operates as a tourism venture and currently offers clustered tourism overnight offerings in the form of converted labourers' cottages. These offerings are more suited towards group stays and offer no privacy to the user from adjacent neighbours. A need for secluded, private accommodation in the environment, has been identified and given the fact that Rusty Gate already has internal access roads, the provision for such is possible.
- → The proposal has limited impact on the environment and general ecological integrity, through the use of existing roads, previously transformed areas, eco-focussed design, implementation of buffer areas around watercourses and / or wetland areas, ongoing commitment to fire and alien vegetation management of the remaining areas of the properties and collaboration with Cape Nature and other adjacent neighbours.
- → 2017 BSP - The areas flagged as CBA / ESA on the site are not located within the proposed development zones and expansion areas and will form a positive contribution to long term conservation protection
- → 2023 BSP – The CBA area was increased and some development areas as per Layout Alternative 3, fall within CBA. However, it is important to note that the areas for development were specifically chosen due to previous disturbance and locations to existing access roads and then further refined with specialist assessment and input.
- → With the proposed rezoning to Open Space 4, the 2 adjacent Riviersonderend Nature Reserve areas (Cape Nature) can now be linked together to form a large, connected nature reserve. Exclusion of development on the 2 outlying farms as presented in alternative 3, allows for this.
- → The applicant already implements land use management through ongoing alien vegetation clearing and fire management. The fire management is conducted in a holistic way including both aspects of protection of infrastructure and enabling natural fire regimes in the fire driven ecosystem.
- → The proposal fulfils the objectives of the PSDF, TWK IDP and other planning policies and principles
- → There are no climate change impacts expected, and the units will be located outside of watercourses and drainage lines as far as possible
- → The design of the units allows for a "touch the earth lightly" approach limiting the need for vegetation clearance, large scale earth works of construction activities
- → The proposal is eco centred in its approach and has been designed to limit environmental impact as far as possible through the guidance of the specialist team
- → Waste will be generated in both the construction and operational phases however means for mitigation such as reuse recycle and reduction will be implemented in line with the eco centred approach
- → No impacts on the cultural landscape or heritage resources are expected. Heritage Western Cape has endorsed the heritage specialists' findings and reports, and no further assessment is required
- → The use of off the grid / renewable sources are included up front at the design stage, this is small scale and does not require EA
- → Due to the focus of renewable, off the grid resources, the proposal does not add large burden to municipal service infrastructure, however the unique offering has the potential to attract visitors to the area in general and stimulate local spending
- → The environmental impacts associated with the proposal are not significant and do not impact negatively on people's environmental rights in terms of access to resources, opportunity costs, loss of amenities such as open space, air / water quality impacts, visual / heritage impacts. Positive impacts associated include access to natural areas, tourism opportunities, education opportunities, example set for eco centred development type, small scale / touch the earth lightly.

- → No cumulative impacts are expected due to small scale of the proposal and specialist input into the layout alternatives
- → Socio economic – the broader area and towns of Villiersdorp, Greyton, Helderstroom and Genadendal are in need of investment, job creation, and activities which have the potential to attract people to the area. The proposed development will encourage visitors to the area and surrounding towns, which will result in investment and spending in these areas. The existing tourism on the farm has to date, been successful and the demand for more accommodation is evident. The demand for the large-scale events is also high and these events, such as trail running, mountain biking races or music festivals attract large numbers of people to the area and nearby towns.
- → The placement of the new activities on site is linked to existing infrastructure on the site as allows for large areas which remain untouched encouraging ecological connectivity and long terms protection
- → The subject area was last used for agricultural purposes approximately twenty years ago, the areas which were farmed were small, relative to the size of the farm and the financial viability was low. The previously farmed areas have rehabilitated naturally with time and are creating almost natural habitat for important species (i.e Flufftail presence as recorded by the Faunal specialist).

SECTION F: PUBLIC PARTICIPATION

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

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

N/A

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

The Proof of Public Participation Report attached hereto. The process has been conducted in line with the NEMA requirements and included:

- → Newspaper advertisement
- → Noticeboards on site
- → Notification to all adjacent landowners
- → Notification to all applicable organs of state
- → Opening of Comments and Response Report and Register for IAPs
- → 2 X 30 day commenting opportunities provided

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

DEA&DP
Cape Nature
Department of Agriculture – Landuse Management Elsenburg
BOCMA

Theewaterskloof Municipality Overberg District Municipality

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

N/A

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

N/A

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

Comments only received from Organs of State as per Point 5 above.

Note:

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

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

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

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

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

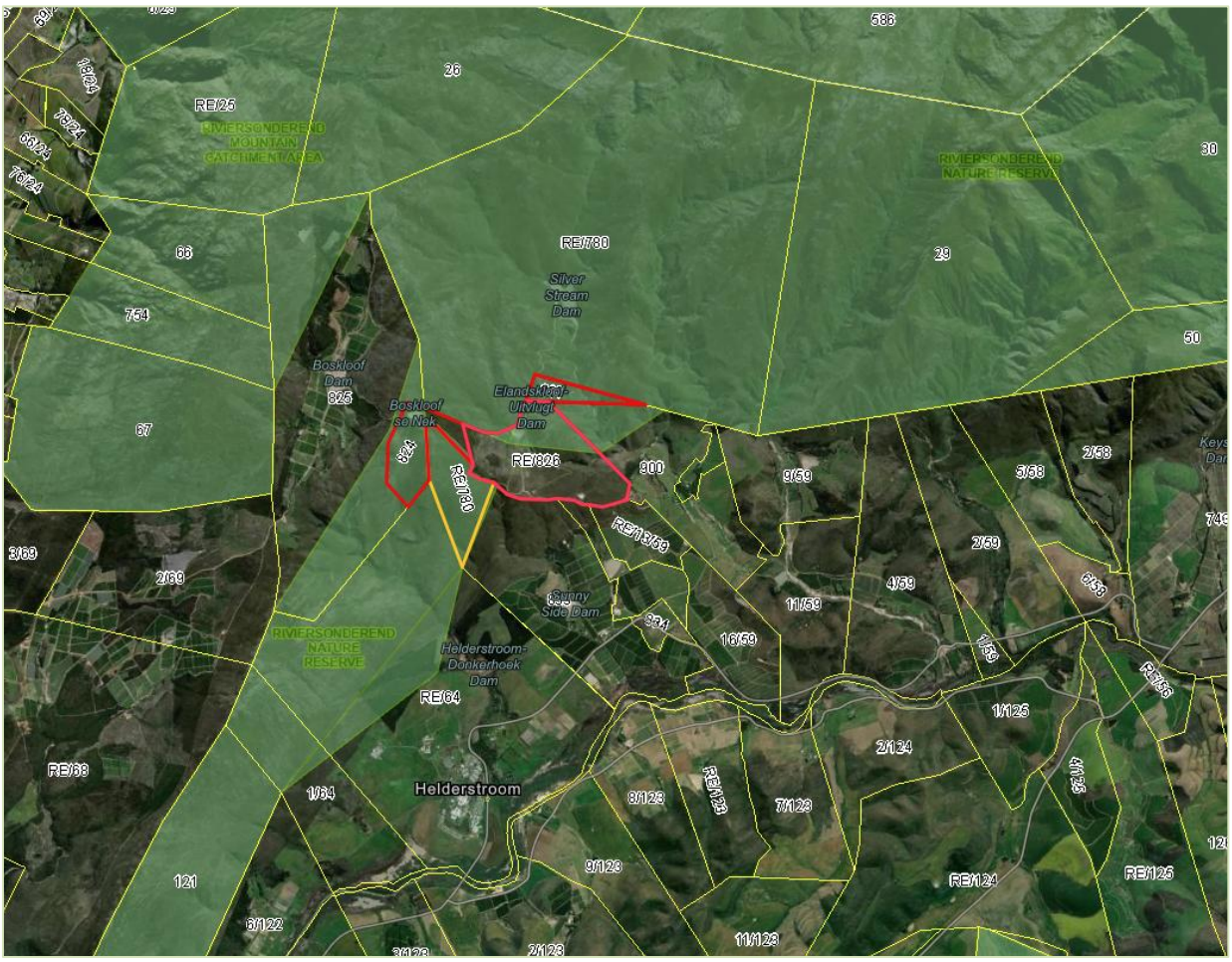
Please note that proof of the PPP conducted must be included in Appendix F. In terms of the required "proof" the following is required:

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

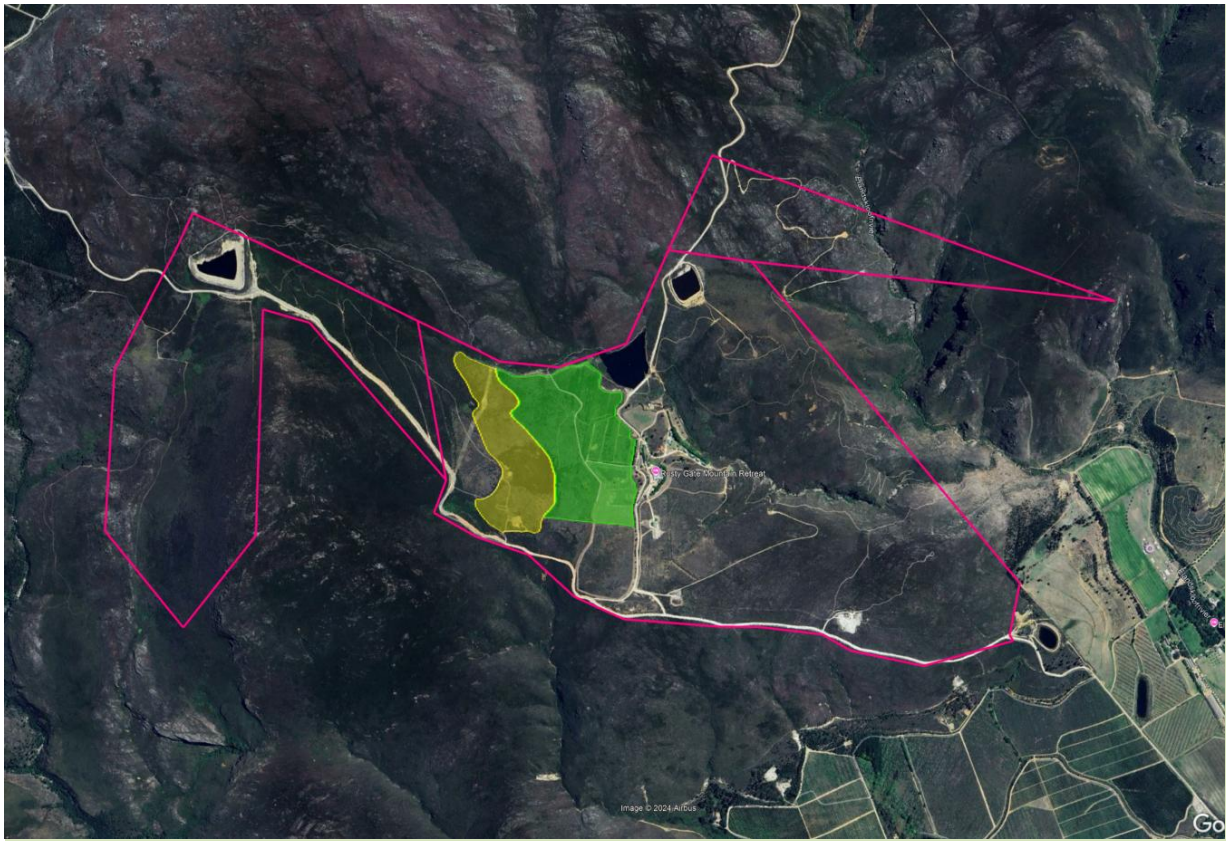
SECTION G: DESCRIPTION OF THE RECEIVING ENVIRONMENT

All specialist studies must be attached as Appendix G.

Rusty Gate Mountain Retreat (Pty) Ltd, is an existing self-catering guest farm located in the Riviersonderend Mountains in the Theewaterskloof Municipal area. The applicant wishes to increase their tourism overnight offering. The three properties which make up the Rusty Gate Mountain Retreat, being Farm 824, Farm re/ 826 and Farm 887, are nestled between the Riviersonderend Nature Reserve and Riviersonderend Mountain Catchment Area (MCA), and if proclaimed as a Nature Reserve would close the important missing link between these adjacent nature reserves and greatly improve the ecological connectivity. Furthermore, with the evolution of Layout Alternative 3 and the exclusion of development on Farm 824 and 887, allows for the creation and long term maintenance of a uninterrupted ecological corridor to link the adjacent protected areas.



Rusty Gate Farm, and existing infrastructure were developed in the mid 1980's as a commercial nursery for apple and pear trees. Commercial agricultural production on the farm ceased in the early 2000's. Of the 290 Ha, less than 30 Ha were used for agricultural purposes during that time as indicated below in yellow and green. No agricultural activities took place on Farm 824 and Farm 887.



The end of agricultural use in the 2000's was coupled with a change of ownership to non-farming owners who purchased and used the property for recreational purposes only. In 2006 the ownership changes again and the farm was then used personal use only. In approximately 2013 / 2014 these owners converted the existing labourers cottages and infrastructure to be used as tourism overnight purposes.

The current owners / applicant herein, Rusty Gate Mountain Retreat, represented by Bokkie Fourie, purchased the tourism business and properties in June 2019 as a going concern and have been operating as a self-catering guest farm with a focus on eco-tourism since then, under the re-branded registered trade name Rusty Gate Mountain Retreat. At the onset of the NEMA application, the legality of the existing tourism overnight operation was determined and confirmed to be in line with NEMA and not require Environmental Authorisation. The Land Use Planning Application, which forms part of the NEMA application, will rectify the municipal contraventions, as required.

Rusty Gate Farm, consisting of three separate properties, spans 290 Ha including mountainous topography up to 879 m above sea level, with the lowest point being 330 m above sea level. The combination of location, topography, and varying geology on the farm results in a wide range of mountain fynbos and other indigenous fauna and flora, which makes it an ideal tourism destination for nature lovers and outdoor enthusiasts and those seeking a retreat into nature.

Rusty Gate Mountain Retreat provides users access to a unique resource. With its mountain views and landscape views which extend all the way eastwards towards Riviersonderend township, as well as onsite access to mountain peaks, valleys, rivers, rock pools and waterfalls, the location can be defined as inimitable. However, these redeeming offerings also create a difficult environment to develop in and careful consideration was given to the environmental factors when deriving the proposed layout, as described above.

As part of the Basic Assessment process, a team of specialists were appointed to assess the development proposal and provide guidance to the evolution of the layout. The specialist team includes:

- Agricultural Impact Assessment (Johann Lanz) – Appendix G1
- Botanical Impact Assessment (Nick Helme) – Appendix G2
- Heritage Impact Assessment (Jonathan Kaplan) – Appendix G3
- Archaeological Impact Assessment (Jonathan Kaplan) – Appendix G3
- Paleontological Impact Assessment (John Almond) – Appendix G4
- Freshwater Impact Assessment (Nick Steytler) – Appendix G5 and G6
- Faunal Impact Assessment (Prof. J. Venter) – Appendix G7

Terrestrial – Botanical Impact Assessment

The study area is part of the Southwest Fynbos ***vegetation*** bioregion (Mucina & Rutherford 2006), and is part of the Fynbos biome, located within what is now known as the Core Region of the Greater Cape Floristic Region (GCFR; Manning & Goldblatt 2012). The GCFR is one of only six Floristic Regions in the world and is the only one largely confined to a single country (the Succulent Karoo component extends into southern Namibia). It is also by far the smallest floristic region, occupying only 0.2% of the world's land surface, and supporting about 11500 plant species, over half of all the plant species in South Africa (on 12% of the land area). At least 70% of all the species in the Cape region do not occur elsewhere, and many have very small home ranges (these are known as narrow endemics). Many of the lowland habitats are under pressure from agriculture, urbanisation and alien plants, and thus many of the range restricted species are also under severe threat of extinction, as habitat is reduced to extremely small fragments. Data from the nationwide plant Red Listing project indicate that 67% of the threatened plant species in the country occur only in the southwestern Cape, and these total over 1800 species (Raimondo et al 2009). It should thus be clear that the southwestern Cape is a major national and global conservation priority and is quite unlike anywhere else in the country in terms of the number of threatened plant species.

The Southwest Fynbos bioregion is characterised by relatively high winter rainfall, strong rainfall gradients, mostly poor, sandy soils, very high topographic diversity, and some areas with high levels of alien invasive vegetation. The loss of natural vegetation in the montane parts of this bioregion has not been as extensive as in many other Fynbos areas, but the bioregion does have a high number of threatened plant species, partly due to localised threats, and partly due to very high diversity of naturally rare species (Raimondo et al 2009).

2017 BSP - The CapeNature Spatial Biodiversity Plan indicates that that there is a mix of planning categories in the area. Units 30 and 31, in the eastern part of the property, are the only units located within mapped areas of CBA1 terrestrial vegetation. Most units are located in unmapped areas, which is largely a result of these areas being South Sonderend Sandstone Fynbos (a Least Concern habitat, well conserved and with low level of loss) or the units being in previously disturbed areas.
2023 BSP – Increased the CBA area on the subject properties. However it is important to note that the development areas where specifically assessed and chosen, in response to previous impacts and specialist input.

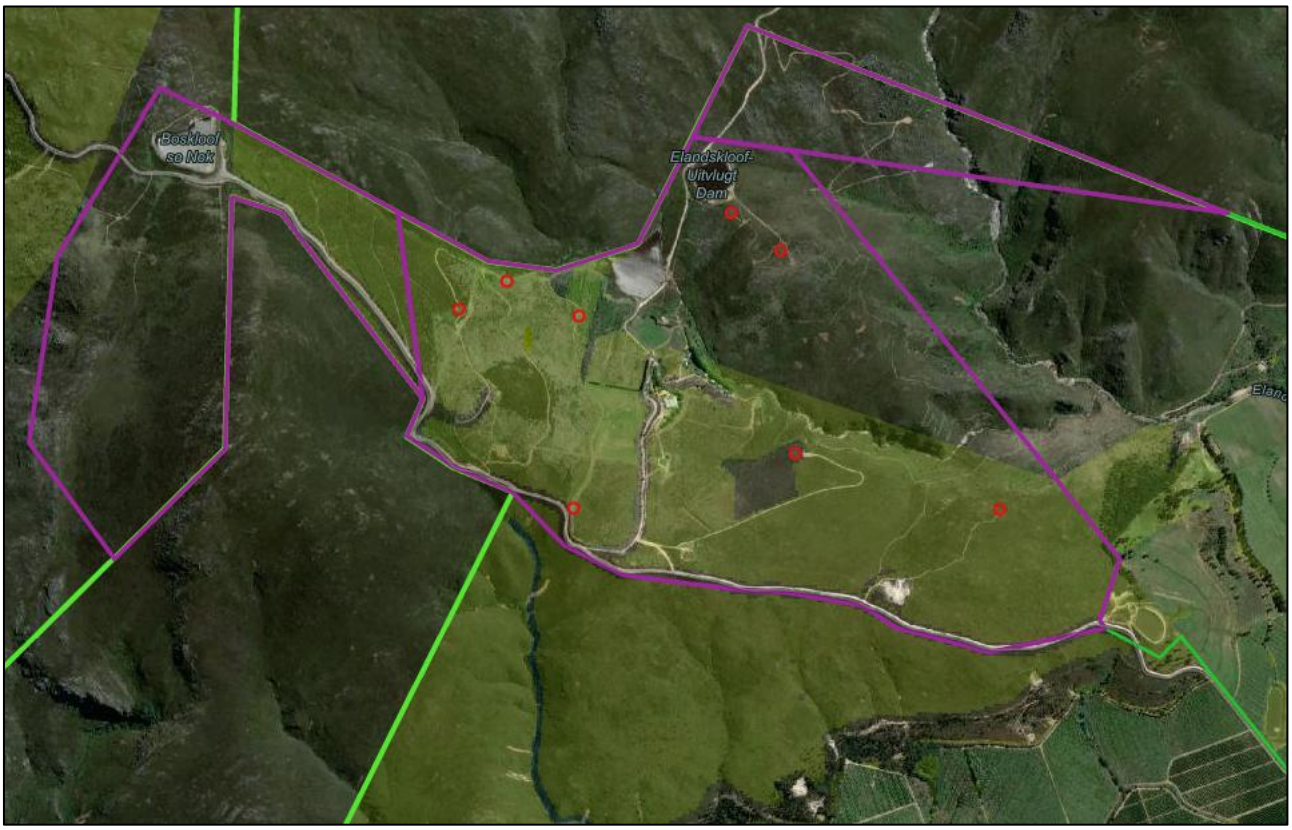


Figure above shows the 2023 CBA areas with the development nodes indicate in red on farm 826 Only as per Layout Alternative 3.

According to the SA Vegetation Map the original natural vegetation in the study area is mostly South Sonderend Sandstone Fynbos, but with a strip of Western Coastal Shale Band Vegetation running through the site (Mucina & Rutherford 2018). Based on the Terrestrial Specialists ground truthing, the above is mostly accurate, although the shale soils are more widespread than indicated in the vegetation mapping.

Botanical comment on Alternative 3:

"On balance there will be minor positive but probably not significant changes to the likely botanical impacts. Removal of the outlying sites will simplify fire management and mean that fire frequency is less likely to be disrupted in these outlying areas, which is a slight positive, as is the reduced risk of alien plant invasion (due to soil disturbance) and alien Argentine ant invasion – both of which are thus slightly positive. The overall botanical impact is still Low – Medium negative after mitigation, as before. This is still an acceptable level of impact".

See Appendix G2 and G11 for the Ecological Impact Assessment and addendum re Alternative 3.

Agricultural Impact Assessment

In terms of ***Agricultural*** sensitivity, the site is classified as low to medium agricultural sensitivity in the screening tool and this is confirmed in the Agricultural Assessment. The climate is suitable for a range of fruit crops that are grown in the area. However, the site is limited by steep slopes and predominantly shallow, rocky soils on mountainous land. A relatively small and isolated area of less steep land in the vicinity of the farmstead has been cultivated in the past, but not for many years. This land theoretically has sufficient land capability to be cultivated but is highly unlikely to ever be utilised as viable, productive farmland in future, predominantly because it is a small, isolated area within mountainous land.

An agricultural impact is a change to the future agricultural production potential of land. This is primarily caused by the exclusion of agriculture from the footprint of a development. The impact of this development is predominantly limited by its very small footprint size. It is also limited by the fact that the land is highly unlikely to ever be utilised as viable, productive farmland in future because of various limitations. The use of this land for non-agricultural purposes will not result in significant loss of agricultural production potential in terms of national food security. The overall negative agricultural impact of the development (loss of future agricultural production potential) is assessed here as being of very low significance and as acceptable. From an agricultural impact point of view, it is recommended that the development be approved. Given the findings above as well as the high conservation value of the property, it was decided to rather rezone all three properties completely to Open Space 4.

Freshwater Impact Assessment

In terms of ***Freshwater and Aquatic resources***, the online GIS data indicates that the study area lies in the Southern Coastal Belt Ecoregion, the Breede Water Management Area (WMA), the Riviersonderend sub-Water Management Area (sub-WMA) and the G22C and H60D quaternary catchments (NFEPA, 2011 and Kleynhans et al, 2005). Wetlands associated with the site fall within Southwest Sandstone Fynbos (Endangered) and Southwest Shale band Vegetation (Least Threatened). The geological map of the area indicates that the site is predominantly underlain by sandstone with the band of shale running through the site in an east to west alignment. According to the National Geospatial Information (NGI) topo-cadastral map and the National Wetlands Map Version 5 (CSIR, 2018) the only perennial drainage line, the Elandskloof River, is mapped as an unchanneled valley bottom wetland within the site. In addition, numerous nonperennial drainage lines as well as an extensive seep wetland are mapped to occur within the site. According to the Western Cape Biodiversity Spatial Plan (2017), the site lies adjacent to a Protected Area and contains CBAs and ESAs. Of particular interest is the designation of the Elandskloof River as an Aquatic CBA within the site and also the lower, eastern part of the mapped on-site seep as a CBA wetland, parts of which are also identified as Aquatic ESAs. Restorable Aquatic ESAs are also associated with the seep wetland, in particular the areas upslope of the seep which have drainage lines leading to the seep. The Aquatic / Freshwater specialist visited the site to confirm the presences of watercourse within or adjacent to proposed development areas on site. Based primarily on vegetation and soils, the ground truthing confirmed the presence of the mapped features but also identified additional hillslope seep wetlands including an upslope extension of the mapped large seep wetland. The specialist concluded that only the mapped large hillslope seep, which was determined to extend further upslope than mapped on the NWM5, was potentially at risk from sites 2, 3A and 3B and three other smaller hillslope seeps, at risk from sites 26 and 27 respectively. The rezoning of the properties into conservation further protects these Aquatic features into the long term and with the land use management associated with this, the long terms rehabilitation of these aquatic features will result in significant positive impacts for the entire area, beyond the development footprint.

Aquatic comment on Alternative 3:

"Given that no new accommodation facilities or associated infrastructure (including new roads) are proposed within 32m of any of the delineated watercourses, the potential freshwater ecological impacts associated with the proposed development would be of lower significance than indicated in the Freshwater Ecological Assessment prepared by EnviroSwift (EnviroSwift, 2024). Also the risk ratings for all the identified Section 21 c and i activities as presented in the Risk Assessment Matrix included in the Freshwater Ecological Assessment prepared by EnviroSwift (EnviroSwift, 2024) would remain in the ***LOW*** *class and as such the Water Use Application required in terms of the National Water Act, Act 36 of 1998 would remain a General Authorisation.*
EnviroSwift supports the proposal to cluster the development within the core farm, Remainder Farm 826 and the relocation of site 27 to a less sensitive area with a greater setback from watercourses (at least 32 m). As a result the impacts and risks associated with Alternative 3 are lower than the assessment presented in the Freshwater Ecological

Assessment prepared by EnviroSwift (EnviroSwift, 2024). As such Alternative 3 is the most preferred alternative from a freshwater ecological perspective".

Animal Species Impact Assessment

A ***Terrestrial Animal Impact*** **Assessment** was undertaken (Final Report dated April 2025). The DFFE Screening Tool identified the study area as having a 'High' sensitivity for the Animal Species Theme, due to the potential presence of nine species of Conservation Concern.

The table below is an extract from the Screening Tool, indicating the possible Animal Species of Conservation Concern. Two additional species were flagged by Cape Nature and included for investigation

Sensitivity	Species name	Common name	Order	Red List Status
High	*Sarothrura affinis*	Striped Flufftail	Avis	LC
Medium	*Circus maurus*	Black Harrier	Avis	EN
Medium	*Sagittarius serpentarius*	Secretary bird	Avis	EN
Medium	*Aquila verreauxii*	Verreaux's eagle	Avis	LC
Medium	*Conocephalus peringueyi*	Peringuey's Meadow Katydid	Invertebrate	VU
Medium	*Brinckiella aptera*	Mute Winter Katydid	Invertebrate	VU
Medium	*Aneuryphymus montanus*	Yellow winged agile grasshopper	Invertebrate	VU
*Unknown	*Capensibufo magistratus*	Landdroskop Mountain Toadlet	Amphibian	DD
*Unknown	*Arthroleptella atermina*	Riviersonderend moss frog	Amphibian	Unknown

* Two additional species were flagged by CapeNature for investigation.

This specialist faunal assessment was conducted to evaluate the potential ecological impacts of the proposed infrastructure upgrades and expansion of tourist accommodation at Rusty Gate Mountain Retreat, situated in the Caledon District of the Western Cape. The site was flagged as having high terrestrial animal sensitivity by the Department of Forestry, Fisheries and the Environment (DFFE) screening tool. Through a combination of desktop research and field surveys, the presence and likelihood of occurrence of species of conservation concern (SCC) were assessed, with particular emphasis on taxa such as the Striped Flufftail (Sarothrura affinis), Black Harrier (*Circus maurus*), endemic amphibians, SCC invertebrates, and wideranging mammals like leopard and grey rhebok. The study applied the SANBI (2020) guidelines to evaluate site ecological importance (SEI) for relevant faunal receptors and assessed potential impacts across three development scenarios:
(1) development without mitigation,
(2) development with mitigation, and
(3) no additional development.

Impacts were evaluated in terms of their duration, spatial extent, probability, and significance. The unmitigated scenario was found to present high risks to habitat restricted and disturbance-sensitive species, particularly in moist seepage areas and along ecological corridors. By contrast, the mitigated development scenario, with carefully applied buffers, lighting control, visitor management, and habitat-sensitive layout, substantially reduces impact significance while enabling sustainable tourism expansion. The "no development" scenario, reflecting current tourism operations, also presents ongoing but lower-level ecological impacts.

Potential Impacts on Large Mammal Landscape Connectivity

The Rusty Gate property, situated within the Cape Floristic Region adjacent to the Riviersonderend Provincial Nature Reserve, occupies an ecologically strategic location. According to the Western Cape Biodiversity Spatial Plan (Pool-Stanvliet et al. 2017), the southeastern section of the proposed development area intersects Critical Biodiversity Areas (CBA1) and Ecological Support Areas (ESA1) (Figure 23). These zones provide critical ecological connectivity between the nature reserve, declared mountain catchment areas, and surrounding fynbos ecosystems. Maintaining landscape connectivity in this context is particularly important for the persistence of large mammal species, including those of conservation concern such as leopard (Panthera pardus) and grey rhebok (Pelea capreolus)(Swanepoel et al. 2016, Taylor et al. 2016). Connectivity is essential for facilitating dispersal, gene flow, seasonal migrations, and resource access for large mammals (Baguette and Van Dyck 2007). Fragmentation resulting from development activities could disrupt these ecological processes, leading to population isolation, increased human-wildlife conflict, and greater vulnerability to stochastic events (Baguette and Van Dyck 2007).

Importance of the Landscape for Large Mammals

Leopards, although wide-ranging and adaptable, are heavily reliant on connected landscapes for movement, hunting, and genetic exchange (McManus et al. 2022). In the Western Cape, leopards occupy fragmented habitats and often depend on corridors linking protected areas (Swanepoel et al. 2016, McManus et al. 2022). Disruption of these movement routes through habitat transformation can further exacerbate the regional decline of this Vulnerable species. Current evidence suggests that leopards outside protected areas have significantly lower survival rates, largely due to increased human-wildlife conflict and habitat loss (Swanepoel et al. 2016). Similarly, grey rhebok, listed as Near Threatened, are endemic to South Africa and depend on rocky grasslands and montane fynbos for survival. Recent assessments report a 20% decline in populations over three generations, attributed to habitat loss, hunting pressure, and habitat fragmentation (Taylor et al. 2016). Although the grey rhebok has shown some resilience in fynbos systems (Jansen van Vuuren et al. 2022), maintenance of habitat connectivity is crucial for sustaining viable metapopulations. The local antelope assemblage, including species such as Cape grysbok (*Rhaphicerus melanotis*) and bushbuck (*Tragelaphus sylvaticus*), also reflects varying levels of reliance on natural versus anthropogenically altered landscapes (Jansen van Vuuren et al. 2022). However, even species adaptable to fragmented landscapes require access to intact natural habitat patches and corridors to ensure long-term viability.

Faunal Mitigation measures

Recommended mitigation measures dealing with large mammal landscape connectivity and behavioural impacts:

Impact Category	Project Phase	Mitigation Measure	Objective
Landscape Connectivity	Pre-construction	Locate infrastructure outside CBA1 and ESA1 zones wherever feasible.	Minimize direct habitat loss in critical connectivity zones.
	Pre-construction	Designate and map natural movement corridors prior to finalizing development layout.	Ensure corridors are preserved in planning.
	Construction	Maintain broad undeveloped buffer zones around natural corridors.	Retain functional landscape linkages during construction.
	Construction	Minimize construction footprint and avoid unnecessary vegetation clearance.	Reduce habitat fragmentation.
	Post-construction	Restore temporary construction areas with indigenous vegetation.	Rehabilitate affected habitats and corridor function.
	Post-construction	Incorporate wildlife-friendly fencing designs where fencing is required. Avoid fencing as far as possible	Facilitate safe animal movement across the site.
Animal Behavioural Responses	Pre-construction	Schedule high-disturbance activities (e.g., bulk earthworks) outside of sensitive wildlife periods (e.g., breeding seasons).	Reduce stress on sensitive species before activity begins.
	Construction	Limit noisy or disruptive activities to daylight hours only.	Minimize disturbance to crepuscular and nocturnal species.
	Construction	Establish clear, enforced no-go zones for construction crews within or adjacent to key habitat corridors.	Prevent unintended disturbances near sensitive areas.
	Post-construction	Implement visitor education programs promoting low-impact recreation practices.	Reduce cumulative behavioral disturbance from tourism.
	Post-construction	Monitor large mammal activity patterns (e.g., camera trapping) to detect shifts in behavior or corridor use.	Inform adaptive management to address emerging impacts.
	Post-construction	Manage tourist flows spatially and temporally (e.g., restrict access during dawn/dusk in sensitive areas).	Minimize disturbance during critical wildlife activity periods.

Mitigation specific to Striped Flufftail:

Impact Category	Project Phase	Mitigation Measure	Objective
Habitat Loss	Planning & Design	Avoid development in seepage zones and dense fynbos patches known to support Striped Flufftail. Move development sites out of 30 m buffer zone (Sites 2, 3, 5, 26 and 27)	Preserve core breeding and foraging habitat.
Habitat Fragmentation	Planning & Construction	Maintain ecological corridors and a minimum 30 m buffer zone around sensitive wetland microhabitats.	Ensure landscape connectivity and reduce isolation of suitable habitat patches.
Disturbance from Construction Noise	Construction	Restrict construction near sensitive habitat to the non-breeding season (November-April); limit construction to daylight hours.	Minimize interference with calling, nesting, and foraging activity.
Fire Regime Disruption	Operation & Maintenance	Implement a rotational fire management plan preserving unburned refugia; avoid hot burns in seepage zones.	Sustain habitat structure needed for cover and breeding.
Erosion and Runoff	Construction	Use sediment traps, contour berms, and redirect runoff away from seepage zones during site preparation and construction.	Protect microhabitat quality and prevent siltation of breeding wetlands.
Artificial Lighting	Operation	Install low-intensity, downward-shielded lights and avoid lighting near wetland and dense fynbos zones.	Reduce nocturnal disturbance and preserve natural activity cycles.
Recreational Disturbance from Birdwatchers	Operation	Prohibit the use of playback (acoustic luring) within designated sensitive zones through signage and visitor briefings.	Prevent acoustic stress and disruption to natural calling, breeding, and territory establishment.
Long-Term Monitoring	Operation	Conduct periodic acoustic and camera trap surveys to confirm presence and assess population trends post-construction.	Evaluate effectiveness of mitigation and allow adaptive management.

Mitigation specific to amphibians:

Impact Category	Project Phase	Mitigation Measure	Objective
Habitat Destruction (Seepage Zones)	Planning & Design	Exclude infrastructure from wetland areas and natural drainage lines; buffer of at least 30 m maintained around any seepage areas.	Protect critical breeding and foraging microhabitats.
Breeding Habitat Degradation	Construction	Avoid any earthworks or vegetation clearance in potential amphibian habitats during the breeding season (late winter to spring).	Prevent loss of egg-laying and tadpole development areas.

Impact Category	Project Phase	Mitigation Measure	Objective
Water Quality Impacts	Construction	Prevent chemical and sediment runoff into aquatic habitats by installing erosion controls and avoiding use of herbicides nearby.	Maintain water quality essential for larval development.
Artificial Lighting	Operation	Minimize night lighting near wet zones with motion sensors or full shielding.	Prevent disorientation and alteration of amphibian activity cycles.
Disturbance from Recreation	Operation	Prevent foot traffic, picnicking, or construction of trails through sensitive seepage habitats.	Reduce habitat trampling and stress to frog populations.
Fire Regime Alteration	Operation & Maintenance	Maintain natural fire cycles at appropriate intervals, avoiding hot fires in known wetland/seep areas.	Sustain post-burn recovery of wetland vegetation and invertebrate prey.
Population Monitoring	Operation	Implement seasonal call surveys post-development to detect persistence or declines.	Assess success of mitigation and adjust practices if necessary.

Mitigation measures specific to insects:

Impact Category	Project Phase	Mitigation Measure	Objective
Microhabitat Disturbance	Planning & Construction	Avoid fynbos clearing in known or likely habitat patches (south-facing slopes, grassy mosaics, restio-dominated areas).	Conserve host plants and breeding sites.
Artificial Light Pollution	Operation	Use amber-spectrum or motion-controlled lighting; eliminate unnecessary lights in nocturnal insect habitats.	Reduce disorientation and mortality from light attraction.
Host Plant Loss	Construction	Identify and preserve endemic/restioid host plants during vegetation surveys prior to clearing.	Protect essential larval resources.
Fire Management	Operation & Maintenance	Implement a patch-mosaic burning regime that allows refugia to remain during fire events.	Support insect recolonization and maintain habitat heterogeneity.
Post-development Monitoring	Operation	Conduct seasonal sweep-net surveys and visual assessments to track persistence of species populations.	Verify mitigation effectiveness and inform adaptive management.

The proposed expansion of tourism infrastructure at Rusty Gate Mountain Retreat presents a moderate ecological risk that can be effectively managed through the implementation of targeted mitigation measures. The site contains ecologically important features, including habitat suitable for the Vulnerable Striped Flufftail and other SCC, but the development footprint largely avoids critical biodiversity areas and maintains landscape connectivity. The mitigated development scenario offers a feasible balance between conservation priorities and tourism objectives. However, this balance is contingent upon strict adherence to proposed mitigation measures, especially those concerning habitat buffering, fire management, lighting, and visitor behaviour. Continued ecological monitoring and adaptive management are essential to ensure that impacts remain within acceptable limits and that Rusty Gate continues to contribute to regional biodiversity conservation objectives within the Cape Floristic Region.

Heritage Impact Assessment

The Screening Tool indicated a high sensitivity rating for ***Archaeological and Cultural Heritage*** Theme a well as the very high rating for the ***Paleontological Theme***. A such, a Heritage Impact Assessment was undertaken which included the AIA and PIA. It was resolved by Heritage Western Cape (HWC) on the 18 July 2024, that the HIA has been endorsed by HWC and no further actions are required.

1. Groundwater

1.1.	Was a specialist study conducted?	**YES X**	NO
1.2.	Provide the name and or company who conducted the specialist study.		
An Aquatic and Freshwater Delineation and Impact Assessment was undertaken by Nick Steytler of Enviroswift – See Appendix G5 and G6			
1.3.	Indicate above which aquifer your proposed development will be located and explain how this has influenced your proposed development.		
N/A			
1.4.	Indicate the depth of groundwater and explain how the depth of groundwater and type of aquifer (if present) has influenced your proposed development.		
N/A			

2. Surface water

2.1.	Was a specialist study conducted?	**YES X**	NO
2.2.	Provide the name and/or company who conducted the specialist study.		
An Aquatic and Freshwater Delineation and Impact Assessment was undertaken by Nick Steytler of Enviroswift – See Appendix G5 and G6 and G12.			
2.3.	Explain how the presence of watercourse(s) and/or wetlands on the property(ies) has influenced your proposed development.		

EnviroSwift visited the site on 29 September 2023 in order to confirm whether any watercourses, as defined in terms of the NWA, are present within or immediately adjacent to the sites where new accommodation units and the camp sites are proposed. Based primarily on vegetation and soils, the ground truthing confirmed the presence of the mapped features but identified additional hillslope seep wetlands including an upslope extension of the mapped large seep wetland. The presence and/or extent of the unchanneled valley bottom wetland associated with the perennial Elandskloof River was not ground-truthed because this area is not hydrologically coupled with the proposed development sites.

Based on the results of the watercourse delineation, EnviroSwift concluded that only the mapped large hillslope seep, which was determined to extend further upslope than mapped on the NWM5, was potentially at risk from sites 2, 3A and 3B and three other smaller hillslope seeps, at risk from sites 26 and 27 respectively, are at direct risk of being impacted. As a result of these findings, the layout was amended to avoid these areas as reflected in Alternative 2 – previously preferred layout. (Note that in the final preferred Alternative 3, site 26 and 27 are completely removed from Farm 824.

Below is an extract from the Aquatic Impact Assessment report, summarising the impact significance ratings:

Impact*	Without mitigation	With mitigation
Construction phase:		
Disturbance of wetland habitat	Low	Very low
Alteration of Flow Regime	Very low	*N/A*
Erosion and sedimentation	Low	Very low
Water quality impairment	Low	Very low
Loss of Biota	Low	Very low
Operational phase:		
Alteration of flow regime	Low	Very low
Erosion and sedimentation	Low	Very low
Water quality impairment	Low	Very low
Loss of Biota	Low	Very low

*note: all impacts are negative unless indicated as a benefit.

3. Coastal Environment

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

4. Biodiversity

4.1.	Were specialist studies conducted?	**YES X**	NO
4.2.	Provide the name and/or company who conducted the specialist studies.		

Nick Helme (Nick Helme Botanical Surveys) conducted the Ecological Botanical Impact Assessment which covered the Plant Species and Terrestrial Biodiversity Themes – See Appendix G2 and G11.

4.3.	Explain which systematic conservation planning and other biodiversity informants such as vegetation maps, NFEPA, NSBA etc. have been used and how has this influenced your proposed development.

The study area is part of the Southwest Fynbos bioregion (Mucina & Rutherford 2006), and is part of the Fynbos biome, located within what is now known as the Core Region of the Greater Cape Floristic Region (GCFR; Manning & Goldblatt 2012). The GCFR is one of only six Floristic Regions in the world and is the only one largely confined to a single country (the Succulent Karoo component extends into southern Namibia). It is also by far the smallest floristic region, occupying only 0.2% of the world's land surface, and supporting about 11500 plant species, over half of all the plant species in South Africa (on 12% of the land area). At least 70% of all the species in the Cape region do not occur elsewhere, and many have very small home ranges (these are known as narrow endemics). Many of the lowland habitats are under pressure from agriculture, urbanisation and alien plants, and thus many of the range restricted species are also under severe threat of extinction, as habitat is reduced to extremely small fragments. Data from the nationwide plant Red Listing project indicate that 67% of the threatened plant species in the country occur only in the southwestern Cape, and these total over 1800 species (Raimondo *et al* 2009). It should thus be clear that the southwestern Cape is a major national and global conservation priority and is quite unlike anywhere else in the country in terms of the number of threatened plant species.

The Southwest Fynbos bioregion is characterized by relatively high winter rainfall, strong rainfall gradients, mostly poor, sandy soils, very high topographic diversity, and some areas with high levels of alien invasive vegetation. The loss of natural vegetation in the montane parts of this bioregion has not been as extensive as in many other Fynbos areas, but the bioregion does have a high number of threatened plant species, partly due to localized threats, and partly due to very high diversity of naturally rare species (Raimondo *et al* 2009).

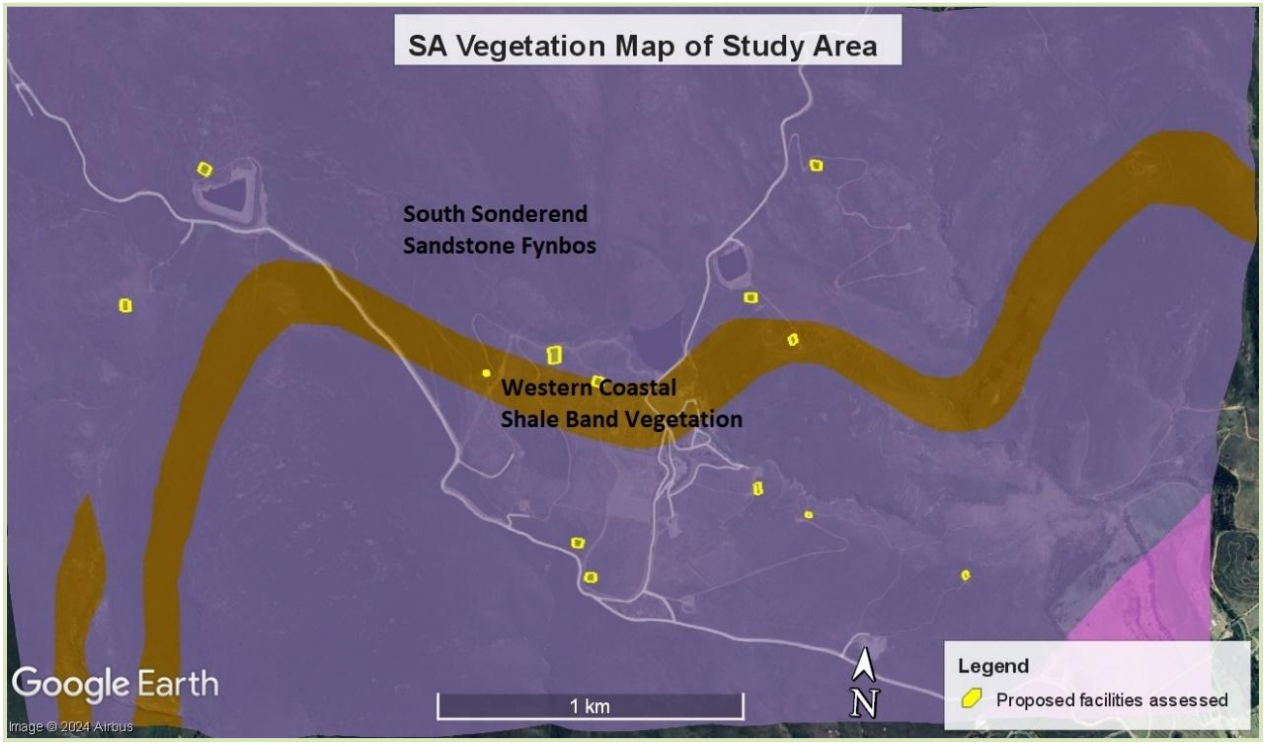
According to the SA Vegetation Map the original natural vegetation in the study area is mostly South Sonderend Sandstone Fynbos, but with a strip of Western Coastal Shale Band Vegetation running through the site (Mucina & Rutherford 2018; see Figure 6). Based on my ground truthing I would largely agree with this, although the shale soils are in fact more widespread than one might assume from the vegetation mapping.

South Sonderend Sandstone Fynbos has recently been uplisted and gazetted as Critically Endangered on a national basis (Government of South Africa 2022). About 93% of its total original extent remains intact, about 39% is formally conserved, and the national conservation target is 30% (Rouget et al 2004), and the reason this is listed as Critically Endangered is not because it has lost extent, but rather due to a high number of plants SoCC, growing threats (mainly severe pine invasion) and restricted distribution. The unit is known to support a large number of plant Species of Conservation Concern (Raimondo et al 2009), many of which are threatened by habitat loss to alien invasive vegetation. This unit occurs mostly on nutrient poor, acid sands on the moist south facing slopes of the Riviersonderend mountains, and the vegetation type needs fire for optimal ecological functioning (Helme & Rebelo 2016).

Western Coastal Shale Band Vegetation is gazetted as Endangered on a national basis (Government of South Africa 2022). About 94% of its total original extent remains intact, about 48% is conserved, and the national conservation target is also 30% (Rouget et al 2004), and the reason this is listed as Endangered is not because it has lost extent, but rather due to growing threats (mainly severe pine invasion) and restricted distribution. The unit is known to support a fair number of plant Species of Conservation Concern (Raimondo et al 2009), many of which are threatened by habitat loss to alien invasive vegetation. This unit occurs mostly on nutrient rich shale derived soils on the moist upper slopes of the western mountains, and the vegetation type also needs fire for optimal ecological functioning (Helme & Rebelo 2016).

The vegetation in most of the study areas has not burnt for many years (>15; see Plates 1, 2, 3 & 5), and can thus be regarded as being senescent (Helme & Rebelo 2006). Structural diversity ranges from low to high, with a mix of tall

shrubs, grasses, restios and herbs being typical. Soils are variable, but are generally acid to neutral sands, often with a high peat (organic) content, but in some cases the soils are rich, shale derived clays and loams.



Extract of SA vegetation Map for the study area, showing mapped distribution of the two vegetation types in the area.

Mitigation requirements

The following mitigation is considered feasible, reasonable and essential, and is factored into this assessment:

- → Alternative 3 is the preferred development alternative from a botanical perspective, and incorporates changes made to the original Alternative 1 layout.
- → All invasive alien vegetation on the property must be removed within three years of any project approval, using proper methodology (see Martens et al 2021. Annual alien vegetation removal around all new units must be undertaken, so that these sites do not act as sources of alien spread.
- → No plant species that are not locally indigenous may be planted around any of the new units.
- → Rubbish, building rubble and household refuse must not be stored or disposed of outdoors on any of the sites as this may encourage spread of alien invasive Argentine ants. Rubbish and refuse should be kept indoors for responsible disposal later, and building sites should be kept as free of rubble and building material as far as is possible, during construction and operational phases.
- → Firebreaks should be brush cut annually around all isolated units, using handheld brush cutters. These firebreaks should extend from the edge of the building platforms outwards for at least 5m, and this brush cutting will then at least partially simulate regular fires in these areas within 5m of the buildings, whilst minimising likely fire damage to the infrastructure.

The following conclusions and recommendations were put forward by the specialist:

- → The vegetation in the various sites ranges from heavily disturbed to pristine and is mostly South Sonderend Sandstone Fynbos (Critically Endangered), although some sites are located within Western Coastal Shaleband

Vegetation (Endangered). Four different plant SOCC were recorded within two of the footprints (one in sites 24 & 25, and three in site 31).

→ The majority of the proposed sites are in areas of Low and Medium botanical sensitivity area and pose no constraints to the proposed development.

→ A few of the sites (notably 7 & 31) are in higher sensitivity areas, and in both these sites changes were made to the original proposed footprints (Alternative 1) to minimise botanical impacts. For site 31 the impact on the three recorded SoCC in the area should now be within acceptable limits (Low - Medium negative botanical impact at a farm scale; Alternative 2). These new locations are reflected in the preferred alternative.

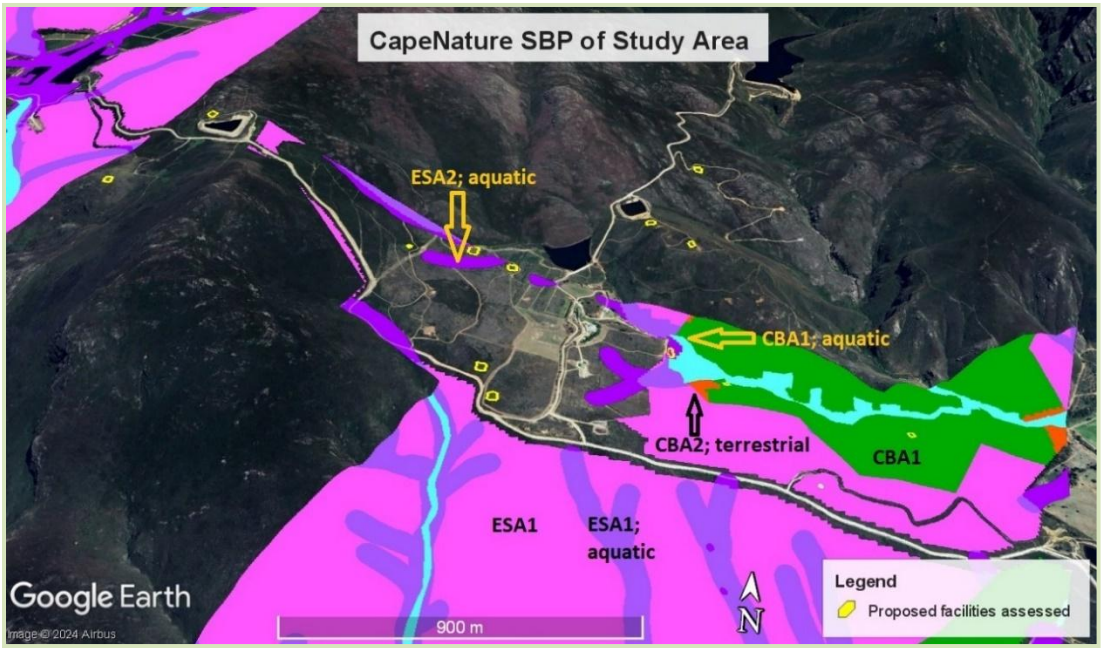
→ Additional mitigation as outlined in Section 7 is considered mandatory.

→ The proposed development as per the preferred alternative, is not likely to have more than an overall Low to Medium negative construction phase botanical impact prior to mitigation, and Low negative after mitigation. For the operational phase this is Medium negative before mitigation, and Low to Medium negative after mitigation. The development alternative is thus likely to be acceptable from a botanical perspective and is preferred over Alternative 1.

Area of high botanical significance were identified for Area 7, 27 and 31. In the preferred alternative, these proposed development areas have been shifted to avoid these impacts, to the satisfaction of the specialist.

4.4.	Explain how the objectives and management guidelines of the Biodiversity Spatial Plan have been used and how has this influenced your proposed development.

The CapeNature Spatial Biodiversity Plan indicates that there is a mix of planning categories in the area. Units 30 and 31, in the eastern part of the property, are the only units located within mapped areas of CBA1 terrestrial vegetation. Most units are located in unmapped areas, which is largely a result of these areas being South Sonderend Sandstone Fynbos (a Least Concern habitat, well conserved and with low level of loss) or the units being in previously disturbed areas that were not deemed conservation priorities.



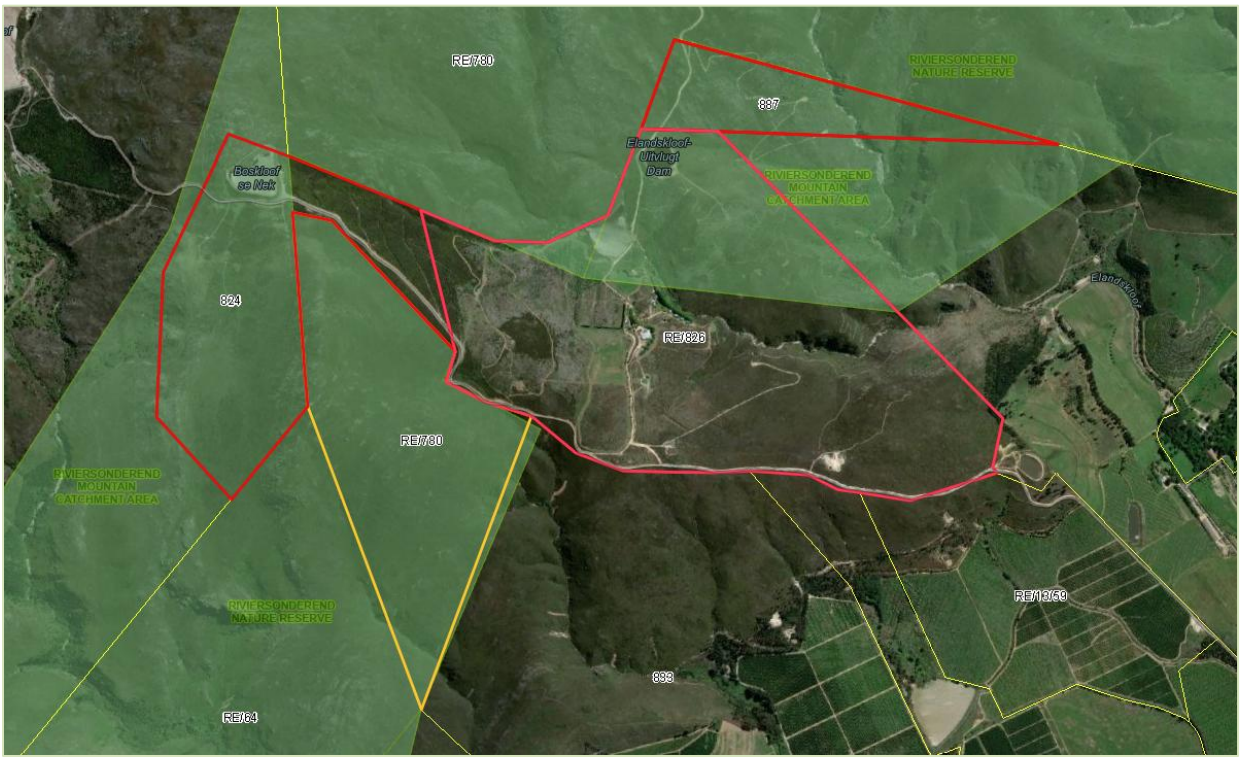
Extract of CapeNature Spatial Biodiversity Plan showing the mix of planning categories in the area. Units 30 and 31 were the only units located within mapped areas of CBA1 terrestrial vegetation. Most units are located in unmapped areas.

4.5.	Explain what impact the proposed development will have on the site specific features and/or function of the Biodiversity Spatial Plan category and how has this influenced the proposed development.

- → The vegetation in the various sites ranges from heavily disturbed to pristine and is mostly South Sonderend Sandstone Fynbos (Critically Endangered), although some sites are located within Western Coastal Shaleband Vegetation (Endangered). Four different plant SOCC were recorded within two of the footprints (one in sites 24 & 25, and three in site 31).
- → The majority of the proposed sites are in areas of Low and Medium botanical sensitivity area and pose no constraints to the proposed development.
- → A few of the sites (notably 7 & 31) are in higher sensitivity areas, and in both these sites changes were made to the original proposed footprints (Alternative 1) to minimise botanical impacts. For site 31 the impact on the three recorded SoCC in the area should now be within acceptable limits (Low - Medium negative botanical impact at a farm scale; Alternative 2).
- → Additional mitigation as outlined in Section 7 is considered mandatory.
- → The proposed development (Alternative 2 and 3) are not likely to have more than an overall Low to Medium negative construction phase botanical impact prior to mitigation, and Low negative after mitigation. For the operational phase this is Medium negative before mitigation, and Low to Medium negative after mitigation. The development alternative is thus likely to be acceptable from a botanical perspective and is preferred over Alternative 1.

4.6.	If your proposed development is located in a protected area, explain how the proposed development is in line with the protected area management plan.

Rusty Gate Mountain Retreat partially falls within the Riviersonderend Mountain Catchment Area and adjacent to the Riviersonderend Nature Reserve. The location of Rusty Gate offers an important opportunity to allow for connection between the two "arms" of these nature reserves and effectively improve the ecological connectivity of the area.



The Riviersonderend Conservation Area surrounds the towns of Riviersonderend, Greyton, McGregor and Villiersdorp, 69 000 hectares of a combination of state land and private property that together has been declared a mountain

catchment area, supplying the Greater Cape Town Metropolitan area with water. This Mountain Catchment area falls partly within the Riviersonderend Complex.

Extract from: *RIVIERSONDEREND COMPLEX PART OF THE CAPE FLORAL REGION PROTECTED AREAS WORLD HERITAGE SITE Western Cape, South Africa Protected Area Management Plan 2021 – 2031:*

"The Riviersonderend Complex is approximately 28 580 Ha in extent and comprises of the Riviersonderend State Forest and State Land and the Vrolijkheid Provincial Reserve, which are jointly managed by CapeNature from the offices at Vrolijkheid. The Riviersonderend State Forest and State Land is additionally part of the proposed extension to the Cape Floral Region Protected Areas World Heritage Site, which will add significantly to the initial area which was inscribed by United Nations Educational, Scientific and Cultural Organisation (UNESCO) in 2004. The Riviersonderend section is located along the boundary between the Cape Winelands and Overberg District Municipalities between the towns of Villiersdorp in the west and Riviersonderend town in the east, with Vrolijkheid located just to the north of this near the town of McGregor.

The Riviersonderend State Forest and State Land is located within the Riviersonderend Mountains consisting of two portions stretching across the mountain range and is surrounded by the Riviersonderend Mountain Catchment Area. CapeNature manages the Riviersonderend Complex in accordance with its organizational vision, and in agreement with the vision, goals and strategies derived through the planning process.

The vision of the reserve is:

*The collaborative conservation and protection of ecosystem services, biodiversity, connectivity, and diverse cultural heritage which promotes the facilitation of benefit sharing and the provision of sustainable opportunities for current and future generations in the face of change***."**

Mountain Catchment Areas were declared in terms of the Mountain Catchment Areas Act (Act 63 of 1970) and are considered to be a protected area in terms of the National Environmental Management: Protected Areas Act (NEM:PAA, Act 57 of 2003). Mountain Catchment Areas are included within the Western Cape Biodiversity Act (WCBA, Act 6 of 2021) and the Mountain Catchment Areas Act will be repealed once this section of the WCBA comes into effect. According to the WCBA, MCAs may be declared where the control and management of activities and resources in the area concerned are required to:

- → Maintain the biodiversity and ecosystems in the area;
- → Sustain the ecological infrastructure and provision of ecosystem services, particularly water provisioning;
- → Ensure that the use of biodiversity and ecosystems in the area is sustainable.

There are currently no regulations or restrictions for development within MCAs however the designation as MCAs is used as an informant for land use applications whereby any developments which may compromise the ability of the MCA to provide a secure, steady supply of water into the downstream catchment will not be permitted. Section 41(b) of the WCBA makes provision for activities which are prohibited in an MCA. Management of fires and alien invasive species are an important consideration, and the Mountain Catchment Areas Act makes provision for the establishment of fire protection committees and development of fire protection plans. There are no current development controls for developments adjacent to a World Heritage Site (WHS), however any developments which may have a negative impact on the outstanding universal value (OUV) for which the WHS was declared are not supported. There have however been proposals put forward for development controls surrounding WHS. It should be noted that in terms of the Regulations for the Proper Administration of Special Nature Reserves, National Parks and World Heritage Sites, access to a WHS requires the permission of the management authority i.e. CapeNature.

With regards to the MCAs status of a portion of the property and the adjacent WHS, the low-impact ecotourism development proposed is considered compatible. The management of catchment area in terms of integrated fire and alien management is important and will be implemented and maintained as outlined in this document.

The proposed rezoning of Rusty Gate Mountain Retreat from Agricultural Zone 1 to Open Space 4 (Nature Reserve), fulfils the objectives above and allows for the implementation of the critical connection between the two flanking nature reserves. The proposal at Rusty Gate aligns with the vision of the existing reserves and MCA and allows for long term collaboration with Cape Nature through their Biodiversity Stewardship Programme and the management and protection of ecosystem services. The rezoning of the three properties will allow for landscape wide ecological connectivity and the proposed development, through its sprawled layout, allows for continued ecological connectivity on site with no large-scale blockages create. The low-key tourism unlocks the site and allows for benefit sharing of this unique resource whilst still contributing to the local economy and sustainable development opportunities. The benefits of which will be felt by both the local communities and future generations, through ecological management of the ecosystem and long-term protection.

The site was last farmed almost 24 years ago and has rehabilitated well, creating, close to natural habitats for the unique flora and fauna recorded on site. Further preclusion of agriculture will allow this natural rehabilitation to continue into the long term.

The evolution of the final preferred layout Alternative 3 has resulted in significant long term conservation benefits and protection. The exclusion of development on the 2 outlying farms, and the proposed consolidation of the 3 farms and rezoning to Open Space 4 (Private Nature Reserve) allows for the long-term linkage between the Riviersonderend Nature Reserve and MCA and the securing of a large ecological corridor.

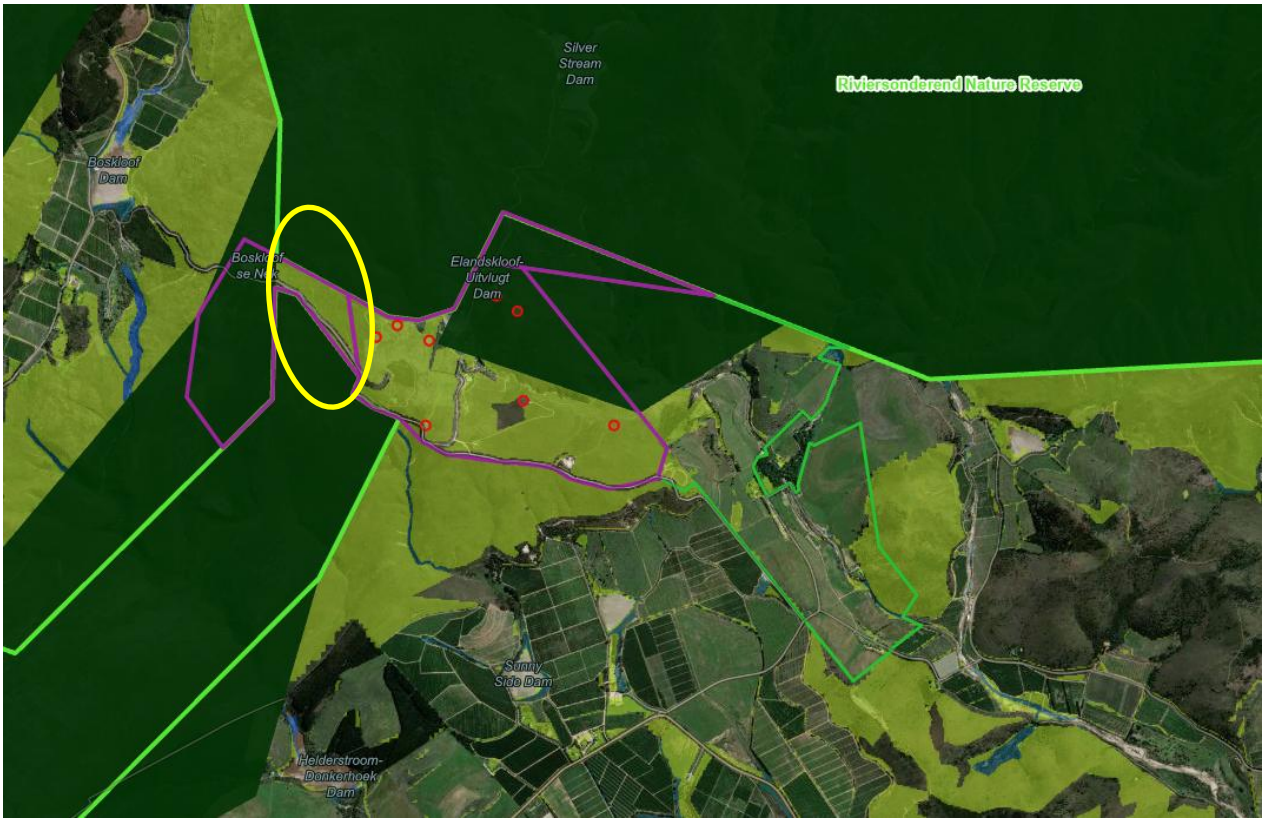


Figure above with yellow circle showing the important link to be created between the Riviersonderend Nature Reserve and MCA. The rezoning of the three farms to Open Space 4 and the exclusion of development on the 2 outlying areas allows for long term protection of these strategically placed private properties within the broader protected areas.

4.7.	Explain how the presence of fauna on and adjacent to the proposed development has influenced your proposed development.

A site visit was performed on the 4th and 5th of July 2024, where both nocturnal (between 19:00 and 23:00) and diurnal (between 7h00 and 12h00) surveys were performed. During the site surveys, the species, and signs of presence (tracks, scats etc.), observed were recorded. Surveys consisted of visual and acoustic surveys performed at and between the various proposed development sites. We used territorial call playback to determine the presence of striped flufftail. We also sweep netted each site for insect presence and scanned representative vegetation for resting insects. We searched during day and night times to attempt to record diurnal and nocturnal species. The map below shows the areas within the three properties which were visited during the site visit, with brown lines showing the routes travelled and yellow polygons showing where intensive searches were conducted. The entire area was assessed.

The DFFE screening tool identified the study area as having a 'High' sensitivity for the animal species theme, due to the potential presence conservation concern. Two additional SCC's were identified through the desk top study.

Faunal connectivity: The scattered nature and small footprints of the proposed development sites allows for great connectivity and low disturbance for non-sedentary species (e.g. species who are not dependant on very specific localized habitat conditions). It is therefore reasonable to assume that the development will not influence connectivity for animal species in a significant way. From a faunal connectivity perspective, we consider the proposed development risk as 'low'.

Disturbance: The construction phase and increased human presence due to tourism activities will have a negative effect on striped flufftails. The proposed footprint of the camping area (former site 3A) infringes into potential striped flufftail habitat and at the current proposed location we consider the impact to be 'high'. It was proposed by the Faunal specialist to move site 3A to the west and parallel-align it to the firebreak to avoid the infringement. This will lower impact to disturbance during construction phase and increased human presence due to tourism activities with the habitat destruction component removed. If this is done the impact could be considered 'medium' and a full impact assessment would not be required. NOTE: This amendment to the layout has been implemented and presented in the former preferred Alternative 2. This change is retained in the final preferred Alternative 3.

Large mammals (Leopard and Grey rhebok):
The Rusty Gate property, situated within the Cape Floristic Region adjacent to the Riviersonderend Provincial Nature Reserve, occupies an ecologically strategic location. According to the Western Cape Biodiversity Spatial Plan (Pool-Stanvliet et al. 2017), the southeastern section of the proposed development area intersects Critical Biodiversity Areas (CBA1) and Ecological Support Areas (ESA1) (Figure 23). These zones provide critical ecological connectivity between the nature reserve, declared mountain catchment areas, and surrounding fynbos ecosystems. Maintaining landscape connectivity in this context is particularly important for the persistence of large mammal species, including those of conservation concern such as leopard (Panthera pardus) and grey rhebok (*Pelea capreolus*)(Swanepoel et al. 2016, Taylor et al. 2016). Connectivity is essential for facilitating dispersal, gene flow, seasonal migrations, and resource access for large mammals (Baguette and Van Dyck 2007). Fragmentation resulting from development activities could disrupt these ecological processes, leading to population isolation, increased human-wildlife conflict, and greater vulnerability to stochastic events (Baguette and Van Dyck 2007).

Importance of the Landscape for Large Mammals
Leopards, although wide-ranging and adaptable, are heavily reliant on connected landscapes for movement, hunting, and genetic exchange (McManus et al. 2022). In the Western Cape, leopards occupy fragmented habitats and often depend on corridors linking protected areas (Swanepoel et al. 2016, McManus et al. 2022). Disruption of these movement routes through habitat transformation can further exacerbate the regional decline of this Vulnerable species. Current evidence suggests that leopards outside protected areas have significantly lower survival rates, largely due to increased human-wildlife conflict and habitat loss (Swanepoel et al. 2016). Similarly, grey rhebok, listed as Near Threatened, are endemic to South Africa and depend on rocky grasslands and montane fynbos for survival. Recent assessments report a 20% decline in populations over three generations, attributed to habitat loss, hunting pressure, and habitat fragmentation (Taylor et al. 2016). Although the grey rhebok has shown some resilience in fynbos systems (Jansen van Vuuren et al. 2022), maintenance of habitat connectivity is crucial for sustaining viable metapopulations. The local antelope assemblage, including species such as Cape grysbok (*Rhaphicerus melanotis*) and bushbuck (Tragelaphus sylvaticus), also reflects varying levels of reliance on natural versus anthropogenically altered landscapes (Jansen van Vuuren et al. 2022). However, even species adaptable to fragmented landscapes require access to intact natural habitat patches and corridors to ensure long-term viability.

Black harrier: The scattered nature and small footprints of the proposed development sites allows for great connectivity and low disturbance for non-sedentary species (e.g. species who are not dependant on very specific localized habitat conditions). The development sites also do not significantly influence potential breeding sites or their prey species. The Black harrier, *Circus maurus*, will therefore not likely be impacted by the proposed development and potential impact are classified as 'low'.

Secretary bird: The species is not found in mountainous Fynbos areas therefore, there is a very low likelihood that the species would be present the property. The Secretary bird, Sagittarius serpentarius, will therefore not likely be impacted by the proposed development and potential impact are classified as 'low'.

Verreaux's eagle: The scattered nature and small footprints of the proposed development sites allows for great connectivity and low disturbance for non-sedentary species (e.g. species who are not dependant on very specific localized habitat conditions). The development sites also do not significantly influence potential breeding sites or their prey species or their prey species. The Verreaux's eagle, *Aquila verreauxii,* will therefore not likely be impacted by the proposed development and potential impact are classified as 'low'.

Landdroskop Mountain Toadlet: This animal is not easily detectable so its potential presence was not ruled out. However, the scattered nature and small footprints of the proposed development sites allows for good connectivity and low disturbance. The Landdroskop Mountain Toadlet, *Capensibufo magistratus*, will therefore not likely be impacted by the proposed development and potential impact are classified as 'low'.

Riviersonderend moss frog: Arthroleptella atermina is not easily detectable so its potential presence cannot be ruled out. However, the scattered nature and small footprints of the proposed development sites allows for good connectivity and low disturbance. The Riviersonderend moss frog, *Arthroleptella atermina*, will therefore not likely be impacted by the proposed development and potential impact are classified as 'low'.

During the site assessment at Rusty Gate, neither the species nor suitable breeding habitat (such as shallow seasonal pools with sedge-like vegetation) was observed. However, it is noted that *Capensibufo magistratus* is difficult to detect outside of its breeding season, and cryptic populations may remain undetected during general faunal surveys. Consequently, the potential presence of the species within the project area cannot be entirely excluded. The scattered nature and relatively small footprint of the proposed development sites allow for high levels of landscape connectivity and minimal disturbance to indigenous vegetation and natural hydrological features, which would mitigate potential impacts should the species occur. Based on currently available information, the likelihood of significant negative impact on *Capensibufo magistratus* populations at Rusty Gate is considered to be low.

Peringueyi's Meadow Katydid: Due to the developments being relatively small and localized, not occupying large tracts of land and thus not impeding landscape level movement of *C. peringueyi* (grasshopper sp.) the impact of the proposed development is classified as 'low', with the possible exception of site 31, which we list as 'low-moderate' solely based on a lack of information and the sampling of a closely related species. Extreme caution should be made not to destroy or trample any indigenous fynbos vegetation and restio veld around the development at site 31 specifically, and all sites in general. As a nocturnal species, precautions to be taken in terms of a lighting plan (see Appendix 1 of the Faunal assessment).

Mute Winter Katydid Brinckiella: The proposed developments are relatively small and localized, do not occupy large tracts of land and do not intend to disturb large parts of natural fynbos vegetation, thus we list the potential impact on B. aptera as low. Extreme caution should be made to not destroy or trample any fynbos vegetation around development sites. As a nocturnal species, precautions to be taken in terms of a lighting plan (see Appendix 1 of the Faunal assessment).

Yellow-winged Agile Grasshopper: This animal has a large extent of occupancy, but a lack of reliable occurrence data and continued habitat loss renders it vulnerable to future extinction. The proposed development is localized and will not take up large tracts of the indigenous landscape, thus permitting movement of A. montanus through the landscape / property. Subsequently we classify the impacts of the proposed developments as 'low'. Extreme caution should be made to not destroy or trample any fynbos vegetation around development sites (see Appendix 1 of the Faunal assessment).

The Striped Flufftail (Sarothrura affinis): is a regionally scarce and cryptic grassland specialist whose population is suspected to be declining due to habitat loss across its range (Peacock et al. 2015). An estimated 10% or more of the South African population may have been lost, largely due to pressures such as inappropriate fire regimes, heavy grazing, agricultural expansion, and afforestation (Peacock et al. 2015). In the Western Cape, the species typically inhabits dense patches of *Psoralea-Osmitopsis* Fynbos adjacent to streams and moist depressions (Graham and Ryan 1984, Kakebeeke 1993). Although occurrence records for the species in the immediate vicinity of Rusty Gate are limited, databases such as iNaturalist and GBIF include several observations approximately 40 km away near Grabouw, and notably, one GBIF record falls within a 5 km radius of the property. Field surveys conducted for this assessment also confirmed the presence of Striped Flufftail vocal responses to playback calls at sites 3, 5, 26 and 27 on Rusty Gate, particularly along drainage lines and moist habitats e.g. along the large seep that stretches between these areas. The presence of calling birds during surveys, combined with the proximity of previous records and the availability of structurally suitable habitat,

indicates that Rusty Gate likely forms part of the local landscape network supporting this species. Taylor (1994) notes that Striped Flufftails are sedentary in low-altitude grasslands but undertake altitudinal or local movements from higher-altitude habitats during winter in search of better foraging conditions. Their habitat selection is influenced by the availability of dense ground cover and sufficient invertebrate prey. Importantly, although the species is tolerant of periodic burning when appropriately timed, the timing and frequency of burns can critically affect habitat suitability if post-fire vegetation regrowth does not align with breeding periods (Taylor 1994). Based on the findings of Taylor (1994), the estimated average territory size for a breeding pair is approximately 1.3 hectares, with a broader home range of around 2.25 hectares. Territories are multipurpose, providing foraging grounds, nesting sites, and shelter within compact areas of suitable vegetation. Field observations suggest that factors such as altitude, slope, and specific vegetation types exert relatively minor influence on territory size, provided sufficient ground cover and moisture availability exist. Drainage lines and areas with dense fynbos cover are particularly important and are typically located within 50–100 meters of core activity areas. Given these small-scale habitat requirements, relatively limited moist habitat patches at Rusty Gate could sustain individual territories or contribute to a mosaic of territories, particularly in the main seep area and its tributaries. It seems that within Rusty Gate, suitable habitats for Striped Flufftail are primarily associated with areas adjacent to drainage lines, moist depressions, and patches of dense fynbos vegetation, particularly within or near the sites where responses were recorded. These areas, although relatively limited in extent, are likely critical for shelter, breeding, and foraging. Probability of Presence in Development Areas. Given the site-specific survey results, it is reasonable to conclude that Striped Flufftails are present and utilize habitats within portions of Rusty Gate. However, the probability of direct impact on the species will depend on the extent to which proposed development units overlap with these preferred microhabitats. Based on available information:

- → Sites 3, 5, 26, and 27, where positive responses were obtained, coincide partially with development areas, although the precise alignment of infrastructure relative to sensitive habitat zones will influence risk levels.

The findings of the Faunal assessment resulted in changes to the layout and avoidance of identified sensitive habitats for the Striped Flufftail. These changes are reflected in Alternative 2 and the final Alternative 3 - Preferred Alternative. The additional mitigation measures as suggested by the specialist are included in the conditions of authorisation.

5. Geographical Aspects

Explain whether any geographical aspects will be affected and how has this influenced the proposed activity or development.

The subject properties provide a unique offering where users come to the area to experience the nature and ecological wealth. This unique offering has resulted in the demand for more tourism and eco-centred activities on site. The location of each new offering has been chosen relative to existing access on site and informed through the input of the specialist team. In addition to the exceptional natural beauty which the properties offer, the proposed ecotourism allows for improved and formalised relationship and agreement considerations with the Cape Nature neighbouring properties. The topography of the site also played a significant role in shaping the layout proposal.

The Rusty Gate properties are located uniquely between two existing Nature Reserves and form an important role in linking the two “arms” of these nature reserves. The rezoning of the property to Open Space 4 allows for this connection to be formalised and protected to ensure long term landscape wide ecological connections. Together with the low key development proposal and scattered nature of the layout, large scale, long term ecological corridors and connectivity is guaranteed.

6. Heritage Resources

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

Heritage Western Cape made the following comment in response to the Notice of Intent to Develop (NID):

"***RESPONSE TO NOTIFICATION OF INTENT TO DEVELOP: HIA REQUIRED***
In terms of Section 38(8) of the National Heritage Resources Act (Act 25 of 1999) and the Western Cape Provincial Gazette 6061, Notice 298 of 2003
Heritage Western Cape is in receipt of your application for the above matter received. This matter was discussed at the Heritage Officers Meeting held on 6 November 2023.

*You are hereby notified that, since there is reason to believe that the proposed development on Rusty Gate Farm No's 824, 826 And 887, Greyton will impact on heritage resources, HWC requires that a Heritage Impact Assessment (HIA) that satisfies the provisions of Section 38(3) of the NHRA be submitted. Section 38(3) of the NHRA provides (3) The responsible heritage resources authority must specify the information to be provided in a report required in terms of subsection (2)(a**): Provided that the following must be included:***
(a) The identification and mapping of all heritage resources in the area affected.
(b) an assessment of the significance of such resources in terms of the heritage assessment criteria set out in section 6(2) or prescribed under section 7;
(c) an assessment of the impact of the development on such heritage resources;
(d) an evaluation of the impact of the development on heritage resources relative to the sustainable social and economic benefits to be derived from the development;
(e) the results of consultation with communities affected by the proposed development and other interested parties regarding the impact of the development on heritage resources;
(f) if heritage resources will be adversely affected by the proposed development, The consideration of alternatives; and
(g) plans for mitigation of any adverse effects during and after the completion of the proposed development.
(Our emphasis)
This HIA must in addition have specific reference to the following:
- Archaeological impact Assessment
- Palaeontological Impact Assessment

The HIA must have an overall assessment of the impacts to heritage resources which are not limited to the specific studies referenced above. The required HIA must have an integrated set of recommendations. The comments of relevant registered conservation bodies; all Interested and Affected parties; and the relevant Municipality must be requested and included in the HIA where provided. Proof of these requests must be supplied."

Jonathan Kaplan of ACRM was appointed to undertake the integrated HIA with AIA. The Palaeontological Impact Assessment was conducted by John Almond.

The Integrated Heritage Impact Assessment with AIA and PIA was submitted to Heritage Western Cape (HWC) for consideration. On the 18 July 2024, HWC confirmed that the HIA has been endorsed and no further heritage actions were required.

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

Impacts on Stone Age archaeological resources are expected to be Very Low (Kaplan 2024). The very small footprint of the proposed development (small total surface area plus shallow, small-scale excavations) `no significant impacts on local palaeontological heritage resources are anticipated as a result, of the Rusty Gate Mountain Retreat Development' (Almond 2024)

The following recommendations are made and have been endorsed by Heritage Western Cape in their final approval letter dated 18 July 2024:

- → No archaeological mitigation is required prior to construction excavations commencing.
- → No archaeological monitoring is required.
- → Pending the exposure of significant new fossils (e.g. shelly invertebrates, well-preserved trace fossil assemblages) during construction, no further specialist palaeontological studies are recommended here and there are no objections on palaeontological heritage grounds to authorization of the proposed development (Almond 2024)

7. Historical and Cultural Aspects

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

The following recommendations are made and have been endorsed by Heritage Western Cape in their final approval letter dated 18 July 2024:

- → No archaeological mitigation is required prior to construction excavations commencing.
- → No archaeological monitoring is required.
- → Pending the exposure of significant new fossils (e.g. shelly invertebrates, well-preserved trace fossil assemblages) during construction, no further specialist palaeontological studies are recommended here and there are no objections on palaeontological heritage grounds to authorization of the proposed development (Almond 2024).

No further Heritage assessment or actions are required.

8. Socio/Economic Aspects

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

Rusty Gate Mountain Retreat is located in the Riviersonderend Mountains within the Overberg Area. The property lies adjacent to the Riviersonderend Nature Reserve partly within the Riversonderend Complex. The farm is located in close proximity to Greyton, Caledon, Helderstroom and Villiersdorp. These small towns are characterised by high unemployment and poverty and are in need of investment, job creation and activities which encourage people and tourists to visit the larger area and spend money locally. The once off large-scale events attract large numbers of people to the area, which encourages local spending and investment.

In terms of the rezoning from Agriculture Zone 1 to Open Space 4, the "loss" of Agricultural land is not considered significant. The farm, due to its erratic topography only has approximately 10 % agricultural land which might be considered appropriate for farming. The small scale and limitations of what can be farmed mean that the farms are not economically viable from an agricultural point of view and do not hold the potential to create large scale jobs. These areas were last farmed almost 24 years and the natural habitats have reclaimed these parts, as evidenced in the Aquatic and Faunal specialist studies. The value that the properties hold from an ecological perspective far outweigh the Agricultural aspects.

Rusty Gate Mountain Retreat is already a popular tourism destination and the demand for access to its unique offerings are high. The sporadic large-scale festivals, trail running and mountain biking events attract significant numbers of people to the area and the overflow is felt across the larger area.

By unlocking Rusty Gate as a unique resource and show casing the benefits of a low-key approach to development, as well as prioritizing collaboration with Cape Nature, will ensure long protection of this environment. Creating unique tourism overnight accommodation where the user can become one with nature, creates a sense of custodianship and protection for nature and aligns with the visions of the adjacent Riviersonderend Nature Reserve and Mountain Catchment Area.

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

- → Investment in the area
- → Tourist attraction
- → Increased number of guests and local spending
- → Job creation
- → Eco centred approach to develop provides an example for future similar plans for tourism development in the area
- → Improved relations with the neighbouring landowners, Cape Nature, allow for possible future tourism opportunities and ecosystem management agreements

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

→ Locally sourced labour and skill sets, as far as possible, during the planning, design, construction and operational phases.

→ The once off events require the input of local vendors and service providers on a large scale. These once off events, such as music festivals, mountain bike races and trail running races attract large numbers of people to the general area.

→ Collaboration with the adjacent landowners, Cape Nature, is already underway and the Biodiversity Stewardship Programme will be applied to the site. By rezoning the site to Nature Reserve status allows for the complete connectivity between the two adjacent Nature Reserves and presents a significant benefit to long term protection of the entire area.

→ Alien vegetation management and fire management is ongoing on the site and formal management plans will be drawn up as a condition of Environmental Authorisation. This will result in an improved environment for all.

→ Rusty Gate Mountain Retreat, along with Cape Nature (Othusitse Mabi), Overberg District Protection Services (Reinard Geldenhuys) and Overberg FPA (Pieter Rossouw) held a joint meeting in September 2024 where the fire risk and veld management requirements and objectives were discussed for Rusty Gate and a site visit was conducted in order to inform a collaborative Fire Management Framework Plan. It was confirmed that the first controlled block burn will be conducted during the week of 11 to 15 November 2024. The provisional dated for the second controlled block burn will take place during April 2025. In addition, Rusty Gate has prepared a 10-year programme for cyclical controlled burning of the property for concurrent fire risk and veld management. This plan will ensure that natural fire regimes are not precluded as a result of this development application.

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

No negative impacts are anticipated. The proposal is an expansion to an existing offering on the site.

SECTION H: ALTERNATIVES, METHODOLOGY AND ASSESSMENT OF ALTERNATIVES

1. Details of the alternatives identified and considered

1.1.	Property and site alternatives to avoid negative impacts, mitigate unavoidable negative impacts and maximise positive impacts.

Provide a description of the preferred property and site alternative.

There are no property alternatives available as the proposal is for the expansion of existing tourism overnight at Rusty Gate Mountain Retreat. However, within the three properties, various possible areas for development were identified. The areas proposed for development, were initially determined as a result of very specific aspects which precluded the consideration of other areas on the farms, from this, specialists assessed the proposal and provided recommendations for the evolution of the layout.

The following pre-existing aspects shaped the initial development considerations:

- → ***Access*** – the Rusty Gate properties are large, spanning 290 Ha collectively. However, good quality internal access roads already exist. These roads formed a critical part of informing the layout in order to prevent the need to create new roads. All possible development areas were identified relative to the existing access. This strategy maximised the use of existing infrastructure and reduced the environmental impact and disturbance required to accommodate the proposed expansion activities.
- → ***Topography*** - The topography of Rusty Gate is not uniform and ranges from ~890 m above MSL to ~ 300 m above MSL. The undulating terrain provides little to no suitable flat areas for clustered development without needing to undertake terracing and construction of development platforms.
- → ***Need and desirability*** – Rusty Gate, already popular in the tourism overnight sector, has identified a need and demand for low key, eco-centred, off the grid, secluded overnight accommodation, where the user can overnight in private safe spaces across the farm. The vision is to create low impact units which are nestled into the environmental with limited to no impact on the natural environment and where users can be at one with nature.
- → ***Eco centred approach*** – in line with the ethos of Rusty Gate Mountain Retreat, the theme of the proposal is to achieve a low impact, "touch the earth lightly" tourism venture, where the focus is on exhibiting the natural surrounds, not detracting from it.
- → ***Unique resource*** – the placement of the Rusty Gate Farms offers tourists access to a unique resource. Access to mountain peaks, valleys, rock pools, waterfalls, streams, wetlands and views in all directions, undoubtedly make Rusty Gate a Unique offering. By making provision for units outside of the main cluster of the farm infrastructure, allows users to experience these elements.

Once the above factors were applied, there were key zones identified on the property for possible development. This formed the basis for Alternative 1. The specialist team was appointed and assessed all possible development option.

Three alternatives are proposed and assessed herein as follows:

- → Alternative 1
- → Alternative 2 - previous preferred
- → **Alternative 3 – Preferred**
- → Alternative 4 (No Go) – Status quo remains

The following specialists were appointed as part of the impact assessment team:

- → Agricultural Compliance Statement – Johann Lanz
- → Ecological Impact Assessment (Including Botanical and Terrestrial aspects) – Nick Helme
- → Aquatic Impact Assessment – Nick Steytler
- → Heritage and Archaeological Impact Assessment – Jonathan Kaplan
- → Palaeontological Impact Assessment – John Almond
- → Faunal / Terrestrial Animal Species Impact Assessment – Prof J Venter

The preferred alternative was derived through the input of the specialist team and the application of the mitigation hierarchy. Alternative 1 and 2 do not vary in number of units, activities, sizes or overnight beds, but differ in location, where Alternative 2 evolved from input of the specialists. In Alternative 2, the former preferred layout alternative, the units were moved out of identified sensitive areas in order to reduce the overall impact ratings of the proposal and avoid sensitive features and habitats on site as recommended by the Botanist, Freshwater and Faunal specialists.

The proposed new development at Rusty Gate Mountain Retreat comprises the following:

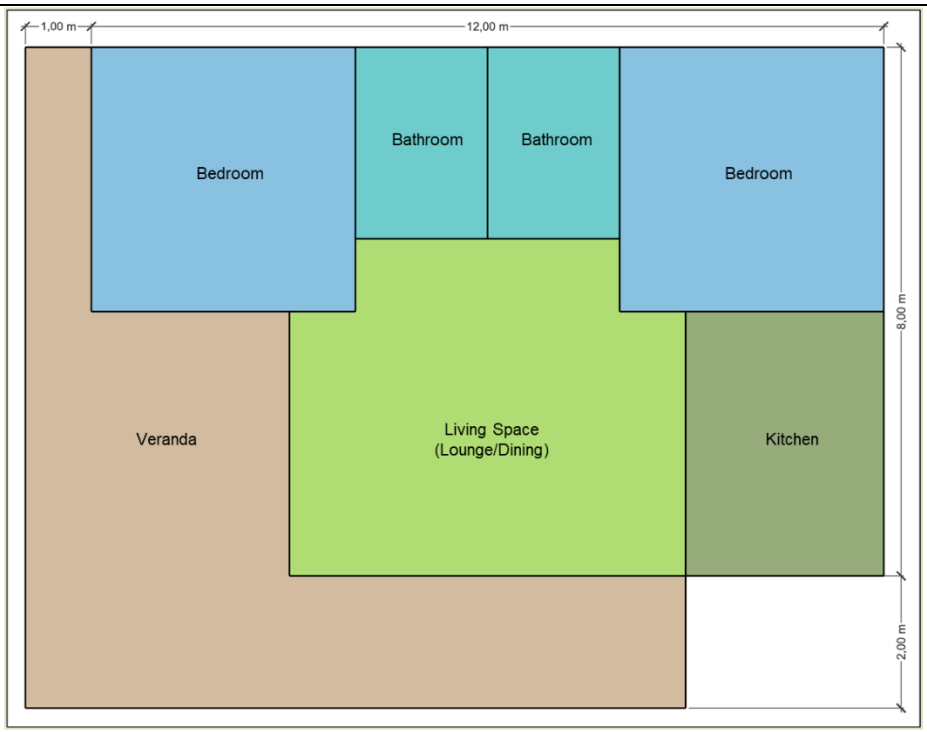
- → 1 new main dwelling for owner
- → 6 new camp sites sleeping a max. of 6 people each = 36 camping guests
- → Eco pods x 5, sleeping 2 people each = 10 eco pod guests
- → Eco cabins x 12, sleeping 4 people each = 48 guests

Accommodation type	Number of units	Number of guests per unit	Total Guests
Camp sites	6	6	36
Eco pods	5	2	10
Eco cabins	12	4	48
			94

The design for these new accommodation offerings are centred around the environmental sensitivities of the area as well as constraints such as soil type and profile and topography. As such, the applicant has opted for a 'touch the early lightly' approach with the use of elevated structures with light steel frame construction.

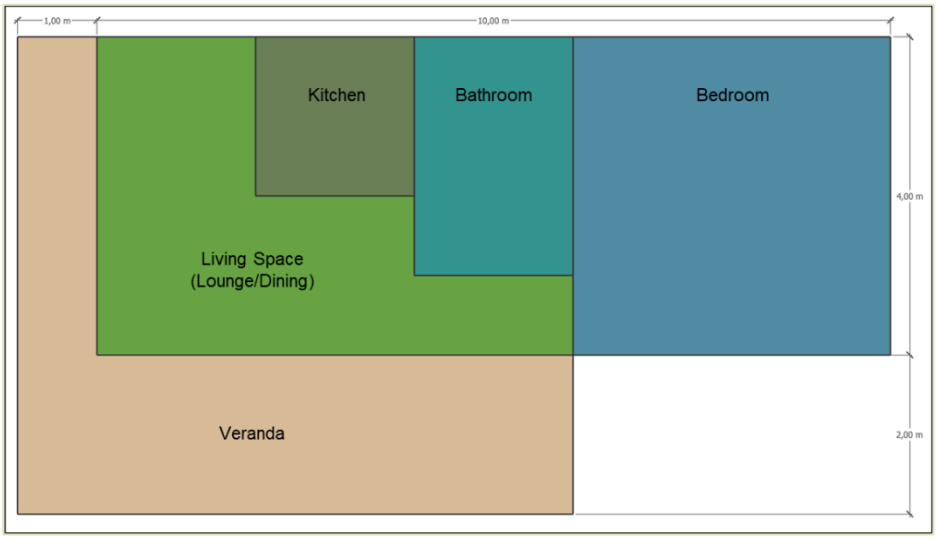
Eco cabins

The eco cabins will cater towards a small family or group of four pax, total floor area of 124 m^2, as follows:



Eco pods

The Eco pods will be suited to individual or parties of 2 with a total floor area of 56 m^2:



Campsite

The campsite will be three terraced platforms with two camping stands per terrace – six sites in total. Kikuyu or similar grass will be planted on camping sites to stabilise disturbed soil and provide dust free camping facilities for guests. Where necessary the backfilled incline between the upper, middle, and lower terraces will be supported with gabions and natural vegetation will be re-established to prevent erosion. Access roads to camping stands on each terrace will be via 3- to 4-meter-wide gravel access road on the eastern side of each terrace. Each camping stand will be 15m x 15m to allow for sufficient turning space of vehicle with off-road trailers or caravans. Each camping stand will be provided with individual ablutions and an adjacent "outside scullery" which will be located in a corner at the back of the stand. Ablutions will

include a shower, basin, and toilet and the scullery will include a wash-up zinc and lockable cabinet to house gas geyser and cylinder, and solar power equipment to be protected from environment.

Water

Water will be provided with a tanker supply and supplemented with rainwater tanks. All Water Rights in terms of the National Water Act (Act 36 of 1998) are in place on the farms – See Appendix J.

Electricity

Each accommodation unit and the facilities at the camp site will be supplied with an off-grid solar PV power generating system.

Sewage and wastewater

Closed conservancy tanks will be used. Where possible, conservancy tanks will be installed directly under each Eco-Cabin or Eco-pod. This will include instances where the incline or slope of each site will allow for placement of conservancy tanks in the space between the foundation footings (ground level) and the platform on which the accommodation units will be constructed. This option will negate the necessity for additional excavating over-and-above what is required for the foundation footings.

For instances where the incline of the construction site does not allow for placement of the conservancy tank directly under the accommodation unit platform, the conservancy tank will be placed in a suitable location between the accommodation unit and access road to allow for sufficient slope for flow of sewage to prevent blockages. If the underlying soil and bedrock at a construction site allows for excavation, the conservancy tank will be installed underground. If underground installation is not possible, the conservancy tank will be installed above ground and enclosed to minimise adverse aesthetic impact.

Sewage and wastewater at the campsite (site 3A) will be managed via a single conservancy tank system with sufficient capacity for all six camping stands. The conservancy tank will be installed underground at the north-western corner of the camp site. This location will provide necessary slope from the campsite to the conservancy tank to allow for flow of sewage without blockages and will be accessible for a service vehicle from the main access road.

All sewerage piping from accommodation units (Eco-Cabins, Eco-Pods, camping stands) to conservancy tanks, and from conservancy tanks to discharge service points will be HDPE as per applicable building regulations. All sewerage pipe joints, and plumbing connection points will be appropriately sealed to prevent seepage or spillage.

All sewerage piping will be run underground where possible. Should the underlying soil, bedrock and/or rocky outcrops at a site prohibit trenching for underground laying of sewerage pipes, then such pipe sections will be run above ground along the shortest possible route at the required slope to prevent blockages. Above ground sewerage pipe sections will be obscured from view and protected from elemental damage by covering with rocks and foliage.

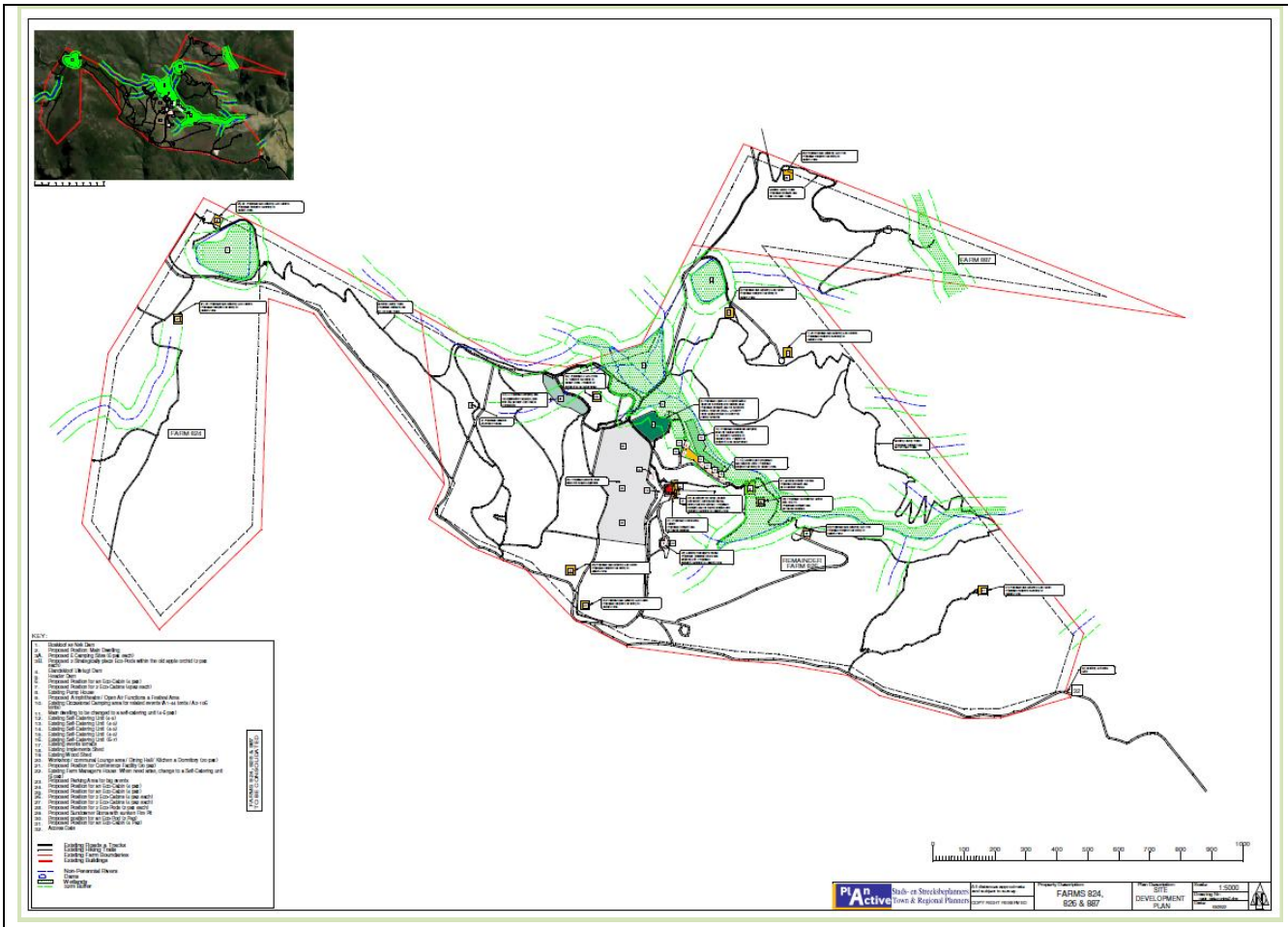
Any section of "near horizontal" sewerage pipe (i.e. with slope between 1:4 to 1:6) in excess of 15 meters will be fitted with a rodding eye access point to allow for clearing of unanticipated blockages.

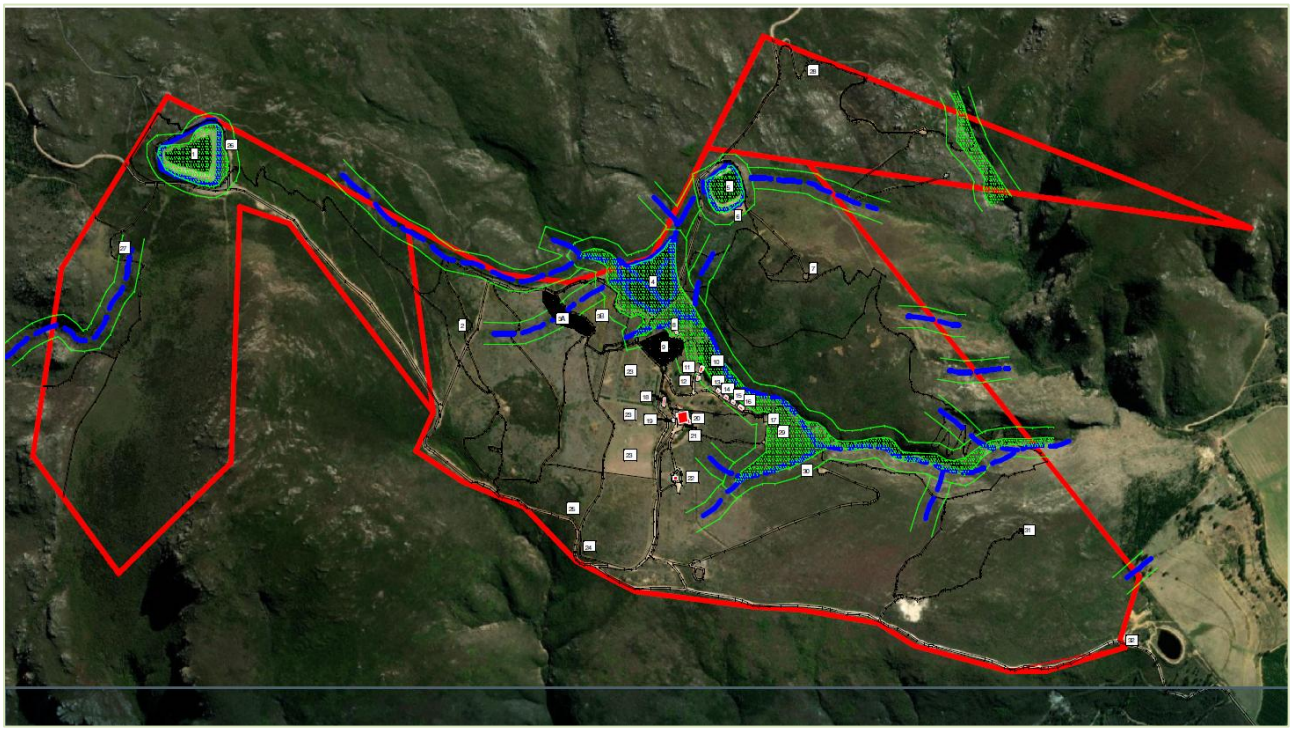
Boland Toilet Hire has confirmed that they will service the sites as required, and the Theewaterskloof Municipality has confirmed that they will receive the sewage effluent. See Service Confirmation letters attached under Appendix G.

Alternative 1

Alternative 1 is the initial layout alternative derived from the specific fixed physical factors outlined above. These factors played a significant role in excluding some areas from consideration for develop i.e Topography and existing internal road access. The tourism overnight offering and design remains the same for both alternatives:

- → 1 main dwelling
- → 6 new camp sites sleeping a max. of 6 people each = 36 camping guests
- → Eco pods x 5, sleeping 2 people each = 10 eco pod guests
- → Eco cabins x 10, sleeping 4 people each = 44 guests


FARM 824
REMAINDER FARM 826
FARMS 824, 826 & 887
SITE DEVELOPMENT PLAN



Alternative 2

The findings of the specialist team, as summarised below, resulted in the evolution of the layouts and the progression of Alternative 2 (previously preferred).

Freshwater / Wetland Assessment

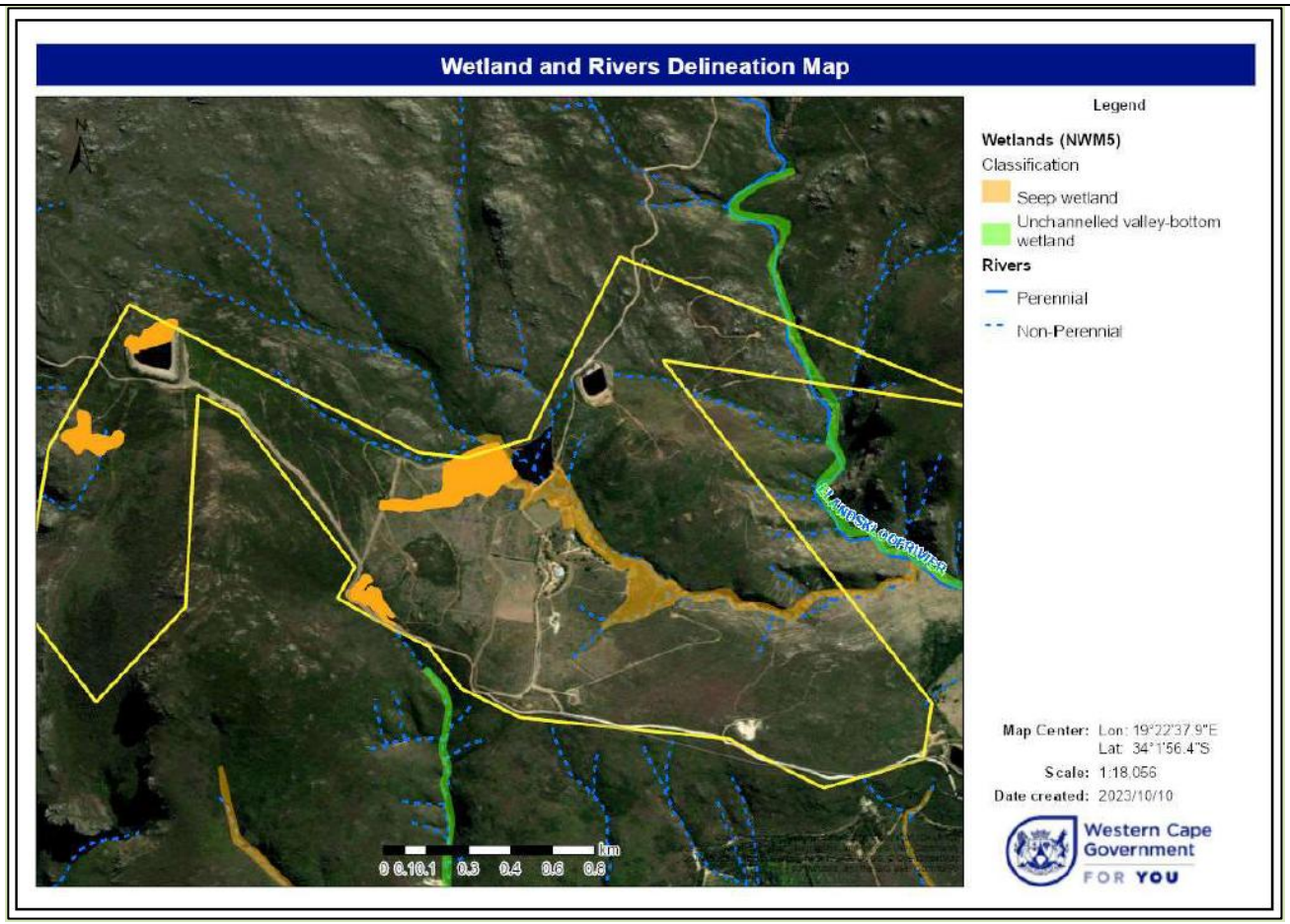
The Freshwater specialist conducted an Aquatic Biodiversity Screening investigation (29 September 2023) and subsequent screening report. The following areas of concern were identified as indicated in Alternative one above:

Site 26 – Farm 824
Two Eco Cabins are proposed at Site 26, which is positioned to the north of and overlooking a dam. A hillslope is situated between the proposed cabin site and the dam. The presence of the wetland obligate *Berzelia lanuginosa* was the primary informant in determining the existence of the seep.

Site 27 – Farm 824
Two Eco Cabins are proposed at Site 27 which is located in a grassy area on the east-facing side of a small valley that contains a mapped non-perennial drainage line that flows in a southerly direction. A significant part of the drainage line extending up and down the valley from the proposed site, including the proposed site, was determined to comprise hillslope seep which becomes an unchanneled valley bottom wetland as the valley drops off to the south. Vegetation including the presence of *B. lanuginosa, Pteridium sp*. (bracken) and the grass *Pennisetum macrourum* as well as auger samples which revealed dark soils high in organic matter and very wet were the primary informants in confirming the existence of the seep.

Site 2
Site 2 is the proposed location of a new residence for the landowner. A bracken-dominated hillslope seep was identified approximately 25 m southeast of the site (see Figure 7) and extending down the slope towards the proposed campsite site (Site 3A).

Sites 3A & 3B
Site 3A comprises the site of the proposed new campsite which spans a mapped non-perennial drainage line. Site 3B which is located 50 m downslope and east of the proposed campsite is the proposed site of 2 new Eco Pods. Ground truthing revealed the presence of wetland habitat which spans both sites. This wetland comprises an upslope extension of the large hillslope seep indicated on the NWM5 (CSIR, 2018). Hydrology, soils and vegetation were used in combination to determine the existence and extent of the wetland. Hydrophytic vegetation encountered in this area comprised *Pennisetum macrourum*, *Pteridium sp* (bracken)., *Restio panniculatus*, *Plecostachys serpyllifolia* and *Watsonia sp.*



Wetland Delineation Map showing the on-site delineated wetlands and the mapped drainage lines and large hillslope seep.

Given that wetlands are confirmed at sites 26 and 27 as well as the site for the proposed campsite and the associated site for 2 Eco Pods (site 3A and 3 B), any development in these areas would require a Water Use Authorisation in terms of the NWA as the development would be within the regulated zone of these wetlands while also posing a risk to these wetlands.

The Freshwater Screening Assessment based on Alternative 1, concluded the following:

- → Alternative 1 results in at least 3 wetlands at risk of being impacted by the proposed development.
- → The development of the campsite and the two Eco Pods (Sites 3A and 3B, respectively) would cause loss of wetland habitat unless the location of these structures and their associated infrastructure is repositioned at least 15 m beyond any wetland edge.

The alternative was amended to **avoid** areas identified above and provided input for the evolution into the Preferred Alternative.

Terrestrial / Botanical Impact Assessment

The Terrestrial Impact Assessment was undertaken by Nick Helme. The findings of his assessment were as follows for Alternative 1:

- → Site 7 - Proposed site area below track is deemed to be of High sensitivity. Loamy soils, dominated by *Protea neriifolia* and *Tenaxia stricta*. No plant Species of Conservation Concern (SoCC). Recommendation – apply mitigation hierarchy and shift site to reduce the impact rating

- → Site 31 - An area of thin sandstone soils on a spur overlooking the river. Presence of three SoCC discovered in the initial area. The site supports a fairly high diversity of species, including *Protea repens, P. neriifolia, Erica sp*., *Hypodiscus aristatus, Anthospermum aethiopicum, Tetraria sp., Otholobium spissum, Berkheya herbacea, Thamnochortus lucens, Lobelia chamaepitys* and *Senecio pinifolius.* Recommendation – apply mitigation hierarchy and shift site to reduce the impact rating

The above amendments were implemented to reduce the Terrestrial Impact and inform the preferred alternative.

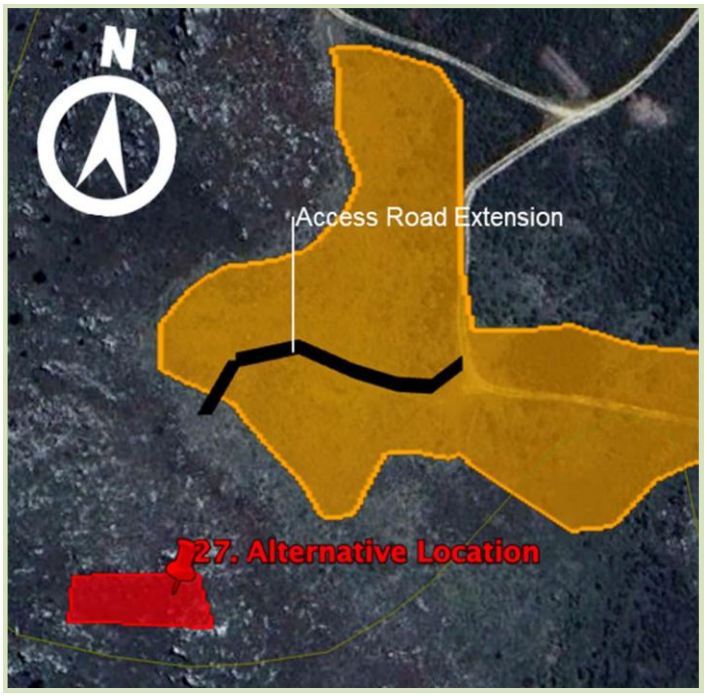
Faunal Assessment

The proposed footprint of the camping area (site 3A), as indicated in Alternative 1, infringes into potential striped flufftail habitat and at the Alternative 1 proposed location the impact is considered to be 'high'. The Faunal team proposed moving site 3A to the west and parallel-align it to the firebreak to avoid the infringement. This will lower impact to disturbance during construction phase and increased human presence due to tourism activities with the habitat destruction component removed. If this is done the impact could be considered 'medium' and a full impact assessment would not be required. Alternative 2, reflects this amendment.

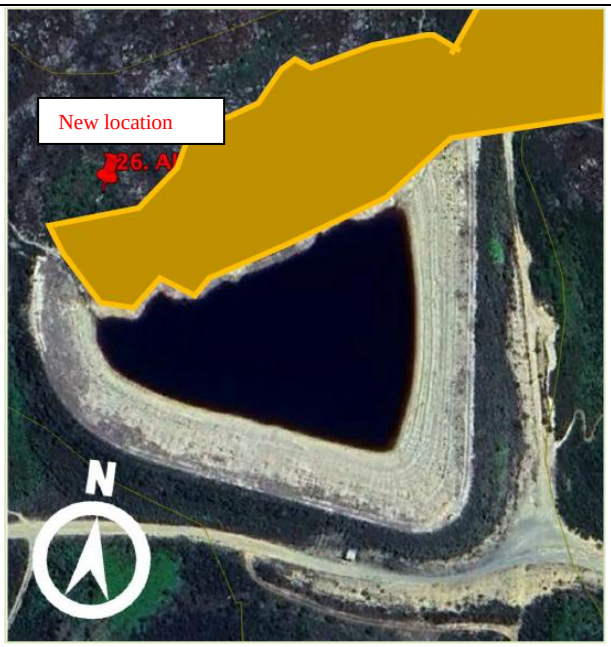
In response to the specialist input described above, **Alternative 2,** evolved, as follows;

Freshwater / wetland amendments:

- → Unit 27 (Farm 824)
  - shifted to an area outside of the delineated wetland, with buffer applied
  - The existing access road extended by approx. 100 m to access the unit. This will be in the form of 2 spoor / jeep track



- → Unit 26 (Farm 824)
  - Shifted outside wetland area with buffer applied
  - Parking and access already existing



→ Site 3A and 3B (Farm 826)

- These two sites were split into separate 3A and 3B sites
- 3A
  - the new area has not been disturbed in the past ten years and therefore is natural indigenous vegetation.
  - The site will be approximately 1600 m2 and will be terraced to accommodate 3 camp sites per terrace
  - Small individual toilet and shower will be built for each site which will drain to one / two closed conservancy tank systems which will be serviced
- 3B
  - 2 X Eco pods shifted outside wetland area with buffer applied
  - Still located within old orchard / previously impacted area
  - New access of approx. 47 m is required to access the new site from existing jeep track

Ecological / Botanical considerations and amendments

- → Area 31 shifted west to avoid three species of conservation concern (SOCC)
- → Area 7 shifted above track to area of medium sensitivity to avoid high sensitivity area in Alternative 1
- → Area 27 shifted out of high sensitivity area

In accordance with the mitigation hierarchy, the sensitive sites identified in the Freshwater Screening Assessment, Freshwater Impact Assessment, Faunal Assessment and Terrestrial (Botanical) Impact Assessment have been **avoided in Alternative 2.**

Alternative 3 – Final Preferred Alternative

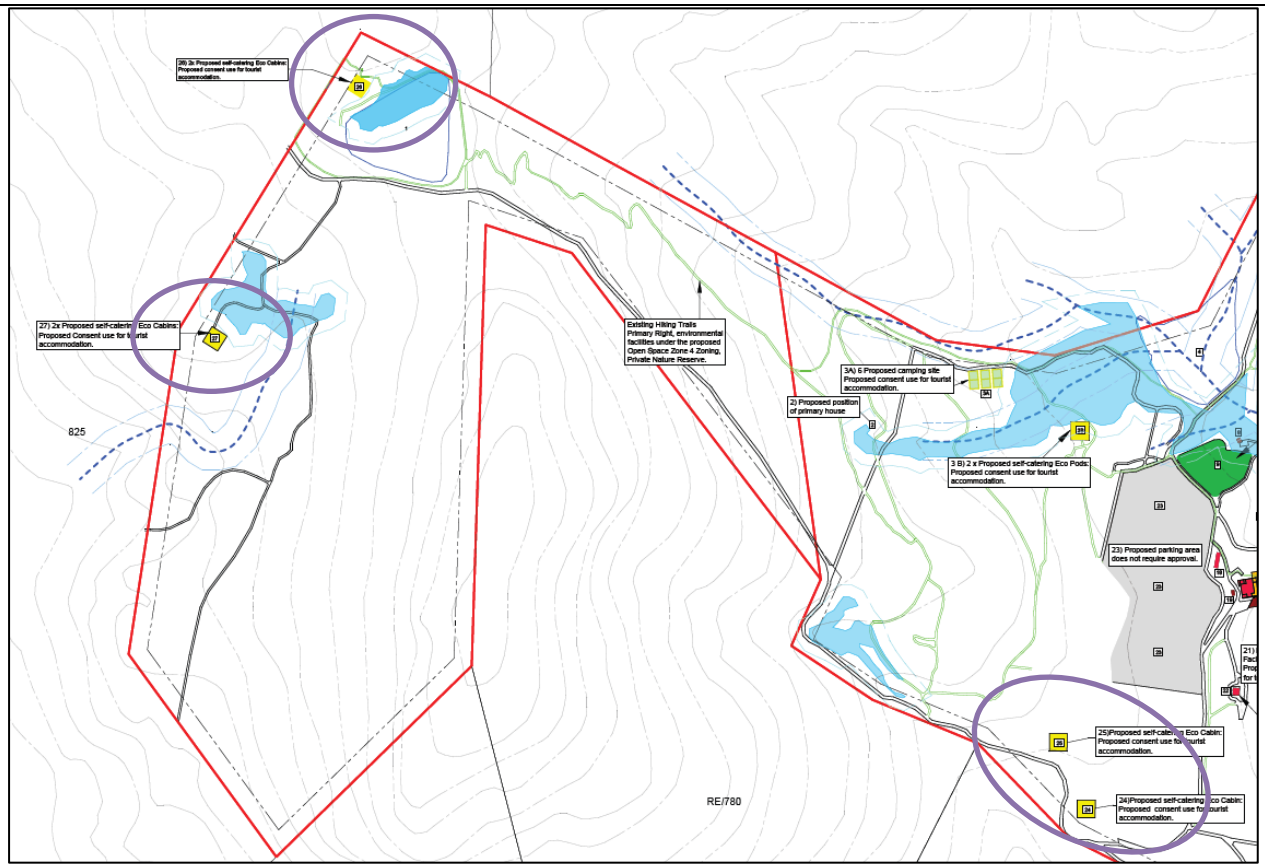
The above 2 layout alternatives and the no development option were presented for public participation during 2 rounds of out of process public participation as well as via various site meetings and other consultation with organs of state. However, there was residual concern that these Alternatives did not sufficiently address the WC Rural Development Policy Guidelines for development outside urban areas and that the sprawled development across the 3 farm portions presented issues relating to fire management and fire regimes, ecological connectivity and habitat risk and function.

As a result of this, it was decided that along with the consolidation and rezoning of the three farms to Open Space 4, the complete removal of all new development on the two outlying farms (Farm 824 and 887) must be implemented in a revised site plan. The aim of this evolution was to concentrate the expansion activities on the already developed core Farm 826 and retain the natural state of the two outlying properties. This strategy allows for improved alignment with the broader protected areas and long-term conservation strategies and provides significant ecological benefits to long terms conservation of the area.

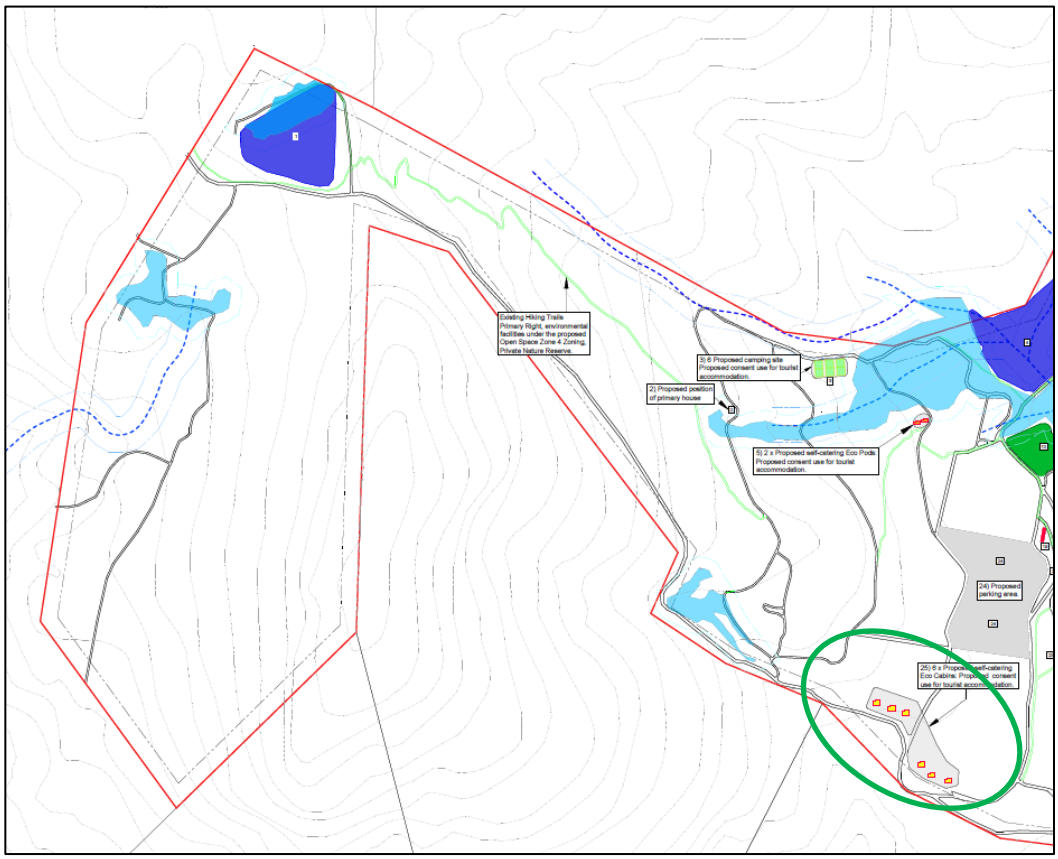
To achieve this, the following amendments were implemented:

1. Former Site 26 & Site 27 – proposed as 2 x Eco Cabins, moved to cluster with Site 24 and 25 on Farm 826 to now form a consolidated Site 25 on Alternative 3.

   Site 25 now includes 6 self-catering Eco cabins clustered along an existing access road on Farm 826.

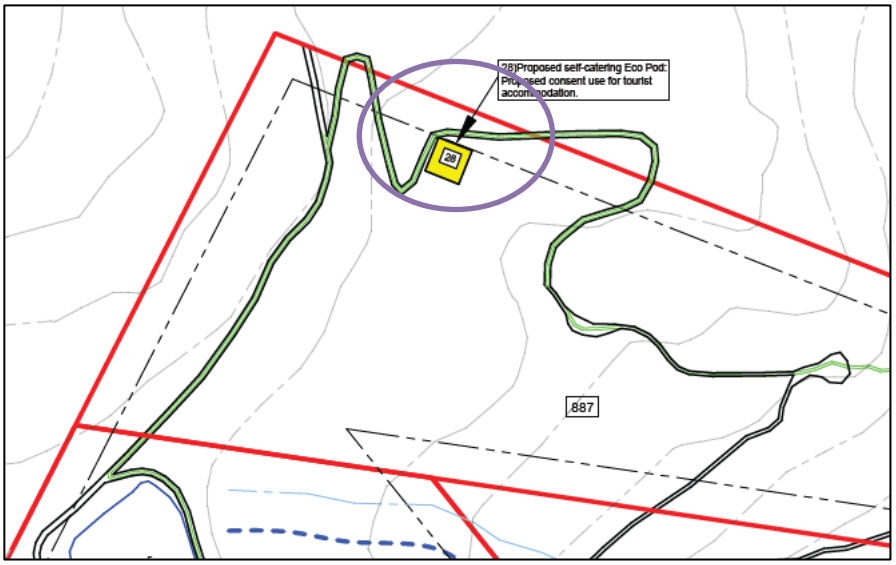


Locations of site 26 and 27 on Farm 824 as reflected on Alternative 2

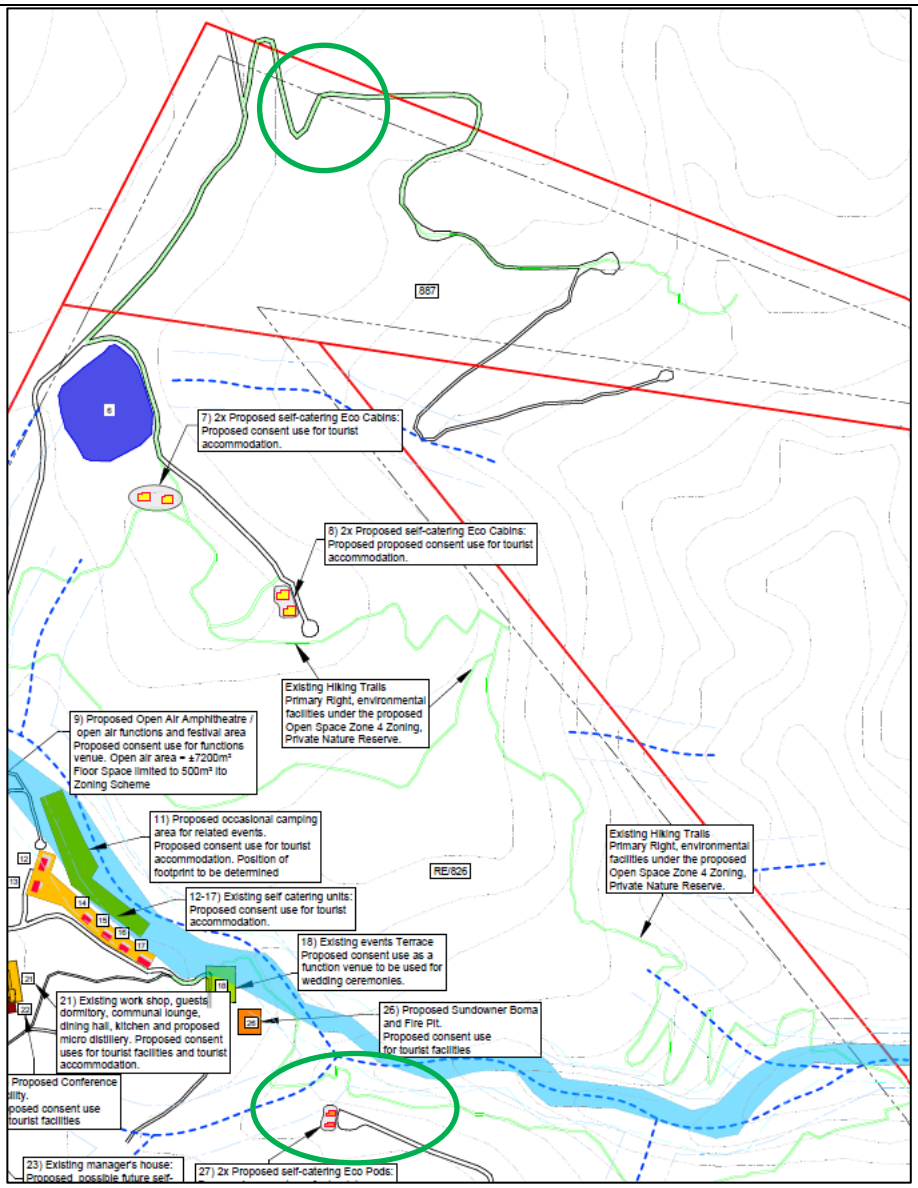


New preferred layout Alternative 3 above, showing no proposed expansion on Farm 824 and clustering at Site 25 on Farm 826

2. Site 28 as indicated on former preferred layout Alternative 2 (1 x eco pod), was removed from Farm 887 to join with Site 30 on Farm 826.
    a. This site was moved from Farm 887 (top right of site plan) to sites 30 on Farm 826
    b. See purple circles in image below



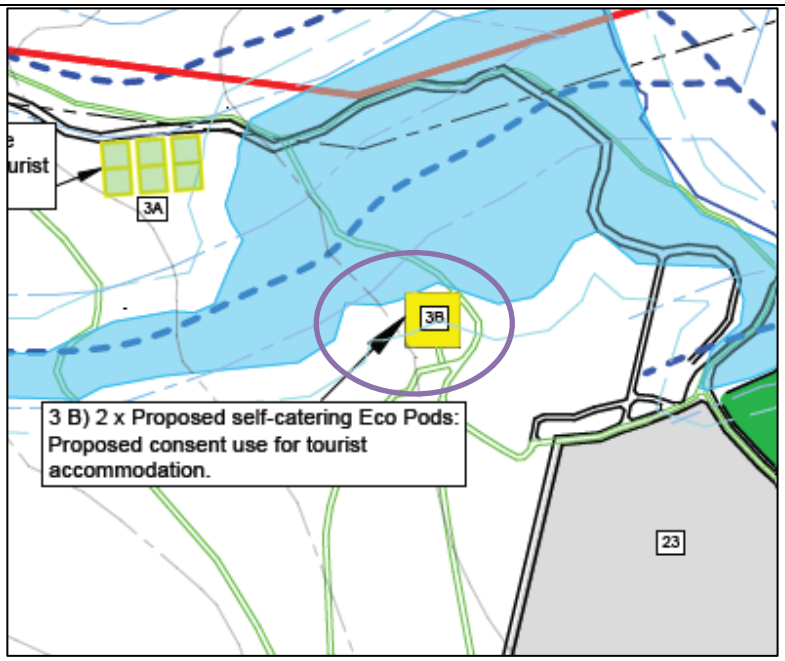
Alternative 2 and former Site 28 on Farm 887



Layout Alternative 3 showing no development on 887 and new Site 27 on Farm 826.

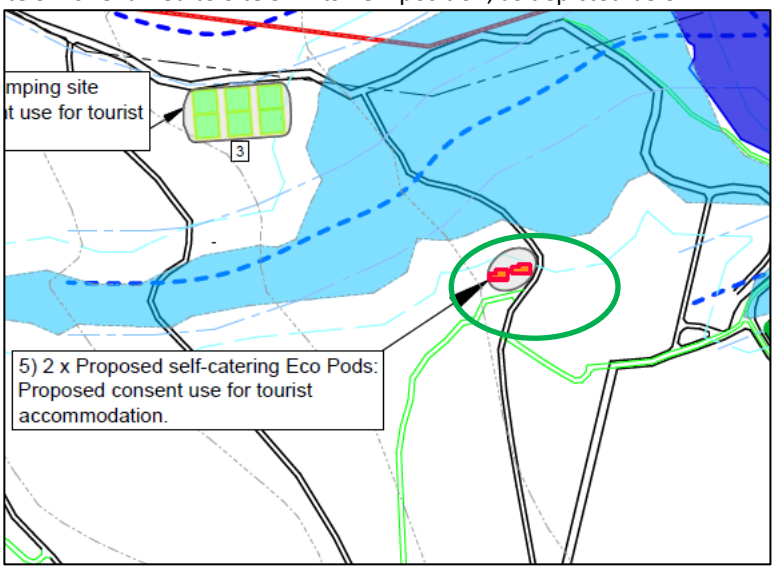
3. Previous Site 28 on Farm 887 and Site 30 on Farm 826 are combined to one cluster at former site 30 and are renamed in Layout Alternative 3, as site 27. This new cluster on Farm 826 now contains 2 x Eco pods.

4. Site 3B on former Layout Alternative 2 (Farm 826), with 2 x eco pods was moved southwards to fall outside the buffer area of the wetland, as required by the wetland specialist.
    c. This site was moved south 20 meters to fall outside of the buffer area of the delineated wetland.



Former site 3B as per Alternative 2

In Layout Alternative 3, site 3B is renamed to Site 5 in its new position, as depicted below:



Points 1 to 4 listed above indicated the physical location changes for sites in the evolution of Layout Alternative 3 – the new preferred alternative.

Additional changes were made in annotations from Alternative 2 to Alternative 3 on request from authorities, including

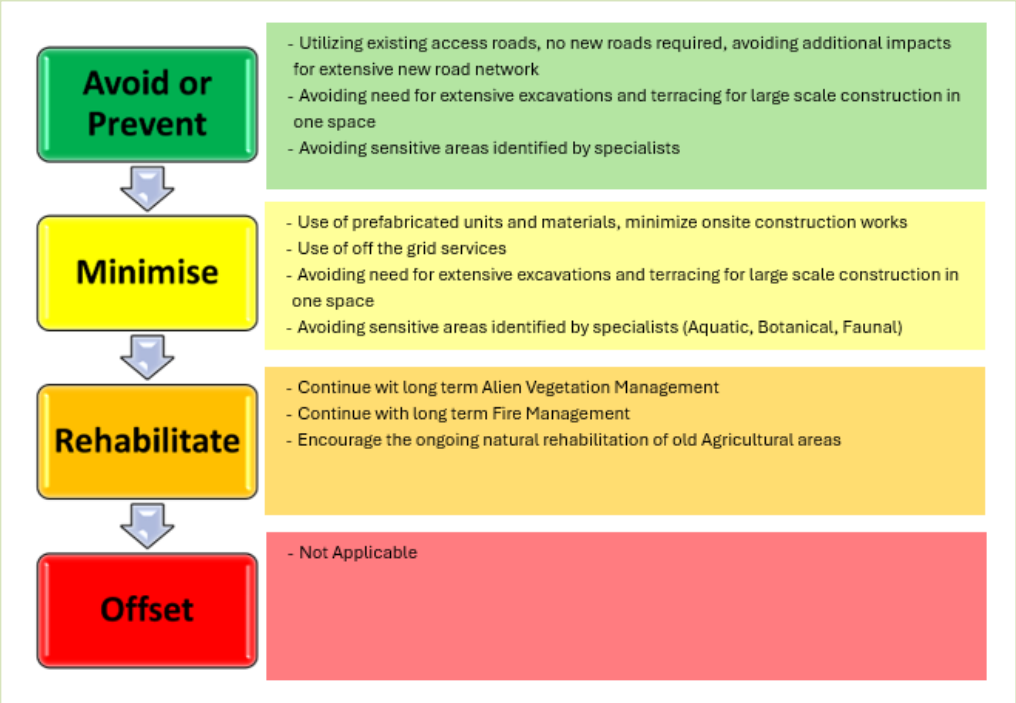
5. Indicating actual footprint size of proposed accommodation units at each site (see polygons with red boundaries with orange fill (eco pods) or yellow fill (eco cabins)
6. Better colour indication of water related features i.e., non-perennial rivers, dams, delineated wetlands, buffers from drainage lines and seepage areas
    d. Indicating proposed development clusters with grey bounded areas

The specialists reviewed all of the above amendments and support the new preferred Alternative 3 layout as per the addendums contained under Appendix G of the BAR.

Based on the above, the new preferred layout Alternative 3 is as follows:

	New Development Type	No. of units	Pax	Size per unit	Total Size (m^2)
2	Main Dwelling	1	*6*	0	120
3	Camp site (including internal access)	6	36	225	1600
5	Eco pod	2	4	56	112
7	Eco cabins	2	8	124	248
8	Eco cabins	2	8	124	248
22	Conference facility	1	0	0	150
25	Eco cabins	6	24	124	744
26	Sundowner boma	1	0	0	80
27	Eco pods	2	4	56	112
28	Eco cabin	1	4	124	124
			94		3538

The principles of the mitigation hierarchy have been applied to the evolution of the layout alternatives and the proposed development at Rusty Gate as follows:



Summary

The site is predisposed to fixed factors which have confined development opportunities on the site. These have shaped the vision for the development from the onset.
These factors, along with the identified need for safe, secluded overnight accommodation, which is able to maximise Rusty Gate's unique resource, was paramount. As a result, Alternative 1 was developed and then further guided by specialist input which allowed for the evolution of the layout alternatives.

Alternative 2 remains unchanged in number of additional units, overnight beds and size. However, the location of some of the footprints were shifted to accommodate sensitive areas as identified by the specialist team.

After 2 rounds of out of process public participation and further consultation with organs of state, regardless of the evolution in response to specialists and ecological sensitivities on site, there was a remaining concern about the layout. These concerns related to the application of the WC Rural Development Guidelines and the sprawled nature of the layout. Alternative 2 was considered to present potential risks relating to fire management and fire regime. The location of the properties within the surrounding protected areas and the possible loss of ecological corridors was also raised as a concern. As a result, Layout Alternative 3 evolved, where all development was removed from the 2 outlying farms and confined to Farm 826 only. This unlocked the opportunity to create and secure long term ecological corridors which link the 2 adjacent protected areas and through the rezoning to Open Space 4, long term protection can be secured.

Provide a description of any other property and site alternatives investigated.

No property and site alternatives exist.

Provide a motivation for the preferred property and site alternative including the outcome of the site selectin matrix.

No site alternatives are applicable – the applicant owns the subject property and wishes to expand current operations. Critical factors on site, as outlined above, played a role in the initial placement of proposed development areas. The Rusty Gate Mountain Retreat, comprising of three separate farm portions can be described as unique in location and scale and provide for specialist environmental offerings on the site and surrounds which make it an ideal area for tourism activities. Coupled with this, long term environmental protection through the Open Space 4 zoning and Biodiversity Stewardship Programme will be a significant benefit to the site.

Three Alternatives are proposed, being:

- → Alternative 1
- → Alternative 2
- → **Alternative 3 (Preferred)**
- → Alternative 4 (No Go) – Status quo remains

Alternatives 1 and 2 differ in the location of certain units and development areas, where there has been a change in the location on site in response to Freshwater, Botanical and Faunal Sensitivities. The mitigation hierarchy has been applied to ***avoid*** high risk and high sensitivity areas.

Alternative 3 applies the revisions above, as well as presenting a more clustered approach and is preferred.

The existing offerings on Rusty Gate have proven to be successful and in high demand, therefore further in support of the expansion proposed in Alternative 3.

Alternative 4 is not a layout alternative but rather the investigation of maintaining the status quo. The implementation of this alternative would result in the following knock-on effects, which are considered to be negative:

- → No access for users to these unique resource
- → No rezoning to Open Space 4 Nature Reserve
- → No option to pursue collaboration with the adjacent landowner, Cape Nature, to unlock possible financial and socio-economic opportunities on those properties.
- → No investment in the area and benefits to nearby towns and communities
- → No opportunity to implement the Cape Nature Biodiversity Stewardship Programme
- → No opportunity for collaboration with neighbouring landowners for long term Fire and Alien Vegetation Management
- → Risks associated with inappropriate and unregulated future landuses
- → No opportunity to secure a long-term ecological corridor and link the adjacent protected areas.

Provide a full description of the process followed to reach the preferred alternative within the site.

An Environmental Screening Process was undertaken and to identify the feasibility of the proposed development. The environmental screening process was conducted by the EAP in line with the Protocol Requirements, and applicable legislation for the proposed development application. The screening process included both desktop and on-site assessment.
The opportunities and limitations which the site presented, were considered from the onset of the project.

From the Screening Process, the relevant indicated specialists were appointed as part of the impact assessment process.

Various sites were identified across the three properties for the eco pods, cabins and camping areas and these sites were based on critical aspects such as the existing road network, topography, access to a unique resource and need and demand. As such, the evolution of the layout alternatives was based on critical existing elements on site and played an early role in placement and design concepts and the general feasibility of the proposal. The proposal was significantly shaped by the following:

- → Existing internal access at Rusty Gate – all new development is placed relative to existing access. No new roads are required as part of the proposal, minor extension to existing tracks to the sum total of 300 m^2, were required during the evolution of the preferred alternative, in order to avoid sensitive areas identified by the specialist team.
- → The topography of Rusty Gate is not uniform and ranges from ~800 m above MSL to ~ 300 m above MSL with little to no suitable flat areas for larger development or clustering
- → Need and desirability – Rusty Gate, already popular in the tourism overnight sector, has identified a need and demand for low key, eco-centred, off the grid, secluded overnight accommodation which emphases privacy and optimises the various natural resources which are offered by the Rusty Gate properties. This demand also allows for the creation of a low impact, low key development which blends into the environment with small footprints and impact zones.

Once the above factors were considered, there were key zones identified on the property for possible development. This formed the basis for Alternative 1. The specialist team was appointed and assessed all possible scenarios, given the above-mentioned limiting factors.

The specialist team assessed the layout alternatives and surrounds and the recommendations made by each specialist resulted in the evolution of the preferred alternative.

Provide a detailed motivation if no property and site alternatives were considered.
N/A – No property alternatives are available – the subject property already operates as a successful tourism farm and accommodation on the farm is in high demand. In addition, the Rusty Gate properties are one of a kind providing access to exquisite natural resources such as mountain, valleys, rivers, streams, rock pool and waterfalls, kilometres of hiking trails and views which extend all the way to Stormsvlei.
List the positive and negative impacts that the property and site alternatives will have on the environment.
No property alternatives are applicable. Site alternatives on the applicable properties have been assessed and have resulted in the evolution of the Preferred Alternative (Alternative 3). These internal site changes allow for the avoidance of wetland areas and areas of high botanical concern as well as shifting development sites away from sensitive faunal habitats. The Alternatives have been assessed by the specialist team and the impacts of the proposal quantified. With the implementation of the recommendations provided by the specialist team, all sensitive zones and high-risk habitats have been avoided reducing overall development impacts to acceptable levels. This combined with the low key, eco-centred approach and small scale of development (~3000 m^2) results in impacts which are considered acceptable.

1.2.	Activity alternatives to avoid negative impacts, mitigate unavoidable negative impacts and maximise positive impacts.

Provide a description of the preferred activity alternative.
N/A – no activity alternatives are applicable – tourism overnight and related activities are already active on the farm.
Provide a description of any other activity alternatives investigated.
N/A
Provide a motivation for the preferred activity alternative.
N/A
Provide a detailed motivation if no activity alternatives exist.
N/A
List the positive and negative impacts that the activity alternatives will have on the environment.
N/A

1.3.	Design or layout alternatives to avoid negative impacts, mitigate unavoidable negative impacts and maximise positive impacts

Provide a description of the preferred design or layout alternative.
Two layout alternatives and the No Go are assessed herein. **ALTERNATIVE 1:** The addition and expansion of tourism overnight opportunities is proposed. This layout alternative was guided by site specific constraints, (internal existing access, topography, need and desirability etc) but was not informed by the specialist team and sees some of the new development areas located within or in very close proximity to wetlands or within areas of high botanical sensitivity or at risk of impacting SOCC. Note that the number of units and overnight opportunities remain

the same between Alternative 1 and 2. This layout alternative also proposes that the Farm portions remain under Agricultural Zoning 1 as follows:

- → Footprint rezoning from Agriculture Zone 1 to Resort Zone in terms of Section 15(2)(a) of the Theewaterskloof Municipality By-Law on Municipal Land Use Planning to accommodate 5 eco-pods, 10 eco cabins, 7 self-catering units and the dormitories including the communal lounge area, dining hall and kitchen, and the occasional camping area for related events; (some uses are existing and form part of the municipal rectification application)
- → Consent uses in terms of Section 15(2)(o) of the Theewaterskloof Municipality By-Law on Municipal Land Use Planning for the proposed natural amphitheatre, events terrace, conference facility, sundowner boma and parking area, hiking trails.

	New Development Type	No. of units	Pax	Size per unit	Total Size (m^2)
2	Main Dwelling	1	6	0	120
3A	Camp site	6	36	225	1350
3B	Eco pods	2	4	56	112
6	Eco cabin	1	4	124	124
7	Eco cabin	2	8	124	248
21	Conference facility	1	0	0	150
24	Eco cabin	1	4	124	124
25	Eco cabin	1	4	124	94.5
26	Eco cabin	2	8	124	248
27	Eco cabin	2	8	124	248
28	Eco pods	2	4	56	112
29	Sundowner boma	1	0	0	50
30	Eco pod	1	2	56	56
31	Eco cabin	1	4	124	124
			92		3440

ALTERNATIVE 2:

The addition of tourism overnight units and associated facilities is proposed. The number of units and number of people remain the same as Alternative 1, however the following changes have been implemented in response to specialist input and comments received during public participation.

- → Units 6, 26 and 27 have been moved to fall outside of identified sensitive wetland areas, to the satisfaction of the Freshwater Specialist
- → Units 7, 27 and 31 have been moved to avoid sensitive botanical areas and species of conservation concern as recommended by the Botanist.
- → The camp site location at 3A was found to infringe on Striped Flufftail habitat and was moved west and parallel-aligned to the firebreak to avoid impacting this species habitat.
- → The three farm portions will be consolidated and rezoned to Open Space 4 – Nature Reserve. This change responds to concerns from DEA&DP and DOA regarding the impact of loss of Agricultural land. In addition, after extensive consultation with Cape Nature and in response to the unique natural offering of Rusty Gate, the

proposal to preserve the site in the long term under a Nature Reserve status, as well as provide a mechanism for connecting the Riviersonderend Mountain Catchment Area and Riviersonderend Nature Reserves was found to have significant positive impacts for the broader area. The option of collaborating with Cape Nature, as the neighbours, provides positive benefits for both parties in the form of consolidated land management and unlocking possible opportunities for eco-tourism and revenue generation on the Cape Nature reserves in the future. The applicant is also in discussion with Cape Nature regarding their Biodiversity Stewardship Programme and adding Rusty Gate as a Stewardship site.

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31	Eco cabin	1	4	124	124
			92		3160.5

Alternative 3 – Final Preferred Alternative

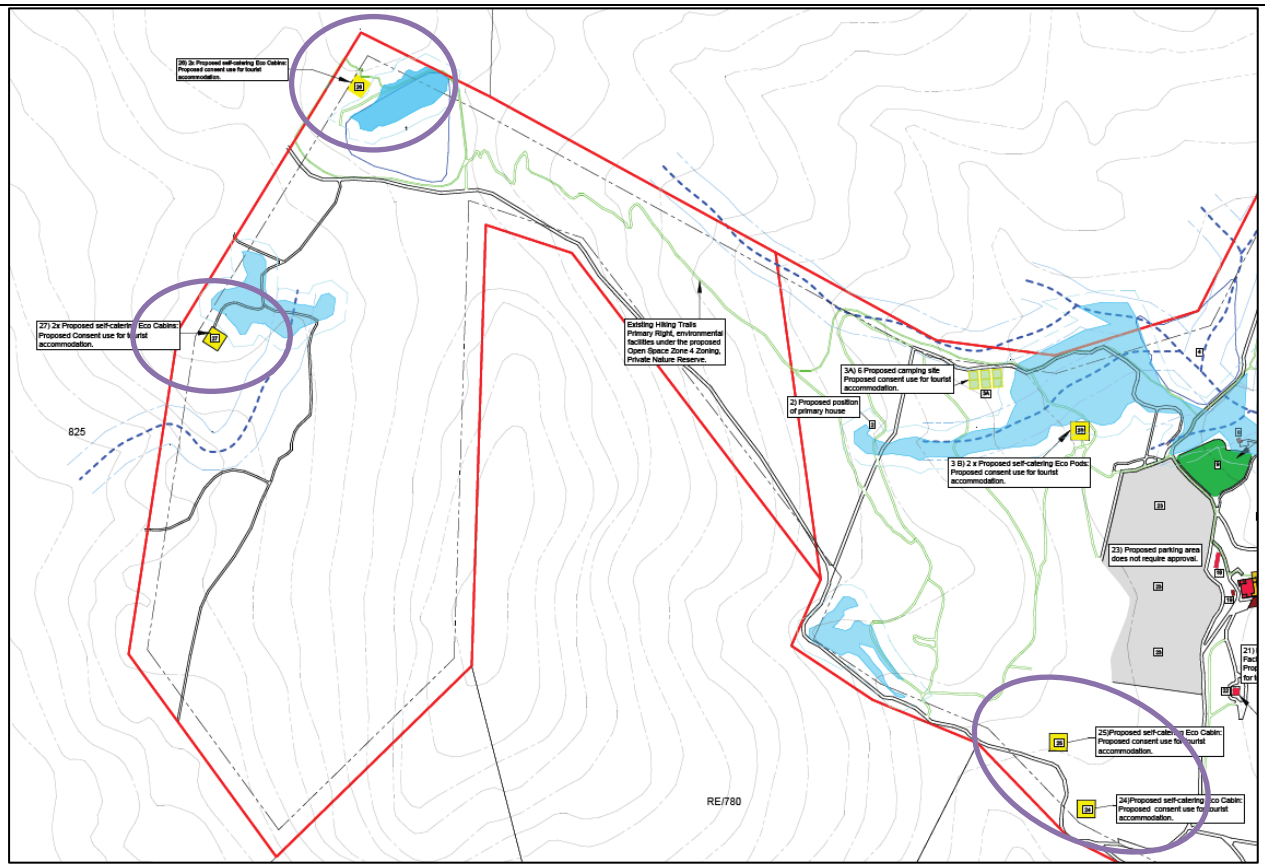
The above 2 layout alternatives and the no development option were presented for public participation during 2 rounds of out of process public participation as well as via various site meetings and other consultation with organs of state. However, there was residual concern that these Alternatives did not sufficiently address the WC Rural Development Policy Guidelines for development outside urban areas and that the sprawled development across the 3 farm portions presented issues relating to fire management and fire regimes, ecological connectivity and habitat risk and function.

As a result of this, it was decided that along with the consolidation and rezoning of the three farms to Open Space 4, the complete removal of all new development on the two outlying farms (Farm 824 and 887) must be implemented in a revised site plan. The aim of this evolution was to concentrate the expansion activities on the already developed core Farm 826 and retain the natural state of the two outlying properties. This strategy allows for improved alignment with the broader protected areas and long-term conservation strategies and provides significant ecological benefits to long terms conservation of the area.

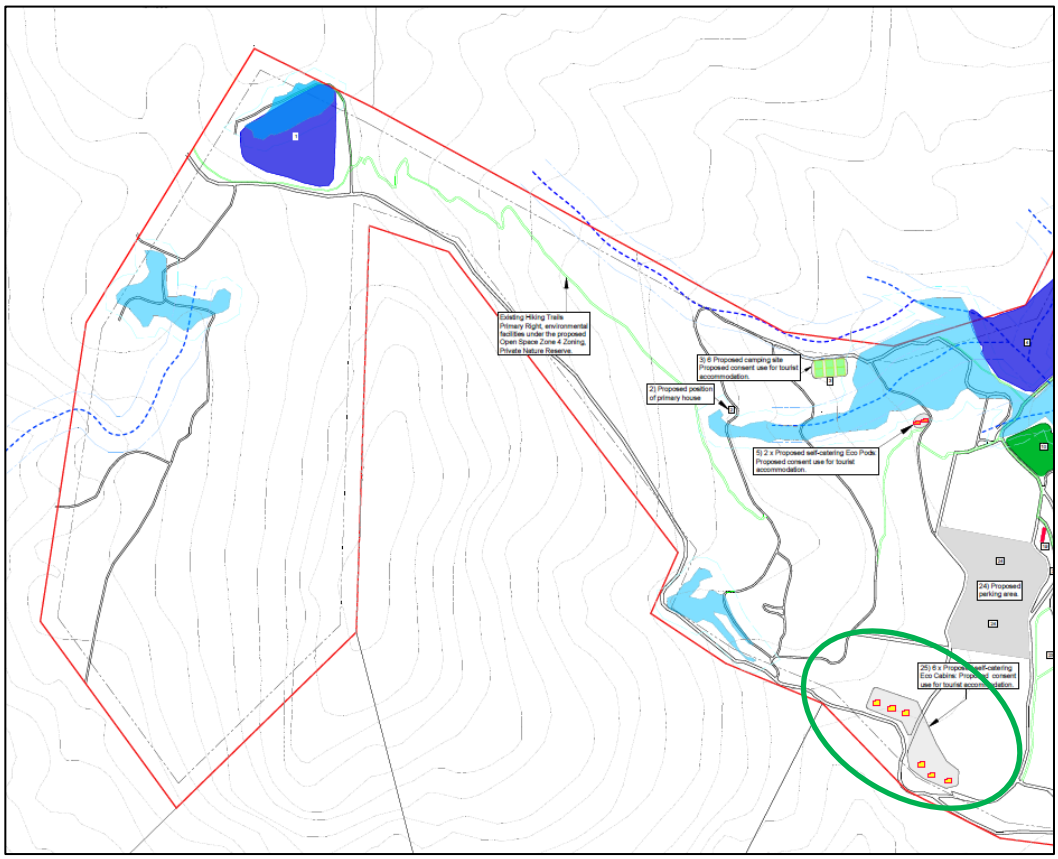
To achieve this, the following amendments were implemented:

1. Former Site 26 & Site 27 – proposed as 2 x Eco Cabins, moved to cluster with Site 24 and 25 on Farm 826 to now form a consolidated Site 25 on Alternative 3.

   Site 25 now includes 6 self-catering Eco cabins clustered along an existing access road on Farm 826.

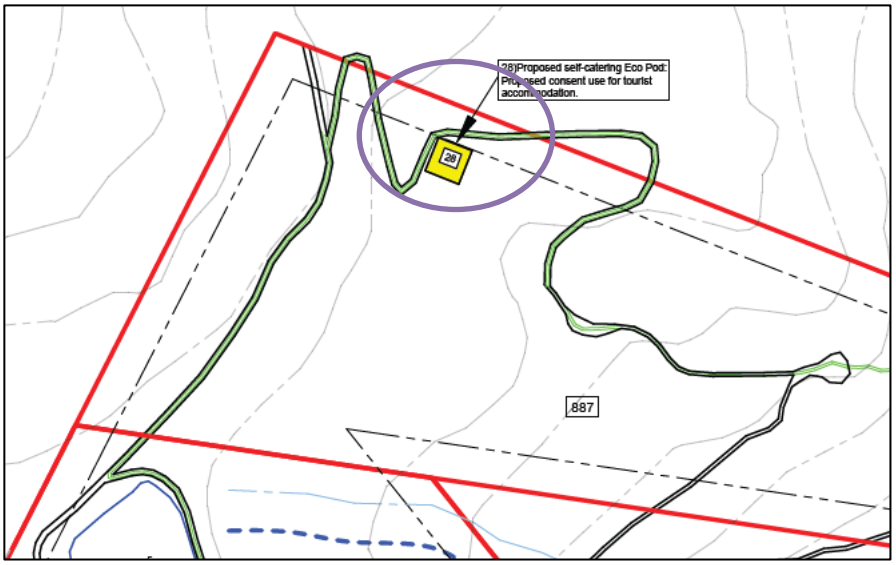


Locations of site 26 and 27 on Farm 824 as reflected on Alternative 2

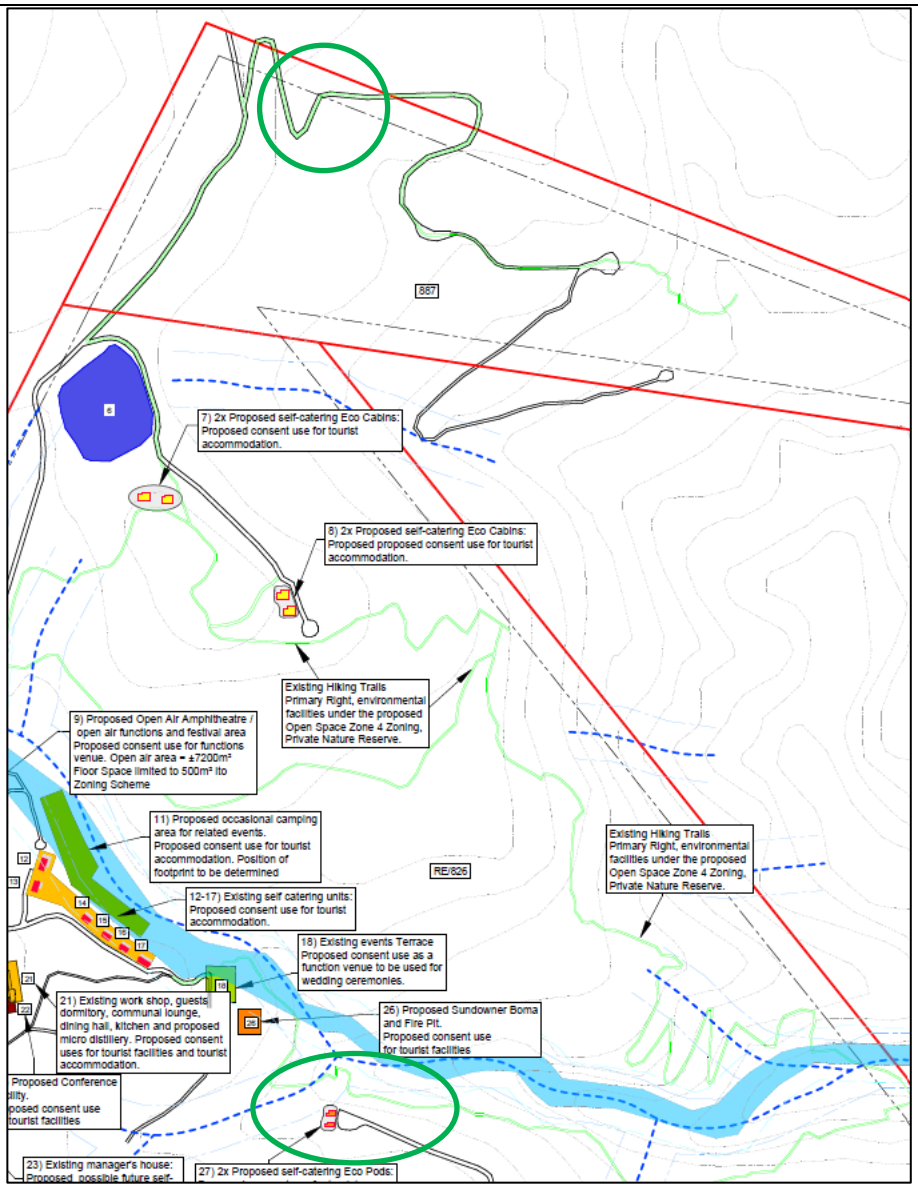


New preferred layout Alternative 3 above, showing no proposed expansion on Farm 824 and clustering at Site 25 on Farm 826

2. Site 28 as indicated on former preferred layout Alternative 2 (1 x eco pod), was removed from Farm 887 to join with Site 30 on Farm 826.
    a) This site was moved from Farm 887 (top right of site plan) to sites 30 on Farm 826
    b) See purple circles in image below



Alternative 2 and former Site 28 on Farm 887



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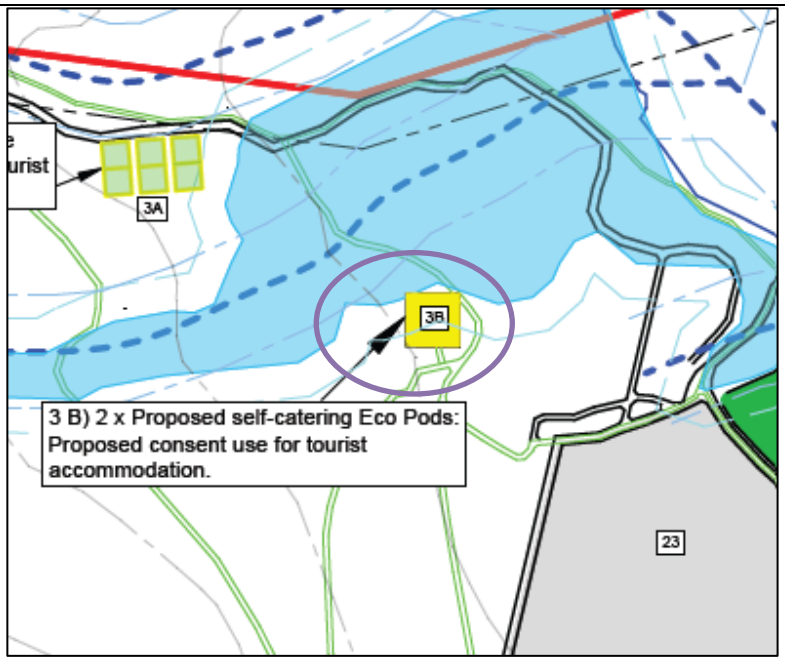
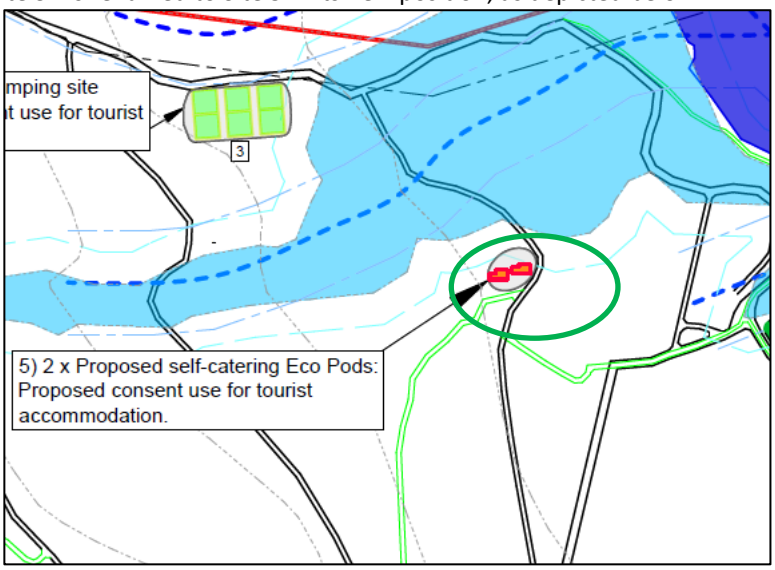


Former site 3B as per Alternative 2

In Layout Alternative 3, site 3B is renamed to Site 5 in its new position, as depicted below:



Points 1 to 4 listed above indicated the physical location changes for sites in the evolution of Layout Alternative 3 – the new preferred alternative.

Additional changes were made in annotations from Alternative 2 to Alternative 3 on request from authorities, including

5. Indicating actual footprint size of proposed accommodation units at each site (see polygons with red boundaries with orange fill (eco pods) or yellow fill (eco cabins)
6. Better colour indication of water related features i.e., non-perennial rivers, dams, delineated wetlands, buffers from drainage lines and seepage areas
    a) Indicating proposed development clusters with grey bounded areas

The specialists reviewed all of the above amendments and support the new preferred Alternative 3 layout as per the addendums contained under Appendix G of the BAR.

Based on the above, the new preferred layout Alternative 3 is as follows:

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22	Conference facility	1	0	0	150
25	Eco cabins	6	24	124	744
26	Sundowner boma	1	0	0	80
27	Eco pods	2	4	56	112
28	Eco cabin	1	4	124	124
			88		3538

Provide a description of any other design or layout alternatives investigated.

The preferred alternative has evolved to shift all new development areas outside of sensitive botanical, faunal and wetland areas, thereby avoiding sensitive areas or reducing the overall impact, in some cases. The applicant intends to apply green building principles and a touch the earth lightly approach with prefabricated light steel frame designs, to limit the impact of the proposal on the environment during the construction phase.

Provide a motivation for the preferred design or layout alternative.

The number of units and number of people remain the same for Alternative 1 and 2, however the following changes have been implemented in response to specialist input and comments received during the first round of public participation and resulted in the locations changes as seen in Alternative 2 and 3.

- → Units 6, 26 and 27 have been moved to fall outside of identified sensitive wetland areas, to the satisfaction of the Freshwater Specialist
- → Units 7, 27 and 31 have been moved to avoid sensitive botanical areas and species of conservation concern as recommended by the Botanist.
- → The camp site location at 3A was found to infringe on Striped Flufftail habitat and was moved west and parallel-aligned to the firebreak to avoid impacting this species habitat.
- → The three farm portions will be consolidated and rezoned to Open Space 4 – Nature Reserve. This change responds to concerns from DEA&DP and DOA regarding the impact of loss of Agricultural land. In addition, after extensive consultation with Cape Nature and in response to the unique natural offering of Rusty Gate, the proposal to preserve the site in the long term under a Nature Reserve status, as well as provide a mechanism for connecting the Riviersonderend Mountain Catchment Area and Riviersonderend Nature Reserves was found to have significant positive impacts for the broader area. The option of collaborating with Cape Nature, as the neighbours, provides positive benefits for both parties in the form of consolidated land management and unlocking possible opportunities for eco-tourism and revenue generation on the Cape Nature reserves in the future. The applicant is also in discussion with Cape Nature regarding their Biodiversity Stewardship Programme and adding Rusty Gate as a Stewardship site.

From a socio-economic perspective, the proposal offers the following positive impacts:

- → The proposed expansion at Rusty Gate has been done so in response to an identified need and desirability. Rusty Gate is already a popular tourist attraction and attracts large numbers of people through their tourism and day events, which has direct benefits to the surrounding towns through overflow accommodation and local spending.
- → The expansion will result in job creation and skills transfer as well as the opportunity to showcase how effective eco-tourism can be implemented.
- → Long term preservation of the environment through Nature Reserve Status and Stewardship Agreement with Cape Nature
- → Providing an opportunity for users to experience the unique resources which Rusty Gate is part of, such as mountains, valleys, rivers, rockpools, waterfalls and expansive views. Existing paths and hiking trails allow the user to experience these assets which would not have previously been available to them.
- → With the secluded, low impact, "one with nature" accommodation offering, the users would experience a sense of custodianship for the natural environment and be able to experience nature in a private safe space.
- → Collaboration with Cape Nature as the adjacent landowner, unlocks future opportunities for tourism and income generation on state land.
- → Collaboration with adjacent landowners for long term Alien vegetation management and Fire management assists in creating and maintaining this unique natural space and broader area.

Alternative 3 – the final preferred alternative, evolved in response to residual concerns relating to the previous preferred layout. As such, all development proposed for the 2 outlying farms has been excluded and confined to development clusters on the core Farm 826 only.

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

Three layout alternatives and the no go alternative are assessed herein.

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

CONSTRUCTION PHASE

Negative impacts:

- → Generation of dust that will affect guests
- → Temporary noise disturbance to transient receptors, i.e., guests
- → Temporary visual impacts of construction site
- → Visual impacts of construction site and associated construction activities (not aesthetically pleasing to guests)
- → Disturbance and smalls scale loss of low and medium sensitivity botanical environment (Alternative 2)
- → Alternative 1 would see the loss of SOCC and highly sensitive environments.
- → Alternative 1 – direct impacts on wetlands and watercourses

Positive impacts*:*

- → Alternative 2 & 3 – avoidance of high botanically sensitive areas and SOCC
- → Alternative 2 & 3 – Avoidance of watercourse and wetland habitats
- → Alternative 3 – all new development outside 20 m and 32 m watercourse boundaries
- → Job creation and skills transfer
- → Investment in the area
- → Low impact development, ecofriendly designs, minimal construction activities through the use of prefabricated units which are constructed offsite and assembled on site
- → Limited disturbance and excavations required to fit the units

→ Quick installation time limits the potential for construction related sprawl

OPERATIONAL PHASE

Negative impacts:

→ Potential pollution (land, air, noise) associated with additional tourism activities, maintenance etc

→ Increased pedestrian traffic to the area risk of adhoc paths and trails being developed

Positive impacts:

→ Investment in the area, job creation, attraction of people to the broader area and improved local spending

→ Expansion of the farm area in response to need and desirability

→ Provision for access to Rusty Gate as a unique Resource

→ Example of a unique and environmentally friendly tourism offering

→ Collaboration with Cape Nature to achieve long terms land management

→ Improving ecological connectivity of the broader area by allowing Rusty Gate to form the link between the two Riviersonderend Nature Reserves

→ Appropriate fire management provision within a developed environment

→ Unlocking future potential for income generating activities on the adjacent Cape Nature Reserves

1.4.	Technology alternatives (e.g., to reduce resource demand and increase resource use efficiency) to avoid negative impacts, mitigate unavoidable negative impacts and maximise positive impacts.

Provide a description of the preferred technology alternative:

N/A – there are no technology alternatives although the applicant will use most recent technology options in the design to reduce construction related impacts, energy demand and fire risk.

Provide a description of any other technology alternatives investigated.

N/A

Provide a motivation for the preferred technology alternative.

N/A

Provide a detailed motivation if no alternatives exist.

N/A

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

N/A

1.5.	Operational alternatives to avoid negative impacts, mitigate unavoidable negative impacts and maximise positive impacts.

Provide a description of the preferred operational alternative.

N/A – no operational alternatives exist for the site. The development proposed is in line with the land use planning and existing land use in the area.

Provide a description of any other operational alternatives investigated.

N/A

Provide a motivation for the preferred operational alternative.

N/A
Provide a detailed motivation if no alternatives exist.
N/A
List the positive and negative impacts that the operational alternatives will have on the environment.
N/A

1.6.	The option of not implementing the activity (the 'No-Go' Option).

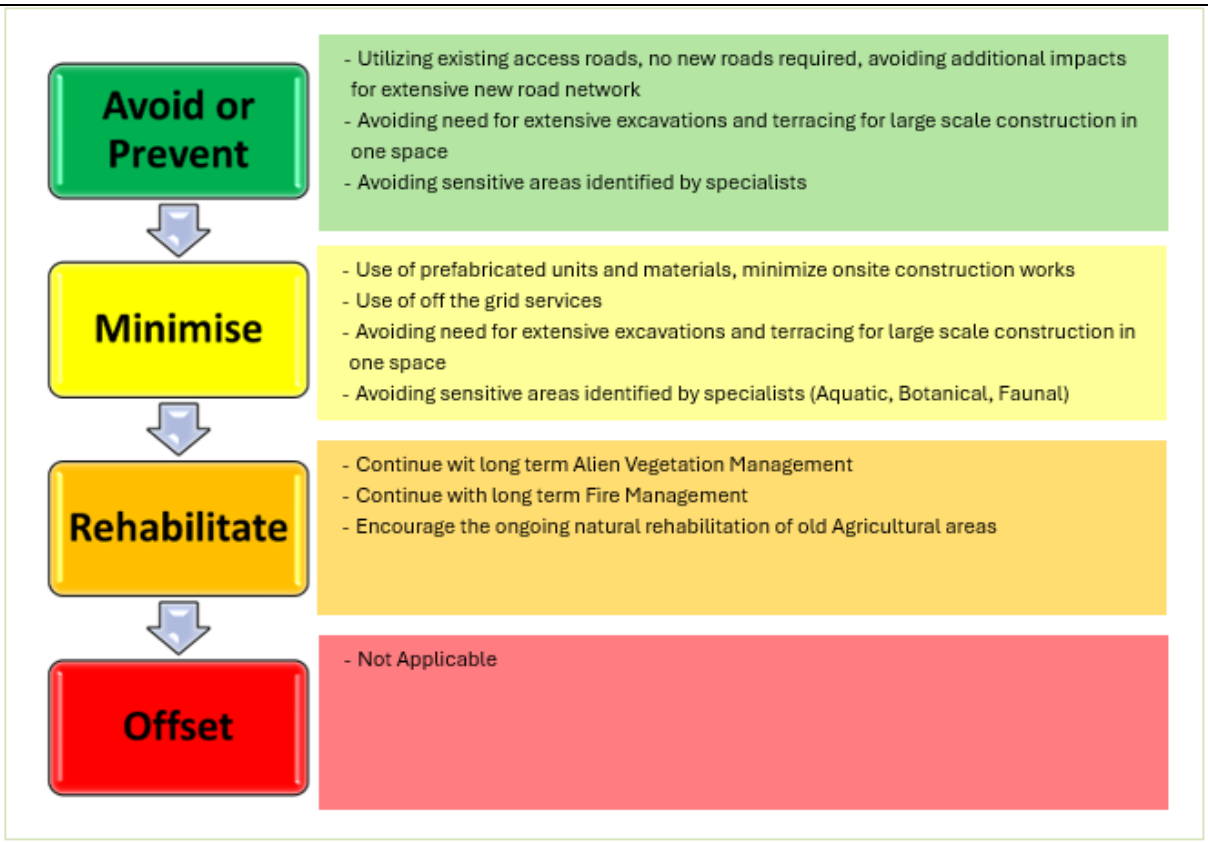
Provide an explanation as to why the 'No-Go' Option is not preferred.

The No Go option has been investigated as Alternative 4. The No Go entails that the status quo remains on site and further tourism opportunities are not created. With the implementation of the No Go option, the following impacts are anticipated:

- → No opportunity for job creation and skills transfers during both construction and operation
- → No opportunity for area wide economic impacts associated with local spending, tourism to local towns, overflow of tourism overnight to nearby places etc
- → No opportunity to expand the offerings at Rusty Gate and improve the user's ability to access the unique resources as offered by rusty Gate
- → No opportunity for collaboration with Cape Nature and the linking of the two adjacent nature reserves which would be a significant loss for overall ecological connectivity of the area
- → No opportunity for the possible future unlocking of the Cape Nature properties
- → No opportunity for additions to the Nature Reserves and Stewardship sites
- → No opportunity for effective land management through fire and alien vegetation management
- → No opportunity for rehabilitation and reinstatement of natural habitats in old orchards

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

The mitigation hierarchy was applied to the evolution of the alternatives as follows:



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

The applicant has identified a specific need, through current operations, to provide for private, secluded, eco-tourism, where guests can experience and become "one" with nature. Based on existing site constraints and opportunities, including existing internal roads, extreme topography and the unique resources which Rusty Gate has on offer, the layout proposal as presented in Alternatives 1 and 2, followed a more sprawled approach than what is usually considered desirable. The principle of clustering development should be applied on a case-by-case principle and the specific site constraints and opportunities need to be taken into account when considering such. With further evolution of the Alternatives, the exclusion of development on the 2 outlying farms is presented and therefore creating a more clustered / nodal type layout restricted to Farm 826 Only.

→ ***Tourism attraction*** - Through the existing operations at Rusty Gate and in line with Eco tourism trends, there is very clear an increasing yearning for people to connect with and spend time in nature. The need for places where people are able to break away from work and life pressures in an off the grid offering which is close to nature, with privacy and serenity, is high. Clustering of accommodation units will mitigate the privacy of each unit and not offer the same sense of place within nature. The existing offerings at Rusty Gate, although very popular, are more suited to group offerings where a guest comes to the farm as a group, and does not address the needs identified.

→ ***Site Locations*** – Rusty Gate undoubtedly offers an exceptional experience for anyone who visits the site and the unique resources at Rusty Gate need to be shared. Showcasing the flora, fauna and beauty of the farm, the extensive views and the Riviersonderend Mountains and Helderstroom Valley is one of the primary drivers for the proposed development. The individual placement of each unit and the micro-detail level was undertaken with the objective of offering the best possible location to maximise the experience and enjoyment of nature for guests. By micro-siting the units, the specialists have ensured that impacts on specifics are eliminated and with the low impact type of development, the site and area wide impacts are little to none.

- → ***Accessibility*** - All proposed site locations are accessible from existing road infrastructure for construction, maintenance, services, firefighting and all types of guest vehicles. Sites 3a, 3b and 27 will require access way extensions of less than 300 meters collectively and this will be via low impact jeep tracks as per specialist recommendations.
- → ***Topography*** - The topography of the property is not amenable to clustering of units. Potential sites for clustered accommodation are limited to one or possible two locations due to mountainous topography. The available possible sites for clustered accommodation will require clearing of substantial areas of vegetation and it will also require extensive earthworks, excavation and terracing to compensate for sloped topography.
- → ***Aesthetic Design*** - The "look and feel" of outward facing facades and other visible elements such as windows and roofs, are important to ensuring that the accommodation units blend into the surrounding to maintain the "sense of place" for visiting guests. The aesthetic design of the accommodation units and selection of materials for construction was done specifically to achieve this objective.
- → ***Sustainability*** - Sustainability is a key requirement for the proposed development. This is addressed through the application of eco-friendly designs and construction methodologies and utilisation of appropriate service infrastructure
- → ***Construction Design and Materials*** - Accommodation unit structures will consist of light steel frame construction. This design was considered the preferred option due to the low construction related requirements, versatility and fast construction times, durability, cost efficiency, eco-friendliness and low maintenance requirements. In addition, this type of construction can be designed using fire retardant materials which is ideal for use in fire driven ecosystems. Due to general topography and inclines on the property all accommodation units will be constructed on pillar and beam foundations to minimise soil and vegetation disturbance during and after construction.
- → ***Impact of Construction Activities*** - Construction of clustered units at one or two sites will have a significantly greater impact on soil and vegetation disturbance due to concentration of vehicle movement and construction activities, substantial excavation requirements for foundations and utility services. It is also anticipated that restoration and recovery of vegetation to its "original state" would be longer due to extent of the aforementioned activities.
- → ***Maintenance*** - The use of light steel frame construction and smart selection of appropriate materials will reduce periodic maintenance intervals and associated costs. The materials for exterior and interior wall panels offers a wide range of colours and textures to blend in with the surroundings without requiring painting.

Fire Management

It cannot be ignored that Rusty Gate Mountain Retreat, is located within a fire driven ecosystem and the risk around wildfires are high. With a sprawled development proposal, the risk may be increased. In addition to this, the ecological impacts associated with preventing fires and fire suppression, to protect infrastructure, are also negative. As such, the aspect of fire has been considered throughout the expansion concept. It should be noted that with the evolution of the final preferred layout (Alternative 3), the management of fire and optimal fire regimes, becomes more management, where development is focussed on Farm 826 only. The same fire management principles however, are still valid and applicable.

Fire management – Status quo

- → The current owners purchased Rusty Gate Mountain Retreat, including Farms 824, 826 and 887 in June 2019.
- → In early 2020 Rusty Gate joined the GOFPA (Greater Overberg FPA) and with their assistance assessed and implemented fire risk mitigation and management procedures as best as possible.
- → The property perimeter of Rusty Gate is approximately 13 km of which roughly half the length constitutes the boundary with Riviersonderend Nature Reserve. The northern boundary of approximately 4 km of Rusty Gate's property borders exclusively with the Riviersonderend Nature Reserve.

- → One of the major concerns already identified in 2020 is that the veld and vegetation on the farm and surrounding properties last burned in approximately 2010, resulting in substantial fuel build-up and increased wild-fire risk.
- → With the assistance of GOFPA, Rusty Gate actively engaged with Cape Nature from early 2020 to formalise a three-way Firebreak Agreement between the aforementioned parties and Boskloof farm for collective management of and mitigation of wildfire risk, and specifically on the northern boundary of the property.
- → A formal Firebreak Agreement was drafted by Rusty Gate for approval by Cape Nature and Boskloof Farm. The Firebreak Agreement also included a request for controlled block burning of vegetation on Rusty Gate's property to reduce the fuel load and risk of uncontrollable wildfires.
- → By late 2021 Rusty Gate and Boskloof farms were fully committed to the proposed Firebreak Agreement, but formalising the agreement was hampered by administrative challenges at Cape Nature's legal department.
- → Failure to formalise the proposed Firebreak Agreement led the three parties to a verbal agreement for the implementation of single fire break from Silverstream Dam (eastern extremity) via Rusty Gate to Boskloof Dam (western extremity) to be jointly maintained by the three parties and each party being responsible for the portion of the fire break on their land.
- → The above verbal agreement is still honoured by all three parties with ongoing upkeep and maintenance of the fire break, and Rusty Gate is doing everything required and reasonably allowed within appropriate legislation and regulations and manage and mitigate fire risk on the property.
- → The threat of wildfires is a constant reality and is taken seriously by the owners. Several fire protection measures are already in place and maintained, and further measures are intended as required
- → These measures, and in particular several fire breaks and access roads are required and maintained to protect the property and respond to wildfires due to topography of the farm, regardless of distributed or clustered locations for the proposed accommodation units.
- → Rusty Gate is a member of the Greater Overberg FPA, which provides for active monitoring and management of wildfire risks on Rusty Gate and adjacent properties
- → Rusty Gate is a member of the Villiersdorp Private Fire Brigade which provides for rapid response in the case of wildfire or localised fire threats. Fire brigade resources include two 4x4 fire fighting vehicles, two water bunkers and at least 20 active response personnel
- → Rusty Gate is a member of the "Caledon Noord Landbou Vereniging" which provides for rapid community response (including FPA members) for firefighting at Rusty Gate and/or adjacent properties
- → All buildings at Rusty Gate are equipped with fire extinguishers (which are inspected and maintained annually) for extinguishing localised small fires.
- → A joint meeting was held at Rusty Gate Mountain Retreat on 18 September 2024. Parties present at this meeting included Cape Nature (Othusitse Mabi), Overberg District Municipality Protection Services (Reinard Geldenhuys), Overberg FPA (Pieter Rossouw), Rusty Gate Mountain Retreat (Bokkie Fourie). During the meeting, fire risk and veld management requirements were discussed and a site inspection was conducted. A framework for collaborative management agreed between parties.
- → As a result of the above meeting, the date and area for the first controlled block burn was confirmed. This was conducted in November 2024. A Provisional date and confirmed area for the second controlled block burn is also confirmed for April / May 2025.
- → Rusty Gate prepared a 10 year program for cyclical controlled burning of the property for concurrent fire risk and veld management. This strategy has been submitted to the relevant parties for comment and approval.

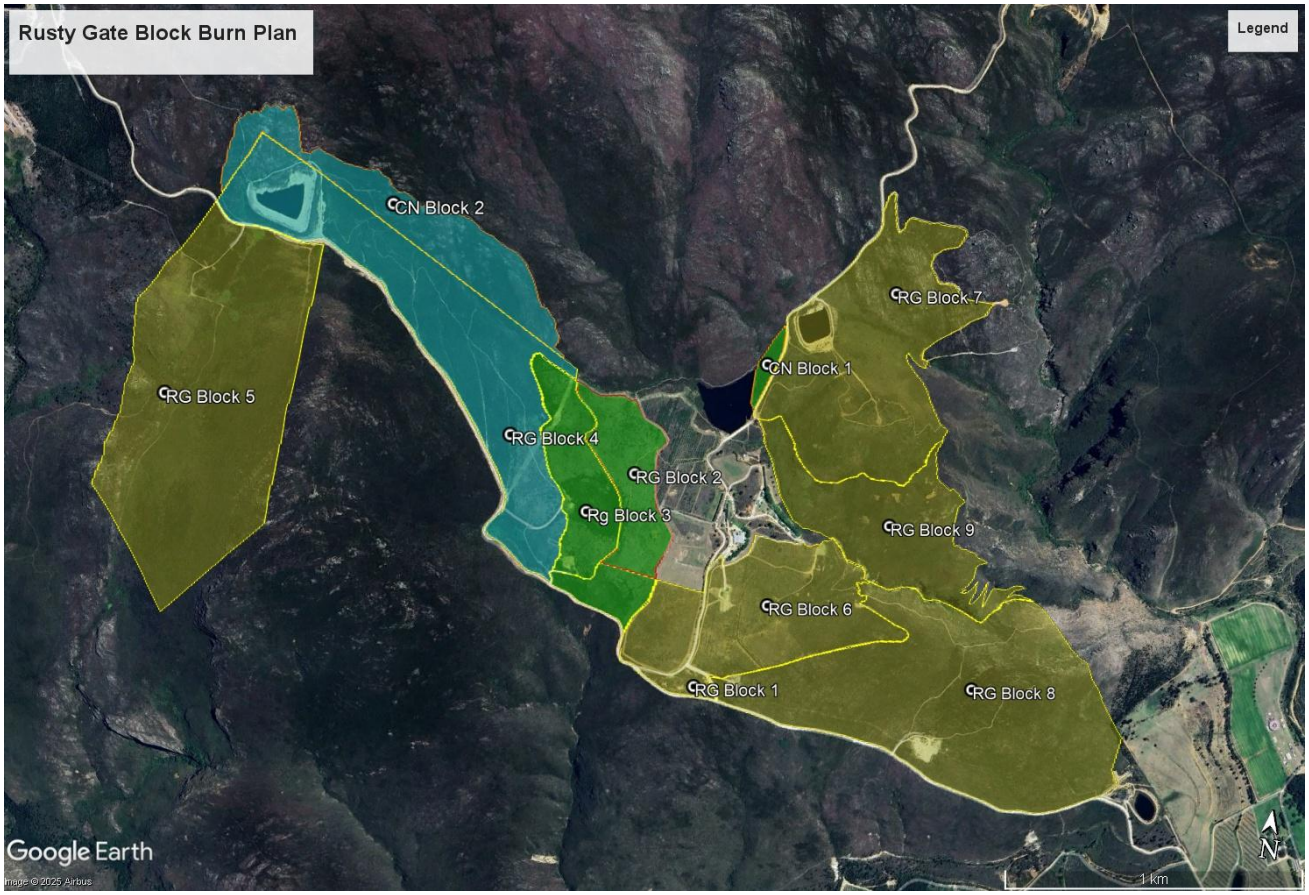
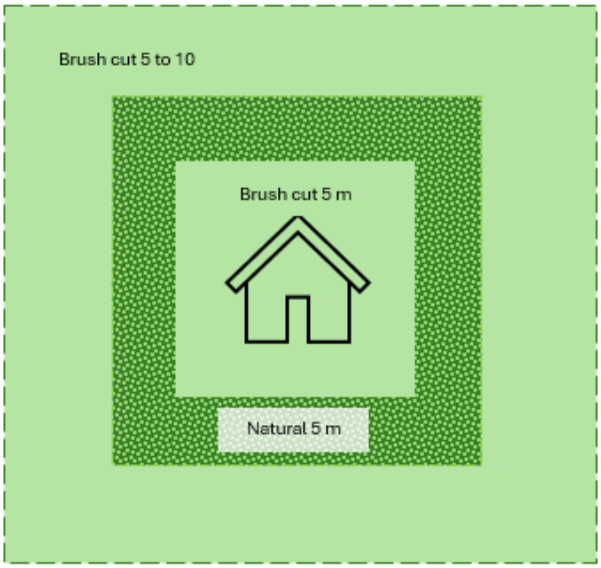


Figure above shows Rusty Gate Block Burn Plan – RG block completed in November 2024 – See **Appendix K for the Block burn Plan**

Along with the sprawled layout proposed, comes the concern regarding **preclusion and / or suppression of fire** in order to protect infrastructure. The ecological impact of excluding fire in a fire driven fynbos ecosystem, is significant. The Botanical specialist has highlighted the impact of the possible loss of the optimal natural fire regime, as an important indirect negative impact associated with the operational phase. Fire is a major risk to many of the proposed and existing units at Rusty Gate, and consequently, one would expect that it is likely to be suppressed and actively fought in the vicinity of any infrastructure. The impact of this means that areas around built infrastructure do not burn at the optimal 10 - 15-year fire interval, leading to long term loss of species diversity (Helme et al 2016). This botanical impact is likely to be of Medium negative significance before and after mitigation but may be less significant than this if wildfires overwhelm the defences and vegetation is burnt right up to most of the units, as is often the case these days. In the fire management strategy for Rusty Gate and with guidance from Cape Nature, provision has been made to allow natural fires to run their course as far as possible, particularly where the new units are proposed. The existing tourism and infrastructure have long since lost most of the natural vegetation around the units due to the clustered approach, and landscaping. However, the aim is to keep the natural vegetation around the new proposed units in line with the vision for this tourism offering. Therefore, a specific type of fire break design will be applied to each unit. Overberg Municipality Protection Services, with support from Cape Nature, has recommended that a strip of 5 m wide must be brush cut around each unit. Then another strip of 5 m of natural / uncut vegetation must be provided around the outside of the brush cut area, and then finally another strip of 5 to 10 m of brush cut area provided around the natural strip on the outside. This method has been found to be effective in protecting infrastructure whilst still allowing the fire to burn right to the units.



The aim of the above is to ensure that the proposed development will not hinder the natural fire regime at Rusty Gate. Along with this, the additional mitigations relating to design and use of fire-retardant materials, the existing internal access roads and fire breaks and the Fire Management Plan and Fire Agreement we feel that the both the risk of fire and the need to allow fire in its natural cycles have been adequately considered in the proposal. A formal integrated Fire and Alien Vegetation Management Plan will be drafted for Rusty Gate as a condition of authorisation, which will include all these principles.

The land management relative to fire will also be further secured via the proposed Open Space 4 zoning and Nature Reserve Status proposed as well as the various requirements mandated under the Cape Nature Stewardship programme. Along with the above, the rehabilitation of the old orchards will also take place in order to reinstate the natural habitat of the area (Alternative 2 and 3).

Flufftail and fire

The presence of calling birds during faunal surveys, combined with the proximity of previous records and the availability of structurally suitable habitat, indicates that Rusty Gate likely forms part of the local landscape network supporting this species. Taylor (1994) notes that Striped Flufftails are sedentary in low-altitude grasslands but undertake altitudinal or local movements from higher-altitude habitats during winter in search of better foraging conditions. Their habitat selection is influenced by the availability of dense ground cover and sufficient invertebrate prey. Importantly, although the species is tolerant of periodic burning when appropriately timed, the timing and frequency of burns can critically affect habitat suitability if post-fire vegetation regrowth does not align with breeding periods (Taylor 1994). Given this information it is important that all future fire management planning takes this into consideration.

2. "No-Go" areas

Explain what "no-go" area(s) have been identified during identification of the alternatives and provide the co-ordinates of the "no-go" area(s).
No NO-GO areas have been identified at this stage. However, the ethos of the proposal will be to ensure that no new disturbance areas will be created, and tourists can only use existing paths and hiking trails and demarcated parking areas and roads.

3. Methodology to determine the significance ratings of the potential environmental impacts and risks associated with the alternatives.

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

An impact is any change to a resource or receptor brought about by a project component or through the execution of a project related activity. The evaluation of baseline data provides information for the process of evaluating and describing how the project could affect the biophysical and socio-economic environment.

Impacts are described according to their nature or type, as follows:

Nature / type of impact

Nature / Type of impact	Definition
Positive	An impact that is considered to represent an improvement on the baseline or introduces a positive change
Negative	An impact that is considered to represent an adverse change from the baseline, or introduces a new undesirable factor
Direct	Impacts that result from a direct interaction between a planned project activity and the receiving environment/receptors (e.g. between occupation of a site and the pre-existing habitats or between an effluent discharge and receiving water quality).
Indirect	Impacts that result from other activities that are encouraged to happen as a consequence of the Project (e.g. in-migration for employment placing a demand on resources).
Cumulative	Impacts that act together with other impacts (including those from concurrent or planned future third-party activities) to affect the same resources and/or receptors as the Project.

Significance

Impacts are described in terms of 'significance'. Significance is a function of the magnitude of the impact and the likelihood of the impact occurring:

Impact Magnitude	
Extent	**On site** – impacts that are limited to the boundaries of the development site.
	Local – impacts that affect an area in a radius of 20 km around the Development site.

	Regional – impacts that affect regionally important environmental resources or are experienced at a regional scale as determined by administrative boundaries, habitat type/ecosystem.
	National – impacts that affect nationally important environmental resources or affect an area that is nationally important/ or have macro-economic consequences
Duration	**Temporary** – impacts are predicted to be of short duration and intermittent/occasional.
	Short-term – impacts that are predicted to last only for the duration of the construction period.
	Long-term – impacts that will continue for the life of the Project but ceases when the project stops operating.
	Permanent – impacts that cause a permanent change in the affected receptor or resource (e.g. removal or destruction of ecological habitat) that endures substantially beyond the project lifetime.
Intensity	**BIOPHYSICAL ENVIRONMENT**
	Negligible – the impact on the environment is not detectable.
	Low – the impact affects the environment in such a way that natural functions and processes are not affected
	Medium – where the affected environment is altered but natural functions and processes continue, albeit in a modified way.
	High – where natural functions or processes are altered to the extent that they will temporarily or permanently cease.
	SOCIO-ECONOMIC
	Negligible – there is no perceptible change to people's livelihood.
	Low - people/communities are able to adapt with relative ease and maintain pre-impact livelihoods.
	Medium – people/communities are able to adapt with some difficulty and maintain pre-impact livelihoods but only with a degree of support.
	High - affected people/communities will not be able to adapt to changes or continue to maintain pre-impact livelihoods.

Likelihood – the likelihood that an impact will occur

Likelihood	
Unlikely	The impact is unlikely to occur.
Likely	The impact is likely to occur under most conditions.
Definite	The impact will occur.

Once an assessment is made of the magnitude and likelihood, the impact significance is rated through a matrix process:

	Significance			
Magnitude		Unlikely	Likely	Definite
	Negligible	Negligible	Negligible	Minor
	Low	Negligible	Minor	Minor
	Medium	Minor	Moderate	Moderate
	High	Moderate	Major	Major

Definitions of significance:

Negligible	An impact of negligible significance (or an insignificant impact) is where a resource or receptor (including people) will not be affected in any way by a particular activity, or the predicted effect is deemed to be 'negligible'
Minor	An impact of minor significance is one where an effect will be experienced, but the impact magnitude is small (with and without mitigation) and within accepted standards, and/or the receptor is of low sensitivity/value

Moderate	An impact of moderate significance is one within accepted limits and standards. The emphasis for moderate impacts is on demonstrating that the impact has been reduced to a level that is as low as reasonably practicable. This does not necessarily mean that 'moderate' impacts have to be reduced to 'minor' impacts, but that moderate impacts are managed effectively and efficiently.
Major	An impact of major significance is one where an accepted limit or standard may be exceeded, or large magnitude impacts occur to highly valued / sensitive resource / receptors. A goal of the EIA process is to get to a position where the Project does not have any major residual impacts.

Significance of an impact is then qualified through a statement of the degree of ***confidence***. Degree of confidence is expressed as low, medium or high.

Significance colour scale (if applicable):

Negative	Positive
Negligible	Negligible
Minor	Minor
Moderate	Moderate
Major	Major

Impact rating colour scale:

Negative	Positive
Negligible	Negligible
Low	Low
Medium	Medium
High	High

4. Assessment of each impact and risk identified for each alternative.

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

SUMMARY OF ALTERNATIVES

ALTERNATIVE 1:

The addition and expansion of tourism overnight opportunities is proposed. This layout alternative was guided by site specific constraints, (internal existing access, topography, need and desirability etc) but was not informed by the specialist team and sees some of the new development areas located within or in very close proximity to wetlands or within areas of high botanical sensitivity or at risk of impacting SOCC. Note that the number of units and overnight opportunities remain the same between Alternative 1 and 2. This layout alternative also proposes that the Farm portions remain under Agricultural Zoning 1 as follows:

- → Footprint rezoning from Agriculture Zone 1 to Resort Zone in terms of Section 15(2)(a) of the Theewaterskloof Municipality By-Law on Municipal Land Use Planning to accommodate 5 eco-pods, 10 eco cabins, 7 self-catering units and the dormitories including the communal lounge area, dining hall and kitchen, and the occasional camping area for related events; (some uses are existing and form part of the municipal rectification application)
- → Consent uses in terms of Section 15(2)(o) of the Theewaterskloof Municipality By-Law on Municipal Land Use Planning for the proposed natural amphitheatre, events terrace, conference facility, sundowner boma and parking area, hiking trails.
- → Due to the retention of the Agricultural Zoning, there is no scope for rehabilitation of the natural habitats of the previously disturbed agricultural areas.

	New Development Type	No. of units	Pax	Size per unit	Total Size (m^2)
2	Main Dwelling	1	6	0	120
3A	Camp site	6	36	225	1350
3B	Eco pods	2	4	56	112
6	Eco cabin	1	4	124	124
7	Eco cabin	2	8	124	248
21	Conference facility	1	0	0	150
24	Eco cabin	1	4	124	124
25	Eco cabin	1	4	124	94.5
26	Eco cabin	2	8	124	248
27	Eco cabin	2	8	124	248
28	Eco pods	2	4	56	112
29	Sundowner boma	1	0	0	50
30	Eco pod	1	2	56	56
31	Eco cabin	1	4	124	124
			92		3160.5

ALTERNATIVE 2:

The addition of tourism overnight units and associated facilities is proposed. The number of units and number of people remain the same as Alternative 1, however the following changes have been implemented in response to specialist input and comments received during the first round of public participation. This is the previous preferred alternative.

- → Units 6, 26 and 27 have been moved to fall outside of identified sensitive wetland areas, to the satisfaction of the Freshwater Specialist
- → Units 7, 27 and 31 have been moved to avoid sensitive botanical areas and species of conservation concern as recommended by the Botanist.
- → The camp site location at 3A was found to infringe on Striped Flufftail habitat and was moved west and parallel-aligned to the firebreak to avoid impacting this species habitat.
- → The three farm portions will be consolidated and rezoned to Open Space 4 – Nature Reserve. This change responds to concerns from DEA&DP and DOA regarding the impact of loss of Agricultural land. In addition, after extensive consultation with Cape Nature and in response to the unique natural offering of Rusty Gate, the proposal to preserve the site in the long term under a Nature Reserve status, as well as provide a mechanism for connecting the Riviersonderend Mountain Catchment Area and Riviersonderend Nature Reserves was found to have significant positive impacts for the broader area. The option of collaborating with Cape Nature, as the neighbours, provides positive benefits for both parties in the form of consolidated land management and unlocking possible opportunities for eco-tourism and revenue generation on the Cape Nature reserves in the future. The applicant is also in discussion with Cape Nature regarding their Biodiversity Stewardship Programme and adding Rusty Gate as a Stewardship site.

	New Development Type	No. of units	Pax	Size per unit	Total Size (m^2)
2	Main dwelling	1	0	250	250
3A	Camp site	6	36	225	1350
3B	Eco pods	2	4	56	112
6	Eco cabin	1	4	124	124
7	Eco cabin	2	8	124	248
21	Conference facility	1	0	0	150
22	Farm manager / tourism overnight	1	6	0	116
24	Eco cabin	1	4	124	124
25	Eco cabin	1	4	124	94.5
26	Eco cabin	2	8	124	248
27	Eco cabin	2	8	124	248
28	Eco pods	2	4	56	112
29	Sundowner boma	1	0	0	50
30	Eco pod	1	2	56	56
31	Eco cabin	1	4	124	124
			92		3156.5

Alternative 3 – Final Preferred Alternative

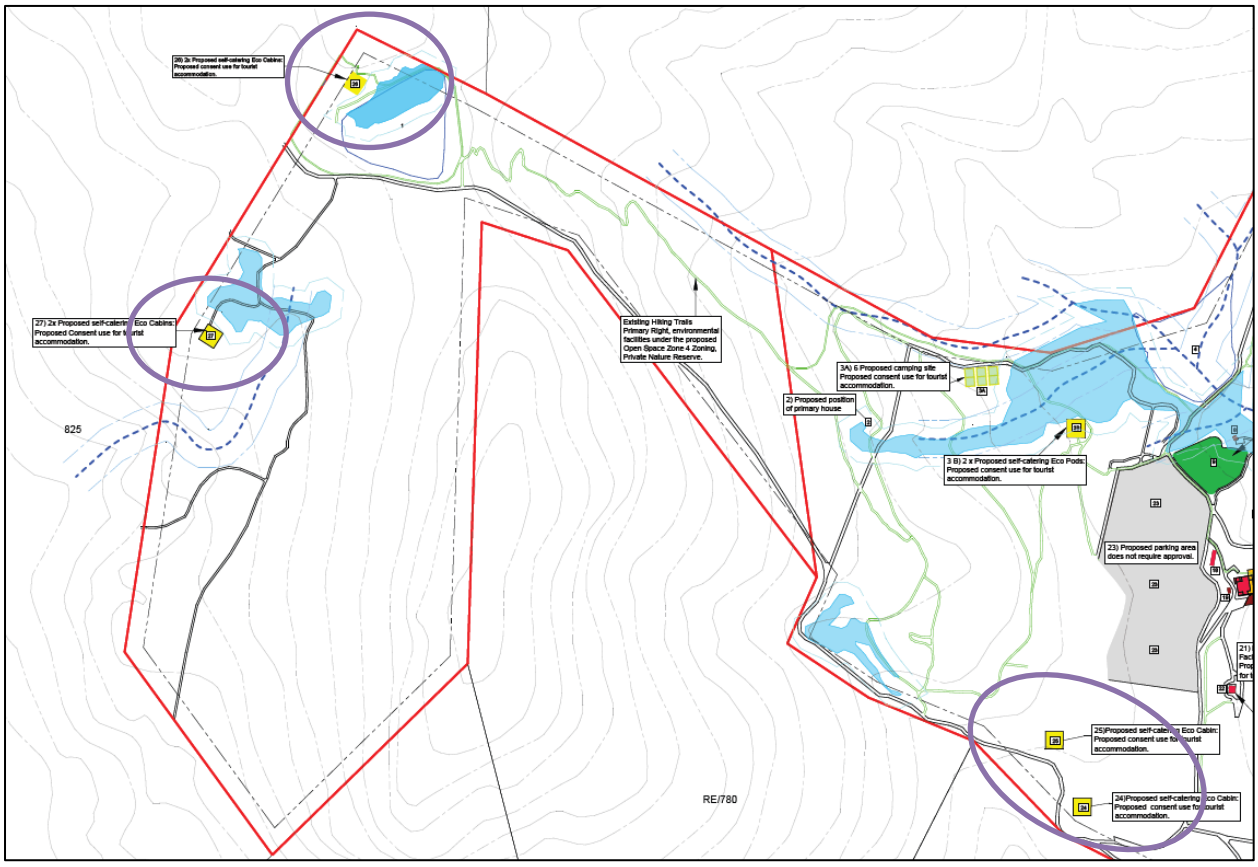
The above 2 layout alternatives and the no development option were presented for public participation during 2 rounds of out of process public participation as well as via various site meetings and other consultation with organs of state. However, there was residual concern that these Alternatives did not sufficiently address the WC Rural Development Policy Guidelines for development outside urban areas and that the sprawled development across the 3 farm portions presented issues relating to fire management and fire regimes, ecological connectivity and habitat risk and function.

As a result of this, it was decided that along with the consolidation and rezoning of the three farms to Open Space 4, the complete removal of all new development on the two outlying farms (Farm 824 and 887) must be implemented in a revised site plan. The aim of this evolution was to concentrate the expansion activities on the already developed core Farm 826 and retain the natural state of the two outlying properties. This strategy allows for improved alignment with the broader protected areas and long-term conservation strategies and provides significant ecological benefits to long terms conservation of the area.

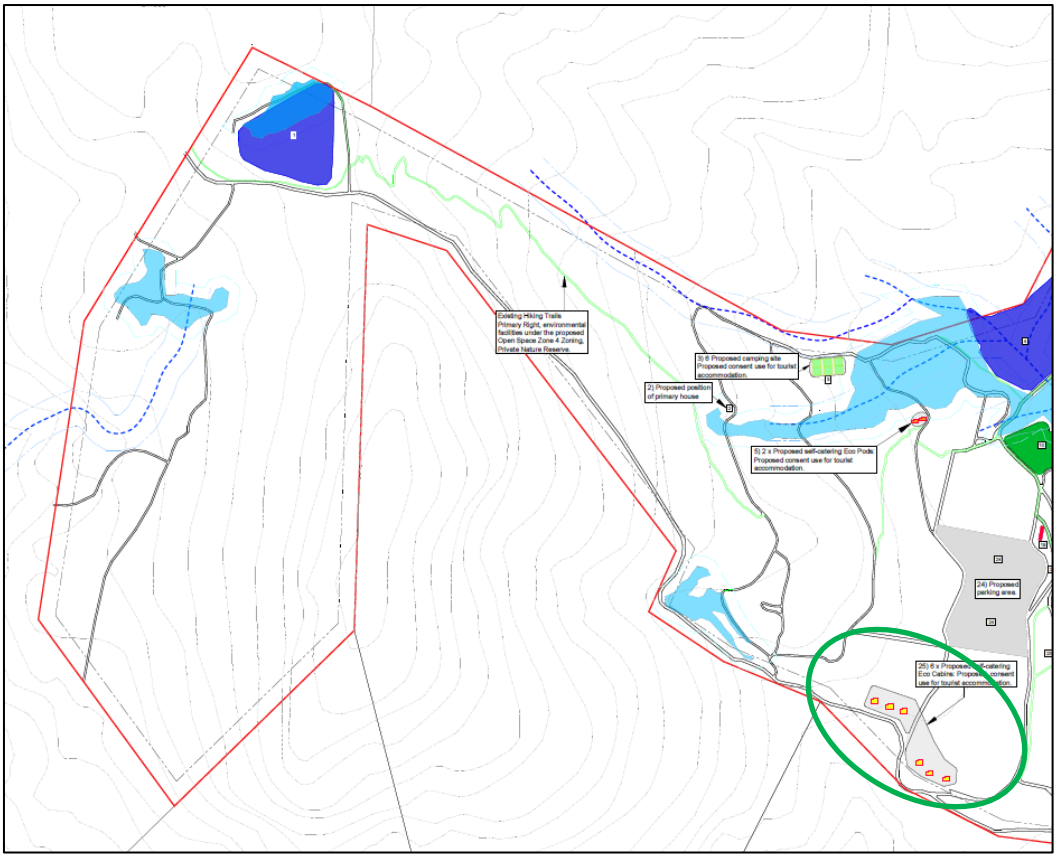
To achieve this, the following amendments were implemented:

1. Former Site 26 & Site 27 – proposed as 2 x Eco Cabins, moved to cluster with Site 24 and 25 on Farm 826 to now form a consolidated Site 25 on Alternative 3.

   Site 25 now includes 6 self-catering Eco cabins clustered along an existing access road on Farm 826.

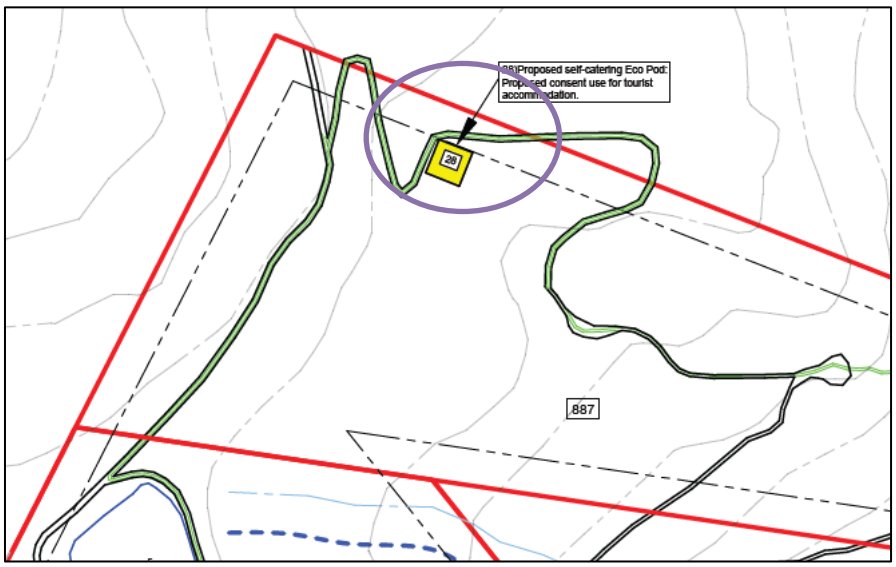


Locations of site 26 and 27 on Farm 824 as reflected on Alternative 2

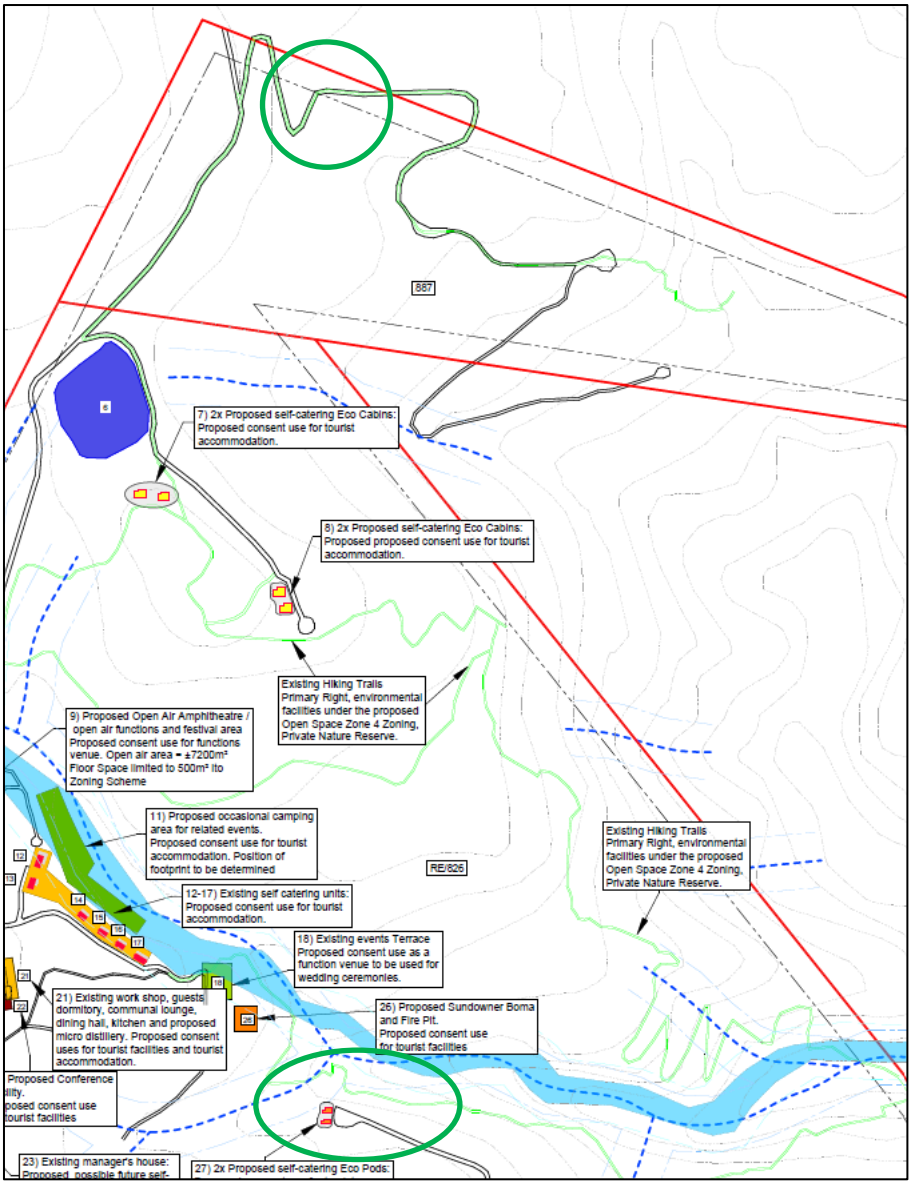


New preferred layout Alternative 3 above, showing no proposed expansion on Farm 824 and clustering at Site 25 on Farm 826

2. Site 28 as indicated on former preferred layout Alternative 2 (1 x eco pod), was removed from Farm 887 to join with Site 30 on Farm 826.
    a) This site was moved from Farm 887 (top right of site plan) to sites 30 on Farm 826
    b) See purple circles in image below



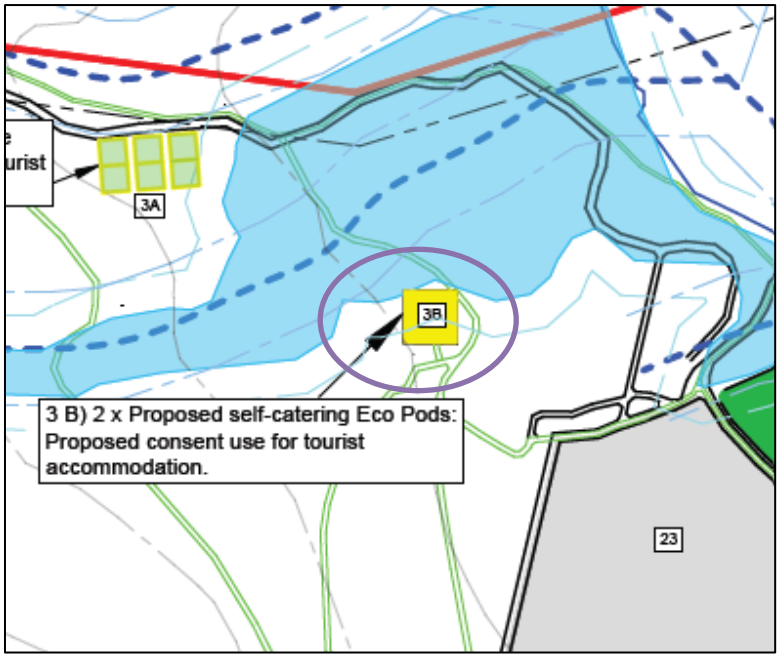
Alternative 2 and former Site 28 on Farm 887



Layout Alternative 3 showing no development on 887 and new Site 27 on Farm 826.

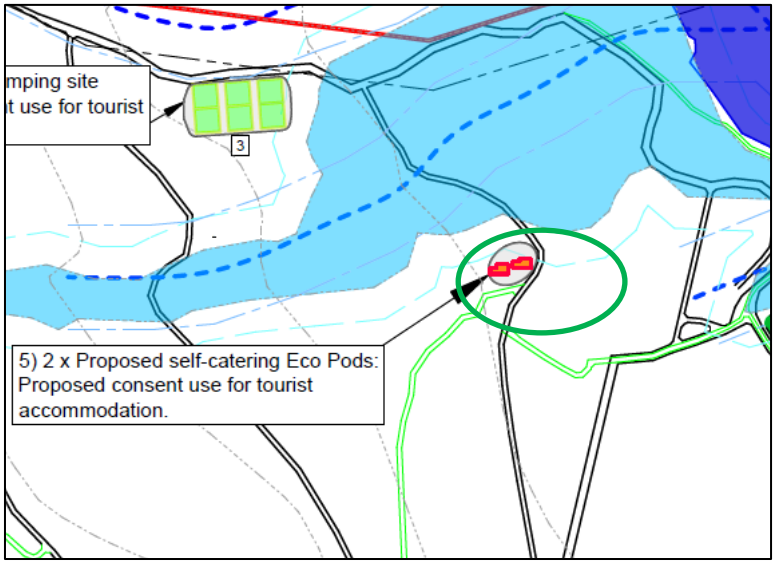
3. Previous Site 28 on Farm 887 and Site 30 on Farm 826 are combined to one cluster at former site 30 and are renamed in Layout Alternative 3, as site 27. This new cluster on Farm 826 now contains 2 x Eco pods.

4. Site 3B on former Layout Alternative 2 (Farm 826), with 2 x eco pods was moved southwards to fall outside the buffer area of the wetland, as required by the wetland specialist.
    a) This site was moved south 20 meters to fall outside of the buffer area of the delineated wetland (also more than 32 m)



Former site 3B as per Alternative 2

In Layout Alternative 3, site 3B is renamed to Site 5 in its new position, as depicted below:



Points 1 to 4 listed above indicated the physical location changes for sites in the evolution of Layout Alternative 3 – the new preferred alternative.

Additional changes were made in annotations from Alternative 2 to Alternative 3 on request from authorities, including

5. Indicating actual footprint size of proposed accommodation units at each site (see polygons with red boundaries with orange fill (eco pods) or yellow fill (eco cabins)
6. Better colour indication of water related features i.e., non-perennial rivers, dams, delineated wetlands, buffers from drainage lines and seepage areas
    a) Indicating proposed development clusters with grey bounded areas

The specialists reviewed all of the above amendments and support the new preferred Alternative 3 layout as per the addendums contained under Appendix G of the BAR.

Based on the above, the new preferred layout Alternative 3 is as follows:

	New Development Type	No. of units	Pax	Size per unit	Total Size (m^2)
2	Main Dwelling	1	*6*	0	120
3	Camp site (including internal access)	6	36	225	1600
5	Eco pod	2	4	56	112
7	Eco cabins	2	8	124	248
8	Eco cabins	2	8	124	248
22	Conference facility	1	0	0	150
25	Eco cabins	6	24	124	744
26	Sundowner boma	1	0	0	80
27	Eco pods	2	4	56	112
28	Eco cabin	1	4	124	124
			88		3538

The principles of the mitigation hierarchy have been applied to the evolution of the layout alternatives and the proposed development at Rusty Gate as follows:

Alternative 4 No Go

The option of not developing status quo remains.

ALTERNATIVE 1

PLANNING, DESIGN AND DEVELOPMENT PHASE	
Potential impact and risk:	**1. Socio-economic**
Nature of impact:	Job creation during the planning, design and development phase of the eco pods / cabins
Extent and duration of impact:	Positive
Consequence of impact or risk:	Improved livelihoods of the construction workers and communities
Probability of occurrence:	Definite
Degree to which the impact may cause irreplaceable loss of resources:	N/A
Degree to which the impact can be reversed:	N/A
Indirect impacts:	N/A
Cumulative impact prior to mitigation:	Low
Significance rating of impact prior to mitigation (e.g. Low, Medium, Medium-High, High, or Very-High)	High +ve
Degree to which the impact can be avoided:	N/A
Degree to which the impact can be managed:	High
Degree to which the impact can be mitigated:	Medium-High
Proposed mitigation:	1. Ensure labour force is sourced locally as far as possible. 2. A gender balance to be considered during employment.
Residual impacts:	1. Improved livelihoods 2. Limited improvement of local economy
Cumulative impact post mitigation:	Low
Significance rating of impact after mitigation (e.g. Low, Medium, Medium-High, High, or Very-High)	High +ve
	2. Dust
Potential impact and risk:	Dust generated from site clearing, exposed surfaces, movement of construction vehicles and windy conditions.
Nature of impact:	Negative
Extent and duration of impact:	Local, short term
Consequence of impact or risk:	Reduced visibility for pedestrians and motorist; albeit for short periods. Nuisance for residents adjacent to the site
Probability of occurrence:	Probable
Degree to which the impact may cause irreplaceable loss of resources:	N/A
Degree to which the impact can be reversed:	High
Indirect impacts:	Potential for reduced visibility
Cumulative impact prior to mitigation:	Low
Significance rating of impact prior to mitigation (e.g. Low, Medium, MediumHigh, High, or Very-High)	Low negative
Degree to which the impact can be avoided:	Medium
Degree to which the impact can be managed:	High
Degree to which the impact can be mitigated:	Medium – High
Proposed mitigation:	1. Maintain ground cover for as long as possible to reduce the total surface area exposed to wind. 2. Ensure vehicle speed limits on site are kept to a minimum. 3. Delivery vehicles to keep loads covered.

	4. Cover fine material stockpiles. 5. Wet dry and dusty surfaces using non-potable water. 6. Staff to wear correct PPE if dust is generated for long periods. 7. Road surfaces to be swept and kept clean of sand and fine materials
Residual impacts:	None
Cumulative impact post mitigation:	N/A
Significance rating of impact after mitigation (e.g. Low, Medium, MediumHigh, High, or Very-High)	Very-Low Negative
	3. Noise
Potential impact and risk:	Noise generated from vehicles and machinery during the construction phase.
Nature of impact:	Negative
Extent and duration of impact:	Local, short term
Consequence of impact or risk	Noise disturbance to guests.;
Probability of occurrence:	Probable
Degree to which the impact may cause irreplaceable loss of resources:	No resources will be impacted.
Degree to which the impact can be reversed:	High
Indirect impacts:	None
Cumulative impact prior to mitigation:	N/A
Significance rating of impact prior to mitigation (e.g. Low, Medium, MediumHigh, High, or Very-High)	Low Negative
Degree to which the impact can be avoided:	Medium – High
Degree to which the impact can be managed:	Medium – High
Degree to which the impact can be mitigated:	Medium – High
Proposed mitigation:	1. Limit noise levels (e.g. install and maintain silencers on machinery). 2. Provide protective wear for workers i.e. ear plugs. 3. Ensure that construction vehicles and machinery are maintained regularly to reduce noise generation. 4. Restrict construction to normal working hours
Residual impacts:	None
Cumulative impact post mitigation:	N/A
Significance rating of impact after mitigation (e.g. Low, Medium, Medium High, High, or Very-High)	Very Low Negative
	4. Visual
Potential impact:	Visual impacts of construction site and construction activities.
Nature of impact:	Negative
Extent and duration of impact:	Local, short term
Consequence of impact:	Reduce aesthetic value of the site
Probability of occurrence:	Definite
Degree to which the impact may cause irreplaceable loss of resources:	No resources will be impacted
Degree to which the impact can be reversed:	Low – Medium
Indirect impacts:	None
Cumulative impact prior to mitigation:	N/A
Significance rating of impact prior to mitigation (e.g. Low, Medium, MediumHigh, High, or Very-High)	Low Negative
Degree to which the impact can be avoided:	Low-Medium
Degree to which the impact can be managed:	Medium
Degree to which the impact can be mitigated:	Medium

Proposed mitigation:	1. Good housekeeping of construction site and working areas. 2. Screen the visual elements of the site camp with netting. 3. Locate the site camp in a transformed area.	
Residual impacts	None	
Cumulative impact post mitigation:	N/A	
Significance rating of impact after mitigation e.g. Low, Medium, MediumHigh, High, or Very-High)	Very-Low Negative	
	5. Vegetation removal / Botanical	
Potential impact:	Removal of vegetation in areas with SOCC or high botanical sensitivity	
Nature of impact:	Negative	
Extent and duration of impact:	long term	
Consequence of impact:	Vegetation loss Exposure of soil and degradation thereof	
Probability of occurrence:	Definite	
Degree to which the impact may cause irreplaceable loss of resources:	Low	
Degree to which the impact can be reversed:	Low	
Indirect impacts:		
Cumulative impact prior to mitigation:	Continued loss of vegetation	
Significance rating of impact prior to mitigation (e.g. Low, Medium, MediumHigh, High, or Very-High)	High -ve	
Degree to which the impact can be avoided:	Low	
Degree to which the impact can be managed:	Medium to low	
Degree to which the impact can be mitigated:	Medium to low	
Proposed mitigation:	Shift units 7, 27 and 31 to avoid high botanically sensitive areas and SOCC	
Residual impacts	None	
Cumulative impact post mitigation:	Loss of vegetation	
Significance rating of impact after mitigation e.g., Low, Medium, MediumHigh, High, or Very-High)	High -ve to	Medium -ve
	6. Freshwater / Wetland	
Potential impact:	Disturbance of wetland habitat Alteration of flow regime Increased sedimentation Water quality impairment Loss of biota	
Nature of impact:	Negative	
Extent and duration of impact:	Local, long term	
Consequence of impact:	Loss of wetland habitat and risk to wetland and watercourse ecological state, functioning and ecological services	
Probability of occurrence:	Definite	
Degree to which the impact may cause irreplaceable loss of resources:	High	
Degree to which the impact can be reversed:	Low	
Indirect impacts:	Continued loss of wetland habitat and reduction in watercourse areas regionally	
Cumulative impact prior to mitigation:	Continued loss of wetland habitat and reduction in watercourse areas regionally	
Significance rating of impact prior to mitigation (e.g. Low, Medium, MediumHigh, High, or Very-High)	Disturbance of wetland habitat – high -ve Alteration of flow regime – med -ve	

	Increased sedimentation – med -ve
	Water quality impairment – med -ve
	Loss of biota – med -ve
Degree to which the impact can be avoided:	High
Degree to which the impact can be managed:	Medium
Degree to which the impact can be mitigated:	Low
Proposed mitigation:	Manage construction activities
Residual impacts	Reduction in ecosystem health and functioning
Cumulative impact post mitigation:	Continued loss of wetland regionally
Significance rating of impact after mitigation e.g. Low, Medium, MediumHigh, High, or Very-High)	Disturbance of wetland habitat – high -ve
	Alteration of flow regime – med -ve
	Increased sedimentation – med -ve
	Water quality impairment – med -ve
	Loss of biota – med -ve
	Disturbance of wetland habitat – high -ve

OPERATIONAL PHASE	
Potential impact and risk:	**1. Socio-economic**
Nature of impact:	Job creation, investment in the area, attraction to the broader area and increased spending and spillover positive impacts to surrounding shops, restaurants, accommodation offerings etc
Extent and duration of impact:	Positive
Consequence of impact or risk:	Improved livelihoods of the construction workers
Probability of occurrence:	Definite
Degree to which the impact may cause irreplaceable loss of resources:	N/A
Degree to which the impact can be reversed:	N/A
Indirect impacts:	N/A
Cumulative impact prior to mitigation:	Low
Significance rating of impact prior to mitigation (e.g. Low, Medium, Medium-High, High, or Very-High)	High +ve
Degree to which the impact can be avoided:	N/A
Degree to which the impact can be managed:	High
Degree to which the impact can be mitigated:	Medium-High
Proposed mitigation:	1. Ensure labour force is sourced locally as far as possible. 2. A gender balance to be considered during employment 3. encourage patrons to source groceries and food locally
Residual impacts:	1. Improved livelihoods 2. Limited improvement of local economy
Cumulative impact post mitigation:	Low
Significance rating of impact after mitigation (e.g. Low, Medium, Medium-High, High, or Very-High)	High +ve

	2. Noise
Potential impact and risk:	Noise generated from general use – not significantly different to activities already taking place at Rusty Gate
Nature of impact:	Negative
Extent and duration of impact:	Local, short term
Consequence of impact or risk	Noise disturbance to guest and surrounds
Probability of occurrence:	Low
Degree to which the impact may cause irreplaceable loss of resources:	Zero
Degree to which the impact can be reversed:	High
Indirect impacts:	None
Cumulative impact prior to mitigation:	N/A
Significance rating of impact prior to mitigation (e.g. Low, Medium, MediumHigh, High, or Very-High)	Low Negative
Degree to which the impact can be avoided:	Medium – High
Degree to which the impact can be managed:	Medium – High
Degree to which the impact can be mitigated:	Medium – High
Proposed mitigation:	1. Limit noise levels and noise hours 2. Notify neighbours in the event of large scale activities / events
Residual impacts:	None
Cumulative impact post mitigation:	N/A
Significance rating of impact after mitigation (e.g. Low, Medium, Medium High, High, or Very-High)	Very Low Negative
	3. Visual
Potential impact:	Visual impacts of operations
Nature of impact:	Negative
Extent and duration of impact:	Local, short term
Consequence of impact:	Reduce aesthetic value of the site and surrounds
Probability of occurrence:	Low
Degree to which the impact may cause irreplaceable loss of resources:	Low
Degree to which the impact can be reversed:	Low
Indirect impacts:	None
Cumulative impact prior to mitigation:	N/A
Significance rating of impact prior to mitigation (e.g. Low, Medium, MediumHigh, High, or Very-High)	Very Low Negative
Degree to which the impact can be avoided:	High
Degree to which the impact can be managed:	High
Degree to which the impact can be mitigated:	High
Proposed mitigation:	1. Good housekeeping to ensure a tidy and neat site 2. Prevent development sprawl across the site 3. Prevent the development of adhoc trails
Residual impacts	None
Cumulative impact post mitigation:	N/A
Significance rating of impact after mitigation e.g. Low, Medium, MediumHigh, High, or Very-High)	Very-Low Negative

	4. Vegetation / Botanical
Potential impact:	Spread of operational activities into sensitive areas
Nature of impact:	Negative
Extent and duration of impact:	long term
Consequence of impact:	Vegetation loss Loss of SOCC
Probability of occurrence:	Possible
Degree to which the impact may cause irreplaceable loss of resources:	Possible
Degree to which the impact can be reversed:	Low
Indirect impacts:	Loss of vegetation, operational sprawl, adhoc development of footpaths
Cumulative impact prior to mitigation:	Continued loss of vegetation and SOCC
Significance rating of impact prior to mitigation (e.g. Low, Medium, Medium High, High, or Very-High)	Medium -ve
Degree to which the impact can be avoided:	High
Degree to which the impact can be managed:	High
Degree to which the impact can be mitigated:	Medium to low
Proposed mitigation:	Educate guests about the sensitivities of the site and the importance of using existing trail networks, allow for no harvesting of wild flowers and plants
Residual impacts	None
Cumulative impact post mitigation:	Loss of vegetation
Significance rating of impact after mitigation e.g., Low, Medium, MediumHigh, High, or Very-High)	Low -ve
	5. Freshwater / Wetland
Potential impact:	Disturbance of wetland habitat and functioning through general use of the site
Nature of impact:	Negative
Extent and duration of impact:	Local, long term
Consequence of impact:	Loss of wetland habitat and risk to wetland and watercourse ecological state, functioning and ecological services
Probability of occurrence:	Medium
Degree to which the impact may cause irreplaceable loss of resources:	High
Degree to which the impact can be reversed:	Low
Indirect impacts:	Continued loss of wetland habitat and reduction in watercourse areas regionally
Cumulative impact prior to mitigation:	Continued loss of wetland habitat and reduction in watercourse areas regionally
Significance rating of impact prior to mitigation (e.g. Low, Medium, MediumHigh, High, or Very-High)	Medium -ve
Degree to which the impact can be avoided:	High
Degree to which the impact can be managed:	Medium
Degree to which the impact can be mitigated:	Low
Proposed mitigation:	Educate users of the site about how to identify wetlands, how to avoid them and why to avoid them
Residual impacts	Reduction in ecosystem health and functioning
Cumulative impact post mitigation:	Continued loss of wetland regionally
Significance rating of impact after mitigation e.g. Low, Medium, MediumHigh, High, or Very-High)	Low -ve

ALTERNATIVE 2

PLANNING, DESIGN AND DEVELOPMENT PHASE	
Potential impact and risk:	**1. Socio-economic**
Nature of impact:	Job creation during the development /construction phase of the eco pods / cabins
Extent and duration of impact:	Positive
Consequence of impact or risk:	Improved livelihoods of the construction workers
Probability of occurrence:	Definite
Degree to which the impact may cause irreplaceable loss of resources:	N/A
Degree to which the impact can be reversed:	N/A
Indirect impacts:	N/A
Cumulative impact prior to mitigation:	Low
Significance rating of impact prior to mitigation (e.g. Low, Medium, Medium-High, High, or Very-High)	High +ve
Degree to which the impact can be avoided:	N/A
Degree to which the impact can be managed:	High
Degree to which the impact can be mitigated:	Medium-High
Proposed mitigation:	1. Ensure labour force is sourced locally as far as possible. 2. A gender balance to be considered during employment.
Residual impacts:	1. Improved livelihoods 2. Limited improvement of local economy
Cumulative impact post mitigation:	Low
Significance rating of impact after mitigation (e.g. Low, Medium, Medium-High, High, or Very-High)	High +ve
	2. Dust
Potential impact and risk:	Dust generated from site clearing, exposed surfaces, movement of construction vehicles and windy conditions.
Nature of impact:	Negative
Extent and duration of impact:	Local, short term
Consequence of impact or risk:	Reduced visibility for pedestrians and motorist; albeit for short periods. Nuisance for residents adjacent to the site
Probability of occurrence:	Probable
Degree to which the impact may cause irreplaceable loss of resources:	N/A
Degree to which the impact can be reversed:	High
Indirect impacts:	Potential for reduced visibility
Cumulative impact prior to mitigation:	Low
Significance rating of impact prior to mitigation (e.g. Low, Medium, MediumHigh, High, or Very-High)	Low negative
Degree to which the impact can be avoided:	Medium
Degree to which the impact can be managed:	High
Degree to which the impact can be mitigated:	Medium – High
Proposed mitigation:	1. Maintain ground cover for as long as possible to reduce the total surface area exposed to wind.

	2. Ensure vehicle speed limits on site are kept to a minimum. 3. Delivery vehicles to keep loads covered. 4. Cover fine material stockpiles. 5. Wet dry and dusty surfaces using non-potable water. 6. Staff to wear correct PPE if dust is generated for long periods. 7. Road surfaces to be swept and kept clean of sand and fine materials
Residual impacts:	None
Cumulative impact post mitigation:	N/A
Significance rating of impact after mitigation (e.g. Low, Medium, MediumHigh, High, or Very-High)	Very-Low Negative
	3. Noise
Potential impact and risk:	Noise generated from vehicles and machinery during the construction phase.
Nature of impact:	Negative
Extent and duration of impact:	Local, short term
Consequence of impact or risk	Noise disturbance to guests.;
Probability of occurrence:	Probable
Degree to which the impact may cause irreplaceable loss of resources:	No resources will be impacted.
Degree to which the impact can be reversed:	High
Indirect impacts:	None
Cumulative impact prior to mitigation:	N/A
Significance rating of impact prior to mitigation (e.g. Low, Medium, MediumHigh, High, or Very-High)	Low Negative
Degree to which the impact can be avoided:	Medium – High
Degree to which the impact can be managed:	Medium – High
Degree to which the impact can be mitigated:	Medium – High
Proposed mitigation:	1. Limit noise levels (e.g. install and maintain silencers on machinery). 2. Provide protective wear for workers i.e. ear plugs. 3. Ensure that construction vehicles and machinery are maintained regularly to reduce noise generation. 4. Restrict construction to normal working hours
Residual impacts:	None
Cumulative impact post mitigation:	N/A
Significance rating of impact after mitigation (e.g. Low, Medium, Medium High, High, or Very-High)	Very Low Negative
	4. Visual
Potential impact:	Visual impacts of construction site and construction activities.
Nature of impact:	Negative
Extent and duration of impact:	Local, short term
Consequence of impact:	Reduce aesthetic value of the site
Probability of occurrence:	Definite
Degree to which the impact may cause irreplaceable loss of resources:	No resources will be impacted
Degree to which the impact can be reversed:	Low – Medium
Indirect impacts:	None
Cumulative impact prior to mitigation:	N/A
Significance rating of impact prior to mitigation (e.g. Low, Medium, MediumHigh, High, or Very-High)	Low Negative
Degree to which the impact can be avoided:	Low-Medium

Degree to which the impact can be managed:	Medium	
Degree to which the impact can be mitigated:	Medium	
Proposed mitigation:	1. Good housekeeping of construction site and working areas. 2. Screen the visual elements of the site camp with netting. 3. Locate the site camp in a transformed area.	
Residual impacts	None	
Cumulative impact post mitigation:	N/A	
Significance rating of impact after mitigation e.g. Low, Medium, MediumHigh, High, or Very-High)	Very-Low Negative	
	5. Vegetation removal / Botanical	
Potential impact:	Removal of vegetation in areas not located in high sensitivity environmental or with SOCC present	
Nature of impact:	Negative	
Extent and duration of impact:	long term	
Consequence of impact:	Vegetation loss Exposure of soil and degradation thereof	
Probability of occurrence:	Definite	
Degree to which the impact may cause irreplaceable loss of resources:	Low	
Degree to which the impact can be reversed:	Low	
Indirect impacts:		
Cumulative impact prior to mitigation:	Continued loss of vegetation	
Significance rating of impact prior to mitigation (e.g. Low, Medium, MediumHigh, High, or Very-High)	Low -ve to	Med -ve
Degree to which the impact can be avoided:	Low	
Degree to which the impact can be managed:	Medium to low	
Degree to which the impact can be mitigated:	Medium to low	
Proposed mitigation:	Units 7, 27 and 31 have been moved in Alternative 2 to avoid high botanically sensitive areas and SOCC	
Residual impacts	None	
Cumulative impact post mitigation:	Loss of vegetation	
Significance rating of impact after mitigation e.g., Low, Medium, MediumHigh, High, or Very-High)	Low -ve	
	6. Freshwater / Wetland	
Potential impact:	Disturbance of wetland habitat Alteration of flow regime Increased sedimentation Water quality impairment Loss of biota	
Nature of impact:	Negative	
Extent and duration of impact:	Local, long term	
Consequence of impact:	Loss of wetland habitat and risk to wetland and watercourse ecological state, functioning and ecological services	
Probability of occurrence:	Definite	
Degree to which the impact may cause irreplaceable loss of resources:	High	
Degree to which the impact can be reversed:	Low	
Indirect impacts:	Continued loss of wetland habitat and reduction in watercourse areas regionally	
Cumulative impact prior to mitigation:	Continued loss of wetland habitat and reduction in watercourse areas regionally	

Significance rating of impact prior to mitigation (e.g. Low, Medium, MediumHigh, High, or Very-High)	Disturbance of wetland habitat – low -ve
	Alteration of flow regime – very low -ve
	Increased sedimentation – low -ve
	Water quality impairment – low -ve
	Loss of biota – low -ve
Degree to which the impact can be avoided:	High
Degree to which the impact can be managed:	Medium
Degree to which the impact can be mitigated:	Low
Proposed mitigation:	Manage construction activities
Residual impacts	Reduction in ecosystem health and functioning
Cumulative impact post mitigation:	Continued loss of wetland regionally
Significance rating of impact after mitigation e.g. Low, Medium, MediumHigh, High, or Very-High)	Disturbance of wetland habitat – very low -ve
	Alteration of flow regime – very low -ve
	Increased sedimentation – very low -ve
	Water quality impairment – very low -ve
	Loss of biota – very low -ve

OPERATIONAL PHASE	
Potential impact and risk:	**1. Socio-economic**
Nature of impact:	Job creation, investment in the area, attraction to the broader area and increased spending and spillover positive impacts to surrounding shops, restaurants, accommodation offerings etc
Extent and duration of impact:	Positive
Consequence of impact or risk:	Improved livelihoods of the construction workers
Probability of occurrence:	Definite
Degree to which the impact may cause irreplaceable loss of resources:	N/A
Degree to which the impact can be reversed:	N/A
Indirect impacts:	N/A
Cumulative impact prior to mitigation:	Low
Significance rating of impact prior to mitigation (e.g. Low, Medium, Medium-High, High, or Very-High)	High +ve
Degree to which the impact can be avoided:	N/A
Degree to which the impact can be managed:	High
Degree to which the impact can be mitigated:	Medium-High
Proposed mitigation:	1. Ensure labour force is sourced locally as far as possible. 2. A gender balance to be considered during employment 3. encourage patrons to source groceries and food locally
Residual impacts:	1. Improved livelihoods 2. Limited improvement of local economy
Cumulative impact post mitigation:	Low
Significance rating of impact after mitigation (e.g. Low, Medium, Medium-High, High, or Very-High)	High +ve

	2. Noise
Potential impact and risk:	Noise generated from general use – not significantly different to activities already taking place at Rusty Gate
Nature of impact:	Negative
Extent and duration of impact:	Local, short term
Consequence of impact or risk	Noise disturbance to guest and surrounds
Probability of occurrence:	Low
Degree to which the impact may cause irreplaceable loss of resources:	Zero
Degree to which the impact can be reversed:	High
Indirect impacts:	None
Cumulative impact prior to mitigation:	N/A
Significance rating of impact prior to mitigation (e.g. Low, Medium, MediumHigh, High, or Very-High)	Low Negative
Degree to which the impact can be avoided:	Medium – High
Degree to which the impact can be managed:	Medium – High
Degree to which the impact can be mitigated:	Medium – High
Proposed mitigation:	3. Limit noise levels and noise hours 4. Notify neighbours in the event of large scale activities / events
Residual impacts:	None
Cumulative impact post mitigation:	N/A
Significance rating of impact after mitigation (e.g. Low, Medium, Medium High, High, or Very-High)	Very Low Negative
	3. Visual
Potential impact:	Visual impacts of operations
Nature of impact:	Negative
Extent and duration of impact:	Local, short term
Consequence of impact:	Reduce aesthetic value of the site and surrounds
Probability of occurrence:	Low
Degree to which the impact may cause irreplaceable loss of resources:	Low
Degree to which the impact can be reversed:	Low
Indirect impacts:	None
Cumulative impact prior to mitigation:	N/A
Significance rating of impact prior to mitigation (e.g. Low, Medium, MediumHigh, High, or Very-High)	Very Low Negative
Degree to which the impact can be avoided:	High
Degree to which the impact can be managed:	High
Degree to which the impact can be mitigated:	High
Proposed mitigation:	4. Good housekeeping to ensure a tidy and neat site 5. Prevent development sprawl across the site 6. Prevent the development of adhoc trails
Residual impacts	None
Cumulative impact post mitigation:	N/A
Significance rating of impact after mitigation e.g. Low, Medium, MediumHigh, High, or Very-High)	Very-Low Negative

	4. Vegetation / Botanical
Potential impact:	Spread of operational activities into sensitive areas
Nature of impact:	Negative
Extent and duration of impact:	long term
Consequence of impact:	Vegetation loss Loss of SOCC
Probability of occurrence:	Possible
Degree to which the impact may cause irreplaceable loss of resources:	Possible
Degree to which the impact can be reversed:	Low
Indirect impacts:	Loss of vegetation, operational sprawl, adhoc development of footpaths
Cumulative impact prior to mitigation:	Continued loss of vegetation and SOCC
Significance rating of impact prior to mitigation (e.g. Low, Medium, Medium High, High, or Very-High)	Medium -ve
Degree to which the impact can be avoided:	High
Degree to which the impact can be managed:	High
Degree to which the impact can be mitigated:	Medium to low
Proposed mitigation:	Educate guests about the sensitivities of the site and the importance of using existing trail networks, allow for no harvesting of wild flowers and plants
Residual impacts	None
Cumulative impact post mitigation:	Loss of vegetation
Significance rating of impact after mitigation e.g., Low, Medium, MediumHigh, High, or Very-High)	Low -ve
	5. Freshwater / Wetland
Potential impact:	Disturbance of wetland habitat and functioning through general use of the site
Nature of impact:	Negative
Extent and duration of impact:	Local, long term
Consequence of impact:	Loss of wetland habitat and risk to wetland and watercourse ecological state, functioning and ecological services
Probability of occurrence:	Medium
Degree to which the impact may cause irreplaceable loss of resources:	High
Degree to which the impact can be reversed:	Low
Indirect impacts:	Continued loss of wetland habitat and reduction in watercourse areas regionally
Cumulative impact prior to mitigation:	Continued loss of wetland habitat and reduction in watercourse areas regionally
Significance rating of impact prior to mitigation (e.g. Low, Medium, MediumHigh, High, or Very-High)	Medium -ve
Degree to which the impact can be avoided:	High
Degree to which the impact can be managed:	Medium
Degree to which the impact can be mitigated:	Low
Proposed mitigation:	Educate users of the site about how to identify wetlands, how to avoid them and why to avoid them
Residual impacts	Reduction in ecosystem health and functioning
Cumulative impact post mitigation:	Continued loss of wetland regionally
Significance rating of impact after mitigation e.g. Low, Medium, MediumHigh, High, or Very-High)	Low -ve

ALTERNATIVE 3: PREFERRED

PLANNING, DESIGN AND DEVELOPMENT PHASE	
Potential impact and risk:	**1. Socio-economic**
Nature of impact:	Job creation during the development /construction phase of the eco pods / cabins
Extent and duration of impact:	Positive
Consequence of impact or risk:	Improved livelihoods of the construction workers
Probability of occurrence:	Definite
Degree to which the impact may cause irreplaceable loss of resources:	N/A
Degree to which the impact can be reversed:	N/A
Indirect impacts:	N/A
Cumulative impact prior to mitigation:	Low
Significance rating of impact prior to mitigation (e.g. Low, Medium, Medium-High, High, or Very-High)	High +ve
Degree to which the impact can be avoided:	N/A
Degree to which the impact can be managed:	High
Degree to which the impact can be mitigated:	Medium-High
Proposed mitigation:	1. Ensure labour force is sourced locally as far as possible. 2. A gender balance to be considered during employment.
Residual impacts:	1. Improved livelihoods 2. Limited improvement of local economy
Cumulative impact post mitigation:	Low
Significance rating of impact after mitigation (e.g. Low, Medium, Medium-High, High, or Very-High)	High +ve
	2. Dust
Potential impact and risk:	Dust generated from site clearing, exposed surfaces, movement of construction vehicles and windy conditions.
Nature of impact:	Negative
Extent and duration of impact:	Local, short term
Consequence of impact or risk:	Reduced visibility for pedestrians and motorist; albeit for short periods. Nuisance for residents adjacent to the site
Probability of occurrence:	Probable
Degree to which the impact may cause irreplaceable loss of resources:	N/A
Degree to which the impact can be reversed:	High
Indirect impacts:	Potential for reduced visibility
Cumulative impact prior to mitigation:	Low
Significance rating of impact prior to mitigation (e.g. Low, Medium, MediumHigh, High, or Very-High)	Low negative
Degree to which the impact can be avoided:	Medium
Degree to which the impact can be managed:	High
Degree to which the impact can be mitigated:	Medium – High
Proposed mitigation:	1. Maintain ground cover for as long as possible to reduce the total surface area exposed to wind.

	2. Ensure vehicle speed limits on site are kept to a minimum. 3. Delivery vehicles to keep loads covered. 4. Cover fine material stockpiles. 5. Wet dry and dusty surfaces using non-potable water. 6. Staff to wear correct PPE if dust is generated for long periods. 7. Road surfaces to be swept and kept clean of sand and fine materials
Residual impacts:	None
Cumulative impact post mitigation:	N/A
Significance rating of impact after mitigation (e.g. Low, Medium, MediumHigh, High, or Very-High)	Very-Low Negative
	3. Noise
Potential impact and risk:	Noise generated from vehicles and machinery during the construction phase.
Nature of impact:	Negative
Extent and duration of impact:	Local, short term
Consequence of impact or risk	Noise disturbance to guests.;
Probability of occurrence:	Probable
Degree to which the impact may cause irreplaceable loss of resources:	No resources will be impacted.
Degree to which the impact can be reversed:	High
Indirect impacts:	None
Cumulative impact prior to mitigation:	N/A
Significance rating of impact prior to mitigation (e.g. Low, Medium, MediumHigh, High, or Very-High)	Low Negative
Degree to which the impact can be avoided:	Medium – High
Degree to which the impact can be managed:	Medium – High
Degree to which the impact can be mitigated:	Medium – High
Proposed mitigation:	1. Limit noise levels (e.g. install and maintain silencers on machinery). 2. Provide protective wear for workers i.e. ear plugs. 3. Ensure that construction vehicles and machinery are maintained regularly to reduce noise generation. 4. Restrict construction to normal working hours
Residual impacts:	None
Cumulative impact post mitigation:	N/A
Significance rating of impact after mitigation (e.g. Low, Medium, Medium High, High, or Very-High)	Very Low Negative
	4. Visual
Potential impact:	Visual impacts of construction site and construction activities.
Nature of impact:	Negative
Extent and duration of impact:	Local, short term
Consequence of impact:	Reduce aesthetic value of the site
Probability of occurrence:	Definite
Degree to which the impact may cause irreplaceable loss of resources:	No resources will be impacted
Degree to which the impact can be reversed:	Low – Medium
Indirect impacts:	None
Cumulative impact prior to mitigation:	N/A
Significance rating of impact prior to mitigation (e.g. Low, Medium, MediumHigh, High, or Very-High)	Low Negative
Degree to which the impact can be avoided:	Low-Medium

Degree to which the impact can be managed:	Medium	
Degree to which the impact can be mitigated:	Medium	
Proposed mitigation:	1. Good housekeeping of construction site and working areas. 2. Screen the visual elements of the site camp with netting. 3. Locate the site camp in a transformed area.	
Residual impacts	None	
Cumulative impact post mitigation:	N/A	
Significance rating of impact after mitigation e.g. Low, Medium, MediumHigh, High, or Very-High)	Very-Low Negative	
	5. Vegetation removal / Botanical	
Potential impact:	Removal of vegetation in areas not located in high sensitivity environmental or with SOCC present	
Nature of impact:	Negative	
Extent and duration of impact:	long term	
Consequence of impact:	Vegetation loss Exposure of soil and degradation thereof	
Probability of occurrence:	Definite	
Degree to which the impact may cause irreplaceable loss of resources:	Low	
Degree to which the impact can be reversed:	Low	
Indirect impacts:		
Cumulative impact prior to mitigation:	Continued loss of vegetation	
Significance rating of impact prior to mitigation (e.g. Low, Medium, MediumHigh, High, or Very-High)	Low -ve to	Med -ve
Degree to which the impact can be avoided:	Low	
Degree to which the impact can be managed:	Medium to low	
Degree to which the impact can be mitigated:	Medium to low	
Proposed mitigation:	Units 7, 27 and 31 have been moved in Alternative 2 to avoid high botanically sensitive areas and SOCC	
Residual impacts	None	
Cumulative impact post mitigation:	Loss of vegetation	
Significance rating of impact after mitigation e.g., Low, Medium, MediumHigh, High, or Very-High)	Low -ve	
	6. Freshwater / Wetland	
Potential impact:	Disturbance of wetland habitat Alteration of flow regime Increased sedimentation Water quality impairment Loss of biota	
Nature of impact:	Negative	
Extent and duration of impact:	Local, long term	
Consequence of impact:	Loss of wetland habitat and risk to wetland and watercourse ecological state, functioning and ecological services	
Probability of occurrence:	Definite	
Degree to which the impact may cause irreplaceable loss of resources:	High	
Degree to which the impact can be reversed:	Low	
Indirect impacts:	Continued loss of wetland habitat and reduction in watercourse areas regionally	
Cumulative impact prior to mitigation:	Continued loss of wetland habitat and reduction in watercourse areas regionally	

Significance rating of impact prior to mitigation (e.g. Low, Medium, MediumHigh, High, or Very-High)	Disturbance of wetland habitat – low -ve
	Alteration of flow regime – very low -ve
	Increased sedimentation – low -ve
	Water quality impairment – low -ve
	Loss of biota – low -ve
Degree to which the impact can be avoided:	High
Degree to which the impact can be managed:	Medium
Degree to which the impact can be mitigated:	Low
Proposed mitigation:	Manage construction activities
Residual impacts	Reduction in ecosystem health and functioning
Cumulative impact post mitigation:	Continued loss of wetland regionally
Significance rating of impact after mitigation e.g. Low, Medium, MediumHigh, High, or Very-High)	Disturbance of wetland habitat – very low -ve
	Alteration of flow regime – very low -ve
	Increased sedimentation – very low -ve
	Water quality impairment – very low -ve
	Loss of biota – very low -ve

	7. Faunal Impact – large mammals
Potential impact:	**Landscape connectivity** Pre-construction: Locate infrastructure outside CBA1 and ESA1 zones wherever feasible. Pre-construction: Designate and map natural movement corridors prior to finalizing development layout. Construction: Maintain broad undeveloped buffer zones around natural corridors. Construction: Minimize construction footprint and avoid unnecessary vegetation clearance. Post-construction: Restore temporary construction areas with indigenous vegetation. **Animal Behavioural responses** Pre-construction: Schedule high-disturbance activities (e.g., bulk earthworks) outside of sensitive wildlife periods (e.g., breeding seasons). Construction: Limit noisy or disruptive activities to daylight hours only. Construction: Establish clear, enforced no-go zones for construction crews within or adjacent to key habitat corridors.
Nature of impact:	Negative
Extent and duration of impact:	Local, short to long term
Consequence of impact:	Loss and disturbance of habitat and connectivity
Probability of occurrence:	Possible
Degree to which the impact may cause irreplaceable loss of resources:	Medium
Degree to which the impact can be reversed:	Medium

Indirect impacts:	Continued loss of habitat and ecological connectivity
Cumulative impact prior to mitigation:	Continued loss of habitat and ecological connectivity
Significance rating of impact prior to mitigation (e.g. Low, Medium, MediumHigh, High, or Very-High)	Artificial lighting – high -ve Behavioural disturbance – medium -ve Loss of ecological corridors - Low -ve
Degree to which the impact can be avoided:	High
Degree to which the impact can be managed:	Medium
Degree to which the impact can be mitigated:	Low
Proposed mitigation:	Manage construction activities
Residual impacts	Reduction in ecosystem health and functioning
Cumulative impact post mitigation:	Continued loss of wetland regionally
Significance rating of impact after mitigation e.g. Low, Medium, MediumHigh, High, or Very-High)	Artificial lighting – Low -ve Behavioural disturbance – Low -ve Loss of ecological corridors - Low -ve

	8. Faunal Impact – Striped flufftail
Potential impact:	**Habitat loss** Pre-construction: Avoid development in seepage zones and dense fynbos patches known to support Striped Flufftail. Move development sites out of 30 m buffer zone (Sites 2, 3, 5, 26 and 27) **Habitat fragmentation** Pre-Construction: Maintain ecological corridors and a minimum 30 m buffer zone around sensitive wetland microhabitats. **Disturbance from construction noise** Construction: Restrict construction near sensitive habitat to non-breeding season (Nov to April) Limit construction to daylight hours **Erosion and runoff** Construction: User sediment traps, contour berms and redirect runoff away from seep zones during site preparation and construction
Nature of impact:	Negative
Extent and duration of impact:	Local, long term
Consequence of impact:	Loss of wetland habitat and risk to wetland and watercourse ecological state, functioning and ecological services
Probability of occurrence:	Definite
Degree to which the impact may cause irreplaceable loss of resources:	High
Degree to which the impact can be reversed:	Low
Indirect impacts:	Continued loss of wetland habitat and reduction in watercourse areas regionally
Cumulative impact prior to mitigation:	-Preserve core breeding and foraging habitat -Ensure landscape connectivity and reduce habitat isolation -Minimise interference with calling, nesting and foraging, restrict construction out of breeding season (Nov to Apr) -Sustain habitat structure
Significance rating of impact prior to mitigation (e.g. Low, Medium, MediumHigh, High, or Very-High)	-Loss of habitat – High -ve -Interruption of microhabitats – High -ve -Disturbance and noise – medium -ve -Altered fire regime – medium -ve -Disturbance from noise – high -ve

Degree to which the impact can be avoided:	High
Degree to which the impact can be managed:	High
Degree to which the impact can be mitigated:	High
Proposed mitigation:	-Preserve core breeding and foraging habitat -Ensure landscape connectivity and reduce habitat isolation -Minimise interference with calling, nesting and foraging, restrict construction out of breeding season (Nov to Apr) -Sustain habitat structure
Residual impacts	Reduction in ecosystem health and functioning
Cumulative impact post mitigation:	Continued loss of wetland regionally
Significance rating of impact after mitigation e.g. Low, Medium, MediumHigh, High, or Very-High)	-Loss of habitat – Low -ve -Interruption of microhabitats – Low -ve -Disturbance and noise – Low -ve -Altered fire regime – Low -ve -Disturbance from noise and recreation – Low Medium -ve

	9. Faunal Impact – Amphibians
Potential impact:	**Habitat destruction – seepage zones** Pre-construction: Exclude infrastructure from wetland areas and natural drainage lines; buffer of at least 30 m maintained around any seepage areas. **Breeding habitat degradation** Construction: Avoid any earthworks or vegetation clearance in potential amphibian habitats during the breeding season (late winter to spring). **Water quality habitats** Construction: Prevent chemical and sediment runoff into aquatic habitats by installing erosion controls and avoiding use of herbicides nearby.
Nature of impact:	Negative
Extent and duration of impact:	Local, long term
Consequence of impact:	Loss of wetland habitat and risk to wetland and watercourse ecological state, functioning and ecological services
Probability of occurrence:	Definite
Degree to which the impact may cause irreplaceable loss of resources:	High
Degree to which the impact can be reversed:	Low
Indirect impacts:	Continued loss of wetland habitat and reduction in watercourse areas regionally
Cumulative impact prior to mitigation:	Continued loss of wetland habitat and reduction in watercourse areas regionally
Significance rating of impact prior to mitigation (e.g. Low, Medium, Medium High, High, or Very-High)	Disturbance of wetland habitat – low -ve
Degree to which the impact can be avoided:	High
Degree to which the impact can be managed:	Medium
Degree to which the impact can be mitigated:	Low
Proposed mitigation:	Protect breeding and foraging habitat – i.e fence in construction areas, all areas outside are to be marked as no go Maintain water quality through appropriate construction runoff management – risk is low due to prefabricated light steel construction proposed.
Residual impacts	Reduction in ecosystem health and functioning
Cumulative impact post mitigation:	Continued loss of wetland regionally
Significance rating of impact after mitigation e.g. Low, Medium, MediumHigh, High, or Very-High)	Disturbance of wetland habitat – low -ve

	10.Faunal Impact – Insects
Potential impact:	**Micro Habitat disturbance** Pre-construction: Avoid fynbos clearing in known or likely habitat patches (south-facing slopes, grassy mosaics, restio-dominated areas). **Host plant loss** Construction: Identify and preserve endemic/restioid host plants during vegetation surveys prior to clearing
Nature of impact:	Negative
Extent and duration of impact:	Local, short to long term
Consequence of impact:	Loss and disturbance of insect habitat
Probability of occurrence:	Medium
Degree to which the impact may cause irreplaceable loss of resources:	Medium
Degree to which the impact can be reversed:	Low
Indirect impacts:	Continued loss of habitat
Cumulative impact prior to mitigation:	Continued loss of habitat
Significance rating of impact prior to mitigation (e.g. Low, Medium, MediumHigh, High, or Very-High)	Microhabitat disturbance – medium to high -ve Host plant loss – medium -ve
Degree to which the impact can be avoided:	High
Degree to which the impact can be managed:	Medium
Degree to which the impact can be mitigated:	High
Proposed mitigation:	Manage construction activities Conserve hose plants and breeding sites Protect essential larval resources. Mark all areas outside immediate construction site as no go, i.e fence in the construction area during construction
Residual impacts	Reduction in ecosystem health and functioning
Cumulative impact post mitigation:	Continued loss of important habitat
Significance rating of impact after mitigation e.g. Low, Medium, MediumHigh, High, or Very-High)	low to medium -ve

OPERATIONAL PHASE	
Potential impact and risk:	**1. Socio-economic**
Nature of impact:	Job creation, investment in the area, attraction to the broader area and increased spending and spillover positive impacts to surrounding shops, restaurants, accommodation offerings etc
Extent and duration of impact:	Positive
Consequence of impact or risk:	Improved livelihoods of the construction workers
Probability of occurrence:	Definite
Degree to which the impact may cause irreplaceable loss of resources:	N/A
Degree to which the impact can be reversed:	N/A
Indirect impacts:	N/A
Cumulative impact prior to mitigation:	Low
Significance rating of impact prior to mitigation (e.g. Low, Medium, Medium-High, High, or Very-High)	High +ve
Degree to which the impact can be avoided:	N/A
Degree to which the impact can be managed:	High
Degree to which the impact can be mitigated:	Medium-High
Proposed mitigation:	1. Ensure labour force is sourced locally as far as possible. 2. A gender balance to be considered during employment 3. encourage patrons to source groceries and food locally
Residual impacts:	1. Improved livelihoods 2. Limited improvement of local economy
Cumulative impact post mitigation:	Low
Significance rating of impact after mitigation (e.g. Low, Medium, Medium-High, High, or Very-High)	High +ve
	2. Noise
Potential impact and risk:	Noise generated from general use – not significantly different to activities already taking place at Rusty Gate
Nature of impact:	Negative
Extent and duration of impact:	Local, short term
Consequence of impact or risk	Noise disturbance to guest and surrounds
Probability of occurrence:	Low
Degree to which the impact may cause irreplaceable loss of resources:	Zero
Degree to which the impact can be reversed:	High
Indirect impacts:	None
Cumulative impact prior to mitigation:	N/A
Significance rating of impact prior to mitigation (e.g. Low, Medium, MediumHigh, High, or Very-High)	Low Negative
Degree to which the impact can be avoided:	Medium – High
Degree to which the impact can be managed:	Medium – High
Degree to which the impact can be mitigated:	Medium – High
Proposed mitigation:	5. Limit noise levels and noise hours 6. Notify neighbours in the event of large scale activities / events
Residual impacts:	None
Cumulative impact post mitigation:	N/A
Significance rating of impact after mitigation (e.g. Low, Medium, Medium High, High, or Very-High)	Very Low Negative

	3. Visual
Potential impact:	Visual impacts of operations
Nature of impact:	Negative
Extent and duration of impact:	Local, short term
Consequence of impact:	Reduce aesthetic value of the site and surrounds
Probability of occurrence:	Low
Degree to which the impact may cause irreplaceable loss of resources:	Low
Degree to which the impact can be reversed:	Low
Indirect impacts:	None
Cumulative impact prior to mitigation:	N/A
Significance rating of impact prior to mitigation (e.g. Low, Medium, MediumHigh, High, or Very-High)	Very Low Negative
Degree to which the impact can be avoided:	High
Degree to which the impact can be managed:	High
Degree to which the impact can be mitigated:	High
Proposed mitigation:	7. Good housekeeping to ensure a tidy and neat site 8. Prevent development sprawl across the site 9. Prevent the development of adhoc trails
Residual impacts	None
Cumulative impact post mitigation:	N/A
Significance rating of impact after mitigation e.g. Low, Medium, Medium High, High, or Very-High)	Very-Low Negative
	4. Vegetation / Botanical
Potential impact:	Spread of operational activities into sensitive areas
Nature of impact:	Negative
Extent and duration of impact:	long term
Consequence of impact:	Vegetation loss Loss of SOCC
Probability of occurrence:	Possible
Degree to which the impact may cause irreplaceable loss of resources:	Possible
Degree to which the impact can be reversed:	Low
Indirect impacts:	Loss of vegetation, operational sprawl, adhoc development of footpaths
Cumulative impact prior to mitigation:	Continued loss of vegetation and SOCC
Significance rating of impact prior to mitigation (e.g. Low, Medium, Medium High, High, or Very-High)	Medium -ve
Degree to which the impact can be avoided:	High
Degree to which the impact can be managed:	High
Degree to which the impact can be mitigated:	Medium to low
Proposed mitigation:	Educate guests about the sensitivities of the site and the importance of using existing trail networks, allow for no harvesting of wild flowers and plants
Residual impacts	None
Cumulative impact post mitigation:	Loss of vegetation

Significance rating of impact after mitigation e.g., Low, Medium, MediumHigh, High, or Very-High)	Low -ve
	5. Freshwater / Wetland
Potential impact:	Disturbance of wetland habitat and functioning through general use of the site
Nature of impact:	Negative
Extent and duration of impact:	Local, long term
Consequence of impact:	Loss of wetland habitat and risk to wetland and watercourse ecological state, functioning and ecological services
Probability of occurrence:	Medium
Degree to which the impact may cause irreplaceable loss of resources:	High
Degree to which the impact can be reversed:	Low
Indirect impacts:	Continued loss of wetland habitat and reduction in watercourse areas regionally
Cumulative impact prior to mitigation:	Continued loss of wetland habitat and reduction in watercourse areas regionally
Significance rating of impact prior to mitigation (e.g. Low, Medium, MediumHigh, High, or Very-High)	Medium -ve
Degree to which the impact can be avoided:	High
Degree to which the impact can be managed:	Medium
Degree to which the impact can be mitigated:	Low
Proposed mitigation:	Educate users of the site about how to identify wetlands, how to avoid them and why to avoid them
Residual impacts	Reduction in ecosystem health and functioning
Cumulative impact post mitigation:	Continued loss of wetland regionally
Significance rating of impact after mitigation e.g. Low, Medium, MediumHigh, High, or Very-High)	Low -ve

	6. Faunal Impact – large mammals
Potential impact:	**Landscape connectivity** Post-construction: Restore temporary construction areas with indigenous vegetation. Post-construction: Incorporate wildlife friendly fencing designs where / if fencing is required / avoid as far as possible **Animal Behavioural responses** Post-construction: Implement visitor education programmes promoting low impact tourism Post-Construction: Monitor large mammal activity patterns (camera traps) to detect shifts in behaviour or corridor use Post-Construction: Manage tourism flows spatially and temporarily (restrict access to sensitive areas during dusk and dawn)
Nature of impact:	Negative
Extent and duration of impact:	Local, short to long term
Consequence of impact:	Loss and disturbance of habitat and connectivity
Probability of occurrence:	Possible
Degree to which the impact may cause irreplaceable loss of resources:	Medium

Degree to which the impact can be reversed:	Medium
Indirect impacts:	Continued loss of habitat and ecological connectivity
Cumulative impact prior to mitigation:	Continued loss of habitat and ecological connectivity
Significance rating of impact prior to mitigation (e.g. Low, Medium, MediumHigh, High, or Very-High)	Artificial lighting – high -ve Behavioural disturbance – medium -ve Loss of ecological corridors - Low -ve
Degree to which the impact can be avoided:	High
Degree to which the impact can be managed:	Medium
Degree to which the impact can be mitigated:	Low
Proposed mitigation:	Manage construction activities
Residual impacts	Reduction in ecosystem health and functioning
Cumulative impact post mitigation:	Continued loss of wetland regionally
Significance rating of impact after mitigation e.g. Low, Medium, MediumHigh, High, or Very-High)	Artificial lighting – Low -ve Behavioural disturbance – Low -ve Loss of ecological corridors - Low -ve

	7. Faunal Impact – Striped flufftail
Potential impact:	**Fire regime disruption** Operational: Implement a rotational fire management plan preserving unburned refugia; avoid hot burns in seepage zones **Artificial lighting** Operational: Install low-intensity, downward-shielded lights and avoid lighting near wetland and dense fynbos zones. **Recreational disturbance from, birdwatchers** Operational: Prohibit the use of playback (acoustic luring) within designated sensitive zones through signage and visitor briefings. **Long term monitoring** Construction: Conduct periodic acoustic and camera trap surveys to confirm presence and assess population trends post-construction.
Nature of impact:	Negative
Extent and duration of impact:	Local, long term
Consequence of impact:	Loss of wetland habitat and risk to wetland and watercourse ecological state, functioning and ecological services
Probability of occurrence:	Definite
Degree to which the impact may cause irreplaceable loss of resources:	High
Degree to which the impact can be reversed:	Low
Indirect impacts:	Continued loss of wetland habitat and reduction in watercourse areas regionally
Cumulative impact prior to mitigation:	-Habitat disturbance and loss
Significance rating of impact prior to mitigation (e.g. Low, Medium, Medium High, High, or Very-High)	-Loss of habitat – High -ve -Interruption of microhabitats – High -ve -Disturbance and noise – medium -ve -Altered fire regime – medium -ve -Disturbance from noise – high -ve
Degree to which the impact can be avoided:	High
Degree to which the impact can be managed:	High
Degree to which the impact can be mitigated:	High
Proposed mitigation:	-Implement a rotational fire management plan preserving unburned refugia; avoid hot burns in seepage zones.

	-Install low-intensity, downward-shielded lights and avoid lighting near wetland and dense fynbos zones. -Prohibit the use of playback (acoustic luring) within designated sensitive zones through signage and visitor briefings. -Conduct periodic acoustic and camera trap surveys to confirm presence and assess population trends post-construction.
Residual impacts	Reduction in ecosystem health and functioning
Cumulative impact post mitigation:	Continued loss of habitat for flufftail
Significance rating of impact after mitigation e.g. Low, Medium, MediumHigh, High, or Very-High)	-Loss of habitat – Low -ve -Interruption of microhabitats – Low -ve -Altered fire regime – Low -ve -Disturbance from noise and recreation – Low Medium -ve

	8. Faunal Impact – Amphibians
Potential impact:	**Artificial lighting** Operational: Minimize night lighting near wet zones with motion sensors or full shielding. **Disturbance from recreation** Operational: Prevent foot traffic, picnicking, or construction of trails through sensitive seepage habitats. **Fire regime** Construction: Maintain natural fire cycles at appropriate intervals, avoiding hot fires in known wetland/seep areas. **Population monitoring** Operational: Implement seasonal call surveys post development to detect persistence / declines
Nature of impact:	Negative
Extent and duration of impact:	Local, long term
Consequence of impact:	Loss of wetland habitat and risk to wetland and watercourse ecological state, functioning and ecological services
Probability of occurrence:	Definite
Degree to which the impact may cause irreplaceable loss of resources:	High
Degree to which the impact can be reversed:	Low
Indirect impacts:	Continued loss of wetland habitat and reduction in watercourse areas regionally
Cumulative impact prior to mitigation:	Continued loss of wetland habitat and reduction in watercourse areas regionally
Significance rating of impact prior to mitigation (e.g. Low, Medium, Medium High, High, or Very-High)	Disturbance of wetland habitat – low -ve
Degree to which the impact can be avoided:	High
Degree to which the impact can be managed:	Medium
Degree to which the impact can be mitigated:	Low
Proposed mitigation:	Protect breeding and foraging habitat – i.e fence in construction areas, all areas outside are to be marked as no go Maintain water quality through appropriate construction runoff management – risk is low due to prefabricated light steel construction proposed. Minimize night lighting near wet zones with motion sensors or full shielding Prevent foot traffic, picnicking, or construction of trails through sensitive seepage habitats. Maintain natural fire cycles at appropriate intervals, avoiding hot fires in known wetland/seep areas. Implement seasonal call surveys post-development to detect persistence or declines.

Residual impacts	Reduction in ecosystem health and functioning
Cumulative impact post mitigation:	Continued loss of wetland regionally
Significance rating of impact after mitigation e.g. Low, Medium, MediumHigh, High, or Very-High)	Disturbance of wetland habitat – low -ve

	9. Faunal Impact – Insects
Potential impact:	**Artificial light pollution** Operational: Use amber-spectrum or motion-controlled lighting; eliminate unnecessary lights in nocturnal insect habitats. **Post development monitoring** Operational: Conduct seasonal sweep-net surveys and visual assessments to track persistence of species populations. **Fire management** Operational: Implement a patch-mosaic burning regime that allows refugia to remain during fire events.
Nature of impact:	Negative
Extent and duration of impact:	Local, short to long term
Consequence of impact:	Loss and disturbance of insect habitat
Probability of occurrence:	Medium
Degree to which the impact may cause irreplaceable loss of resources:	Medium
Degree to which the impact can be reversed:	Low
Indirect impacts:	Continued loss of habitat
Cumulative impact prior to mitigation:	Continued loss of habitat
Significance rating of impact prior to mitigation (e.g. Low, Medium, MediumHigh, High, or Very-High)	Microhabitat disturbance – medium to high -ve Host plant loss – medium -ve
Degree to which the impact can be avoided:	High
Degree to which the impact can be managed:	Medium
Degree to which the impact can be mitigated:	High
Proposed mitigation:	Manage construction activities Conserve host plants and breeding sites Protect essential larval resources. Mark all areas outside immediate construction site as no go, i.e fence in the construction area during construction Use amber-spectrum or motion-controlled lighting; eliminate unnecessary lights in nocturnal insect habitats Implement a patch-mosaic burning regime that allows refugia to remain during fire events. Conduct seasonal sweep-net surveys and visual assessments to track persistence of species populations.
Residual impacts	Reduction in ecosystem health and functioning
Cumulative impact post mitigation:	Continued loss of important habitat
Significance rating of impact after mitigation e.g. Low, Medium, MediumHigh, High, or Very-High)	low to medium -ve

ALTERNATIVE 4: NO GO

- → No access for users to these unique resource – high -ve
- → No rezoning to Open Space 4 Nature Reserve – high -ve
- → No option to pursue collaboration with the adjacent landowner, Cape Nature, to unlock possible financial and socio-economic opportunities on those properties – high -ve
- → No investment in the area and benefits to nearby towns and communities – high -ve
- → No opportunity to implement the Cape Nature Biodiversity Stewardship Programme – high -ve
- → No opportunity for collaboration with neighbouring landowners for long term Fire and Alien Vegetation Management – high -ve
- → Risks associated with inappropriate and unregulated future landuses – high -ve
- → Remaining area on the farm remains undeveloped – medium +ve, with risk of future inappropriate development

PLANNING, DESIGN AND DEVELOPMENT PHASE	
Potential impact and risk:	**Socio-economic**
Nature of impact:	No opportunity for job creation, skills transfer or investment in the area No opportunity for providing access to Rusty Gate as a unique Resource No benefits to local towns or opportunity for local spending
Extent and duration of impact:	Positive
Consequence of impact or risk:	Improved livelihoods of the construction workers
Probability of occurrence:	Definite
Degree to which the impact may cause irreplaceable loss of resources:	N/A
Degree to which the impact can be reversed:	N/A
Indirect impacts:	N/A
Cumulative impact prior to mitigation:	Low
Significance rating of impact prior to mitigation (e.g. Low, Medium, Medium-High, High, or Very-High)	High -ve
Degree to which the impact can be avoided:	N/A
Degree to which the impact can be managed:	High
Degree to which the impact can be mitigated:	Medium-High
Proposed mitigation:	-
Residual impacts:	1. Continued poverty, lack on income, decline of communities and nearby towns 2. Limited improvement of local economy
Cumulative impact post mitigation:	Low
Significance rating of impact after mitigation (e.g. Low, Medium, Medium-High, High, or Very-High)	High +ve
	Conservation and Terrestrial
Potential impact:	Loss of opportunity for area wide ecological connectivity (Preferred alternative sees the two adjacent Nature Reserves being conducted by the rezoning of Rusty Gate to NR) Loss of opportunity for collaboration with Cape Nature for a area wide improved habitat
Nature of impact:	Negative
Extent and duration of impact:	long term
Consequence of impact:	Vegetation loss

	Barriers to ecological connectivity Loss of Biodiversity champions for the area Risk of inappropriate development in the future Continued degradation associated with past or future Agricultural activities
Probability of occurrence:	Definite
Degree to which the impact may cause irreplaceable loss of resources:	High
Degree to which the impact can be reversed:	Low
Indirect impacts:	Continues habitat loss Vegetation loss Barriers to ecological connectivity Loss of Biodiversity champions for the area Risk of inappropriate development in the future Continued degradation associated with past or future Agricultural activities Loss of mechanism for appropriate land management and rehabilitation
Cumulative impact prior to mitigation:	Continued loss of vegetation, SOCC and habitats
Significance rating of impact prior to mitigation (e.g. Low, Medium, MediumHigh, High, or Very-High)	High -ve
Degree to which the impact can be avoided:	Low
Degree to which the impact can be managed:	Medium to low
Degree to which the impact can be mitigated:	Medium to low
Proposed mitigation:	-
Residual impacts	None
Cumulative impact post mitigation:	Loss of vegetation
Significance rating of impact after mitigation e.g., Low, Medium, MediumHigh, High, or Very-High)	High -ve
	No disturbance of the remainder of the farm
Potential impact:	No development or expansion of tourism overnight, results in no development on other areas of the property
Nature of impact:	Positive
Extent and duration of impact:	Local, long term
Consequence of impact:	No further development on the properties, areas remain natural
Probability of occurrence:	Possible
Degree to which the impact may cause irreplaceable loss of resources:	Possible through inappropriate, unguided land management or no land management
Degree to which the impact can be reversed:	Low
Indirect impacts:	Land left undeveloped, however opportunities for land management are lost
Cumulative impact prior to mitigation:	No development or expansion of tourism overnight, results in no development on other areas of the property Risk of inappropriate land management, spread of aliens, uncontrolled fires
Significance rating of impact prior to mitigation (e.g. Low, Medium, MediumHigh, High, or Very-High)	Land left intact = medium +ve Inappropriate land management = high -ve
Degree to which the impact can be avoided:	-
Degree to which the impact can be managed:	-
Degree to which the impact can be mitigated:	-
Proposed mitigation:	-
Residual impacts	Reduction in ecosystem health and functioning
Cumulative impact post mitigation:	Remaining land stays undeveloped but opportunity for appropriate land management is lost

Significance rating of impact after mitigation e.g. Low, Medium, MediumHigh, High, or Very-High)	Land left intact = medium +ve
	Inappropriate land management = high -ve

The following specialists formed part of the impact Assessment team:

- ✓ Freshwater Impact Assessment (Nick Steytler)
- ✓ Botanical Impact Assessment (Nick Helme)
- ✓ Agricultural Compliance Statement (Johann Lanz)
- ✓ Heritage Impact Assessment (Jonathan Kaplan)
- ✓ Archaeological Impact Assessment (Jonathan Kaplan)
- ✓ Paleontological Impact Assessment (John Almond)
- ✓ Faunal Compliance Statement (Prof. J. Venter)

ESSENTIAL MITIGATION RECOMMENDED BY FRESHWATER SPECIALIST:

Construction phase

Impact 1 - Disturbance Of Wetland Habitat

- → Clearly demarcate the edge of the development footprint of each accommodation area using Weather-proof markers for the full duration of the construction phase and ensure that construction activities are limited to within the designated area
- → Designate a 20 m setback from the delineated wetland edges for sites 26, 27, 2, 3a, 3b and 28 and the 32 m setback for the remaining sites as a no-go area during the construction phase (i.e. the Setback areas and their associated watercourses must be off-limits to construction workers, vehicles and machinery unless authorised by the Environmental Control Officer (ECO)).

Impact 2 - Alteration of flow regime

- → Mitigation not applicable / required

Impact 3 - Increased sedimentation

- → Limit the construction phase to the dry summer months when rainfall is at its lowest
- → Make use of “stilt” or “pillar and beam” type foundations where the structure of accommodation units will be built on an elevated platform placed on top of the raised pillar/stilt foundations
- → Minimise the time that exposed soils are potentially exposed to the elements (as far as practically possible);
- → Cover all soil, sand and stone stockpiles with plastic sheeting to ensure that the stockpiles are protected from rain.
- → Actively repair any erosion runnels and prevent any sediment-laden run-off from exiting the construction through placement of sandbags or similar; and
- → Immediately after construction of the buildings and associated infrastructure is complete, revegetate any exposed areas with locally occurring indigenous plant species.

Impact 4 - Water quality impairment

- → Undertake the construction project during the dry summer months and ensure that all construction vehicles and machinery cease from operating during the rainy winter period.
- → Make use of “stilt” or “pillar and beam” type foundations where the structure of accommodation units will be built on an elevated platform placed on top of the raised pillar/stilt foundation.

- → Ensure that all construction machinery and vehicles are checked for oil leaks and are in good working order before being permitted onto the development site;
- → Use drip-trays at all times when operating petrochemical driven construction machinery (e.g. generators and cement mixers);
- → Use drip trays and other appropriate containment methods while refuelling of vehicles and machinery;
- → Demarcate an area for the refuelling of machinery and vehicles (this is recommended to be at the existing farm shed);
- → Ensure that hazardous substances and chemicals are stored in a contained, impermeable area which has the capacity to contain at least 110% of the total volume of stored substances.
- → Store cement is a secure weather-proof area (e.g. shipping container) and ensure that used cement bags are placed in plastic bin-bags prior to placement in the on-site solid waste storage area; All cement batching on the site must be undertaken on impermeable and bunded batching boards to ensure cement slurry is contained; and
- → Any cement residues and concrete waste within the construction site must be removed at the end of every working day and disposed of as rubble.

Impact 5 - Loss of biota

- → Clearly demarcate the edge of the development site using weather-proof markers for the full duration of the construction phase;
- → Designate a 20m setback from the delineated wetland edges for sites 26, 27, 2, 3A, 3B and 28 and the 32m setback for the remaining sites as a No-Go area during the construction phase (i.e. the setback areas and their associated watercourses must be off-limits to construction workers, vehicles and machinery unless authorised by the ECO); and
- → Keep construction material stockpiles as far from the wetlands and drainage lines as possible and where possible do not place these immediately upslope of any of the hillslope seeps.

Operational phase

Impact 1 - Alteration of flow regime

- → Collect rainwater off the roofs of the dwellings and store the water in rainwater tanks for domestic use.

Impact 2 - Erosion and Sedimentation

- → Collect rainwater off the roofs of the dwellings and store the water in rainwater tanks for domestic use.

Impact 3 - Water quality impairment

- → Ensure that the conservancy tank is appropriately sized (input should be obtained from a professional civils engineer and the calculation endorsed by the municipality).
- → Formalise an operational agreement between the owner/s and the municipality/3rd party contractor that specifies the timing of tank emptying; and
- → During the operational phase, monitor the site for any odorous liquids possibly being associated with a leaking sewerage system.

Impact 4 - Loss of biota

- → Ensure that the conservancy tank is appropriately sized (input should be obtained from a professional civils engineer and the calculation endorsed by the municipality).
- → Formalise an operational agreement between the owner/s and the municipality/3rd party contractor that specifies the timing of tank emptying; and
- → During the operational phase, monitor the site for any odorous liquids possibly being associated with a leaking sewerage system.

ESSENTIAL MITIGATION RECOMMENDED BY BOTANICAL SPECIALIST:

The following mitigation is considered feasible, reasonable and essential, and is factored into this assessment:

- → Alternative 2 and 3 are the preferred development alternative from a botanical perspective, and incorporates changes made to the original Alternative 1 layout.
- → All invasive alien vegetation on the property must be removed within three years of any project approval, using proper methodology (see Martens et al 2021. Annual alien vegetation removal around all new units must be undertaken, so that these sites do not act as sources of alien spread.
- → No plant species that are not locally indigenous may be planted around any of the new units.
- → Rubbish, building rubble and household refuse must not be stored or disposed of outdoors on any of the sites as this may encourage spread of alien invasive Argentine ants. Rubbish and refuse should be kept indoors for responsible disposal later, and building sites should be kept as free of rubble and building material as far as is possible, during construction and operational phases.
- → Firebreaks should be brush cut annually around all isolated units, using handheld brush cutters. These firebreaks should extend from the edge of the building platforms outwards for at least 5m, and this brush cutting will then at least partially simulate regular fires in these areas within 5m of the buildings, whilst minimising likely fire damage to the infrastructure.

ESSENTIAL MITIGATION RECOMMENDED BY FAUNAL SPECIALIST:

1. Move site 3A to the west and parallel-align it to the firebreak to avoid the infringement. This will lower impact to disturbance during construction phase and increased human presence due to tourism activities with the habitat destruction component removed. If this is done the impact could be considered 'medium' and a full impact assessment would not be required – Implemented in the preferred alternative

Mitigation suggestions for nocturnal insect SCC (1-10) and diurnal insect SCC (8-10):

2. Switch lights off when not needed
3. Add timers / sensors to lights
4. Make lights activated by movement
5. Add shields to lights
6. Make lights shine downward, or direct only to where needed
7. Use long wavelength red or amber lights / filtered amber LED, with no blue / minimal green light for outdoor lighted areas
8. A lighting plan should be developed to ensure that the impact of night lights is kept to an absolute minimum
9. Clearing of indigenous fynbos vegetation should be kept to an absolute minimum
10. Avoid the establishment of invasive species
11. Avoid trampling of natural fynbos vegetation surrounding developments

The additional faunal mitigation measures are recommended, organised to address specific types of faunal populations and impacts

1. **Reducing potential landscape connectivity and large mammal behavioural impacts**

The following table outlines recommended mitigation measures to manage potential impacts on landscape connectivity and large mammal behavioural patterns during all phases of the project.

Impact Category	Project Phase	Mitigation Measure	Objective
Landscape Connectivity	Pre-construction	Locate infrastructure outside CBA1 and ESA1 zones wherever feasible.	Minimize direct habitat loss in critical connectivity zones.
	Pre-construction	Designate and map natural movement corridors prior to finalizing development layout.	Ensure corridors are preserved in planning.
	Construction	Maintain broad undeveloped buffer zones around natural corridors.	Retain functional landscape linkages during construction.
	Construction	Minimize construction footprint and avoid unnecessary vegetation clearance.	Reduce habitat fragmentation.
	Post-construction	Restore temporary construction areas with indigenous vegetation.	Rehabilitate affected habitats and corridor function.
	Post-construction	Incorporate wildlife-friendly fencing designs where fencing is required. Avoid fencing as far as possible	Facilitate safe animal movement across the site.
Animal Behavioural Responses	Pre-construction	Schedule high-disturbance activities (e.g., bulk earthworks) outside of sensitive wildlife periods (e.g., breeding seasons).	Reduce stress on sensitive species before activity begins.
	Construction	Limit noisy or disruptive activities to daylight hours only.	Minimize disturbance to crepuscular and nocturnal species.
	Construction	Establish clear, enforced no-go zones for construction crews within or adjacent to key habitat corridors.	Prevent unintended disturbances near sensitive areas.
	Post-construction	Implement visitor education programs promoting low-impact recreation practices.	Reduce cumulative behavioral disturbance from tourism.
	Post-construction	Monitor large mammal activity patterns (e.g., camera trapping) to detect shifts in behaviour or corridor use.	Inform adaptive management to address emerging impacts.
	Post-construction	Manage tourist flows spatially and temporally (e.g., restrict access during dawn/dusk in sensitive areas).	Minimize disturbance during critical wildlife activity periods.

2. **Mitigation specific to Striped Flufftail.**

The following table outlines recommended mitigation measures to manage potential impacts on Striped flufftail.

Impact Category	Project Phase	Mitigation Measure	Objective
Habitat Loss	Planning & Design	Avoid development in seepage zones and dense fynbos patches known to support Striped Flufftail. Move development sites out of 30 m buffer zone (Sites 2, 3, 5, 26 and 27)	Preserve core breeding and foraging habitat.
Habitat Fragmentation	Planning & Construction	Maintain ecological corridors and a minimum 30 m buffer zone around sensitive wetland microhabitats.	Ensure landscape connectivity and reduce isolation of suitable habitat patches.

Impact Category	Project Phase	Mitigation Measure	Objective
Disturbance from Construction Noise	Construction	Restrict construction near sensitive habitat to the non-breeding season (November-April); limit construction to daylight hours.	Minimize interference with calling, nesting, and foraging activity.
Fire Regime Disruption	Operation & Maintenance	Implement a rotational fire management plan preserving unburned refugia; avoid hot burns in seepage zones.	Sustain habitat structure needed for cover and breeding.
Erosion and Runoff	Construction	Use sediment traps, contour berms, and redirect runoff away from seepage zones during site preparation and construction.	Protect microhabitat quality and prevent siltation of breeding wetlands.
Artificial Lighting	Operation	Install low-intensity, downward-shielded lights and avoid lighting near wetland and dense fynbos zones.	Reduce nocturnal disturbance and preserve natural activity cycles.
Recreational Disturbance from Birdwatchers	Operation	Prohibit the use of playback (acoustic luring) within designated sensitive zones through signage and visitor briefings.	Prevent acoustic stress and disruption to natural calling, breeding, and territory establishment.
Long-Term Monitoring	Operation	Conduct periodic acoustic and camera trap surveys to confirm presence and assess population trends post-construction.	Evaluate effectiveness of mitigation and allow adaptive management.

3. Mitigation specific to amphibians

The following table outlines recommended mitigation measures to manage potential impacts on amphibians.

Impact Category	Project Phase	Mitigation Measure	Objective
Habitat Destruction (Seepage Zones)	Planning & Design	Exclude infrastructure from wetland areas and natural drainage lines; buffer of at least 30 m maintained around any seepage areas.	Protect critical breeding and foraging microhabitats.
Breeding Habitat Degradation	Construction	Avoid any earthworks or vegetation clearance in potential amphibian habitats during the breeding season (late winter to spring).	Prevent loss of egg-laying and tadpole development areas.
Water Quality Impacts	Construction	Prevent chemical and sediment runoff into aquatic habitats by installing erosion controls and avoiding use of herbicides nearby.	Maintain water quality essential for larval development.
Artificial Lighting	Operation	Minimize night lighting near wet zones with motion sensors or full shielding.	Prevent disorientation and alteration of amphibian activity cycles.
Disturbance from Recreation	Operation	Prevent foot traffic, picnicking, or construction of trails through sensitive seepage habitats.	Reduce habitat trampling and stress to frog populations.
Fire Regime Alteration	Operation & Maintenance	Maintain natural fire cycles at appropriate intervals, avoiding hot fires in known wetland/seep areas.	Sustain post-burn recovery of wetland vegetation and invertebrate prey.
Population Monitoring	Operation	Implement seasonal call surveys post-development to detect persistence or declines.	Assess success of mitigation and adjust practices if necessary.

4. Mitigation specific to insects

The following table outlines recommended mitigation measures to manage potential impacts on insects.

Impact Category	Project Phase	Mitigation Measure	Objective
Microhabitat Disturbance	Planning & Construction	Avoid fynbos clearing in known or likely habitat patches (south-facing slopes, grassy mosaics, restio-dominated areas).	Conserve host plants and breeding sites.
Artificial Light Pollution	Operation	Use amber-spectrum or motion-controlled lighting; eliminate unnecessary lights in nocturnal insect habitats.	Reduce disorientation and mortality from light attraction.
Host Plant Loss	Construction	Identify and preserve endemic/restioid host plants during vegetation surveys prior to clearing.	Protect essential larval resources.
Fire Management	Operation & Maintenance	Implement a patch-mosaic burning regime that allows refugia to remain during fire events.	Support insect recolonization and maintain habitat heterogeneity.
Post-development Monitoring	Operation	Conduct seasonal sweep-net surveys and visual assessments to track persistence of species populations.	Verify mitigation effectiveness and inform adaptive management.

ESSENTIAL MITIGATION RECOMMENDED BY HERITAGE SPECIALIST:

Regarding a proposed eco-tourism development on Farms 824, 826 and 887 near Villiersdorp, the following recommendations are made.

1. No archaeological mitigation is required prior to construction excavations commencing.
2. No archaeological monitoring is required.
3. Pending the exposure of significant new fossils (*e.g.* shelly invertebrates, well-preserved trace fossil assemblages) during construction, no further specialist paleontological studies are recommended here and there are no objections on paleontological heritage grounds to authorization of the proposed development (Almond 2024)

SECTION I: FINDINGS, IMPACT MANAGEMENT AND MITIGATION MEASURES

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

The addition of tourism overnight units and associated facilities is proposed. The number of units and number of people remain the same as Alternative 1, however the following changes have been implemented in response to specialist input and comments received during the first round of public participation.

- → Units 6, 26 and 27 have been moved to fall outside of identified sensitive wetland areas, to the satisfaction of the Freshwater Specialist
- → Units 7, 27 and 31 have been moved to avoid sensitive botanical areas and species of conservation concern as recommended by the Botanist.
- → The camp site location at 3A was found to infringe on Striped Flufftail habitat and was moved west and parallel-aligned to the firebreak to avoid impacting this species habitat.
- → The three farm portions will be consolidated and rezoned to Open Space 4 – Nature Reserve. This change responds to concerns from DEA&DP and DOA regarding the impact of loss of Agricultural land. In addition, after extensive consultation with Cape Nature and in response to the unique natural offering of Rusty Gate, the proposal to preserve the site in the long term under a Nature Reserve status, as well as provide a mechanism for connecting the Riviersonderend Mountain Catchment Area and Riviersonderend Nature Reserves was found to have significant positive impacts for the broader area. The option of collaborating with Cape Nature, as the neighbours, provides positive benefits for both parties in the form of consolidated land management and unlocking possible opportunities for eco-tourism and revenue generation on the Cape Nature reserves in the future. The applicant is also in discussion with Cape Nature regarding their Biodiversity Stewardship Programme and adding Rusty Gate as a Stewardship site.

The final preferred alternative, Alternative 3, further evolved after 2 rounds of public participation and sees all expansion activities excluded from the 2 outlying farms and confines all proposed expansion activities to core farm 826 only.

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

The addition of tourism overnight units and associated facilities is proposed. The number of units and number of people are the same in Alternative 1 and 2, however as per the Site Development Plan (See Appendix B), in Alternative 2, units 6, 26 and 27 have been shifted to fall outside of wetland areas. Units 7, 27 and 31 have been shifted to avoid sensitive botanical areas AND the campsite has been moved to avoid sensitive flufftail habitat.

Alternative 2 also sees the consolidation and rezoning to Open Space 4 – Nature Reserve which provides a critical link between the two Riviersonderend Nature Reserves.

The final preferred Alternative then evolved after 2 rounds of out of process public participation and sees all development excluded from the 2 outlying farms, resulting in a more clustered approach with significant ecological benefits in the consolidation and rezoning to Open Space 4 – Private Nature Reserve as well as the linking of the adjacent 2 nature reserves.

ESSENTIAL MITIGATION RECOMMENDED BY FRESHWATER SPECIALIST:

Construction phase

Impact 1 - Disturbance Of Wetland Habitat

- → Clearly demarcate the edge of the development footprint of each accommodation area using Weather-proof markers for the full duration of the construction phase and ensure that construction activities are limited to within the designated area
- → Designate a 20 m setback from the delineated wetland edges for sites 26, 27, 2, 3a, 3b and 28 and the 32 m setback for the remaining sites as a no-go area during the construction phase (i.e. the Setback areas and their associated watercourses must be off-limits to construction workers, vehicles and machinery unless authorised by the Environmental Control Officer (ECO)).

Impact 2 - Alteration of flow regime

- → Mitigation not applicable / required

Impact 3 - Increased sedimentation

- → Limit the construction phase to the dry summer months when rainfall is at its lowest
- → Make use of "stilt" or "pillar and beam" type foundations where the structure of accommodation units will be built on an elevated platform placed on top of the raised pillar/stilt foundations
- → Minimise the time that exposed soils are potentially exposed to the elements (as far as practically possible);
- → Cover all soil, sand and stone stockpiles with plastic sheeting to ensure that the stockpiles are protected from rain.
- → Actively repair any erosion runnels and prevent any sediment-laden run-off from exiting the construction through placement of sandbags or similar; and
- → Immediately after construction of the buildings and associated infrastructure is complete, revegetate any exposed areas with locally occurring indigenous plant species.

Impact 4 - Water quality impairment

- → Undertake the construction project during the dry summer months and ensure that all construction vehicles and machinery cease from operating during the rainy winter period.
- → Make use of "stilt" or "pillar and beam" type foundations where the structure of accommodation units will be built on an elevated platform placed on top of the raised pillar/stilt foundation.
- → Ensure that all construction machinery and vehicles are checked for oil leaks and are in good working order before being permitted onto the development site;
- → Use drip-trays at all times when operating petrochemical driven construction machinery (e.g. generators and cement mixers);
- → Use drip trays and other appropriate containment methods while refuelling of vehicles and machinery;
- → Demarcate an area for the refuelling of machinery and vehicles (this is recommended to be at the existing farm shed);
- → Ensure that hazardous substances and chemicals are stored in a contained, impermeable area which has the capacity to contain at least 110% of the total volume of stored substances.
- → Store cement is a secure weather-proof area (e.g. shipping container) and ensure that used cement bags are placed in plastic bin-bags prior to placement in the on-site solid waste storage area; All cement batching on the site must be undertaken on impermeable and bunded batching boards to ensure cement slurry is contained; and
- → Any cement residues and concrete waste within the construction site must be removed at the end of every working day and disposed of as rubble.

Impact 5 - Loss of biota

- → Clearly demarcate the edge of the development site using weather-proof markers for the full duration of the construction phase;
- → Designate a 20m setback from the delineated wetland edges for sites 26, 27, 2, 3A, 3B and 28 and the 32m setback for the remaining sites as a No-Go area during the construction phase (i.e. the setback areas and their associated watercourses must be off-limits to construction workers, vehicles and machinery unless authorised by the ECO); and
- → Keep construction material stockpiles as far from the wetlands and drainage lines as possible and where possible do not place these immediately upslope of any of the hillslope seeps.

Operational phase

Impact 1 - Alteration of flow regime

- → Collect rainwater off the roofs of the dwellings and store the water in rainwater tanks for domestic use.

Impact 2 - Erosion and Sedimentation

- → Collect rainwater off the roofs of the dwellings and store the water in rainwater tanks for domestic use.

Impact 3 - Water quality impairment

- → Ensure that the conservancy tank is appropriately sized (input should be obtained from a professional civils engineer and the calculation endorsed by the municipality).
- → Formalise an operational agreement between the owner/s and the municipality/3rd party contractor that specifies the timing of tank emptying; and
- → During the operational phase, monitor the site for any odorous liquids possibly being associated with a leaking sewerage system.

Impact 4 - Loss of biota

- → Ensure that the conservancy tank is appropriately sized (input should be obtained from a professional civils engineer and the calculation endorsed by the municipality).
- → Formalise an operational agreement between the owner/s and the municipality/3rd party contractor that specifies the timing of tank emptying; and
- → During the operational phase, monitor the site for any odorous liquids possibly being associated with a leaking sewerage system

ESSENTIAL MITIGATION RECOMMENDED BY BOTANICAL SPECIALIST:

The following mitigation is considered feasible, reasonable and essential, and is factored into this assessment:

- → Alternative 2 and 3 are the preferred development alternative from a botanical perspective, and incorporates changes made to the original Alternative 1 layout.
- → All invasive alien vegetation on the property must be removed within three years of any project approval, using proper methodology (see Martens et al 2021. Annual alien vegetation removal around all new units must be undertaken, so that these sites do not act as sources of alien spread.
- → No plant species that are not locally indigenous may be planted around any of the new units.
- → Rubbish, building rubble and household refuse must not be stored or disposed of outdoors on any of the sites as this may encourage spread of alien invasive Argentine ants. Rubbish and refuse should be kept indoors for responsible disposal later, and building sites should be kept as free of rubble and building material as far as is possible, during construction and operational phases.
- → Firebreaks should be brush cut annually around all isolated units, using handheld brush cutters. These firebreaks should extend from the edge of the building platforms outwards for at least 5m, and this brush cutting will then at least partially simulate regular fires in these areas within 5m of the buildings, whilst minimising likely fire damage to the infrastructure.

ESSENTIAL MITIGATION RECOMMENDED BY FAUNAL SPECIALIST:

1. Move site 3A to the west and parallel-align it to the firebreak to avoid the infringement. This will lower impact to disturbance during construction phase and increased human presence due to tourism activities with the habitat destruction component removed. If this is done the impact could be considered 'medium' and a full impact assessment would not be required – Implemented in the preferred alternative

Mitigation suggestions for nocturnal insect SCC (1-10) and diurnal insect SCC (8-10):

2. Switch lights off when not needed
3. Add timers / sensors to lights
4. Make lights activated by movement
5. Add shields to lights
6. Make lights shine downward, or direct only to where needed
7. Use long wavelength red or amber lights / filtered amber LED, with no blue / minimal green light for outdoor lighted areas
8. A lighting plan should be developed to ensure that the impact of night lights is kept to an absolute minimum
9. Clearing of indigenous fynbos vegetation should be kept to an absolute minimum
10. Avoid the establishment of invasive species
11. Avoid trampling of natural fynbos vegetation surrounding developments

The additional faunal mitigation measures are recommended, organised to address specific types of faunal populations and impacts

12. Reducing potential landscape connectivity and large mammal behavioural impacts

The following table outlines recommended mitigation measures to manage potential impacts on landscape connectivity and large mammal behavioural patterns during all phases of the project.

Impact Category	Project Phase	Mitigation Measure	Objective
Landscape Connectivity	Pre-construction	Locate infrastructure outside CBA1 and ESA1 zones wherever feasible.	Minimize direct habitat loss in critical connectivity zones.
	Pre-construction	Designate and map natural movement corridors prior to finalizing development layout.	Ensure corridors are preserved in planning.
	Construction	Maintain broad undeveloped buffer zones around natural corridors.	Retain functional landscape linkages during construction.
	Construction	Minimize construction footprint and avoid unnecessary vegetation clearance.	Reduce habitat fragmentation.
	Post-construction	Restore temporary construction areas with indigenous vegetation.	Rehabilitate affected habitats and corridor function.
	Post-construction	Incorporate wildlife-friendly fencing designs where fencing is required. Avoid fencing as far as possible	Facilitate safe animal movement across the site.
Animal Behavioural Responses	Pre-construction	Schedule high-disturbance activities (e.g., bulk earthworks) outside of sensitive wildlife periods (e.g., breeding seasons).	Reduce stress on sensitive species before activity begins.
	Construction	Limit noisy or disruptive activities to daylight hours only.	Minimize disturbance to crepuscular and nocturnal species.
	Construction	Establish clear, enforced no-go zones for construction crews within or adjacent to key habitat corridors.	Prevent unintended disturbances near sensitive areas.

	Post-construction	Implement visitor education programs promoting low-impact recreation practices.	Reduce cumulative behavioural disturbance from tourism.
	Post-construction	Monitor large mammal activity patterns (e.g., camera trapping) to detect shifts in behaviour or corridor use.	Inform adaptive management to address emerging impacts.
	Post-construction	Manage tourist flows spatially and temporally (e.g., restrict access during dawn/dusk in sensitive areas).	Minimize disturbance during critical wildlife activity periods.

13. Mitigation specific to Striped Flufftail.

The following table outlines recommended mitigation measures to manage potential impacts on Striped flufftail.

Impact Category	Project Phase	Mitigation Measure	Objective
Habitat Loss	Planning & Design	Avoid development in seepage zones and dense fynbos patches known to support Striped Flufftail. Move development sites out of 30 m buffer zone (Sites 2, 3, 5, 26 and 27)	Preserve core breeding and foraging habitat.
Habitat Fragmentation	Planning & Construction	Maintain ecological corridors and a minimum 30 m buffer zone around sensitive wetland microhabitats.	Ensure landscape connectivity and reduce isolation of suitable habitat patches.
Disturbance from Construction Noise	Construction	Restrict construction near sensitive habitat to the non-breeding season (November-April); limit construction to daylight hours.	Minimize interference with calling, nesting, and foraging activity.
Fire Regime Disruption	Operation & Maintenance	Implement a rotational fire management plan preserving unburned refugia; avoid hot burns in seepage zones.	Sustain habitat structure needed for cover and breeding.
Erosion and Runoff	Construction	Use sediment traps, contour berms, and redirect runoff away from seepage zones during site preparation and construction.	Protect microhabitat quality and prevent siltation of breeding wetlands.
Artificial Lighting	Operation	Install low-intensity, downward-shielded lights and avoid lighting near wetland and dense fynbos zones.	Reduce nocturnal disturbance and preserve natural activity cycles.
Recreational Disturbance from Birdwatchers	Operation	Prohibit the use of playback (acoustic luring) within designated sensitive zones through signage and visitor briefings.	Prevent acoustic stress and disruption to natural calling, breeding, and territory establishment.
Long-Term Monitoring	Operation	Conduct periodic acoustic and camera trap surveys to confirm presence and assess population trends post-construction.	Evaluate effectiveness of mitigation and allow adaptive management.

14. Mitigation specific to amphibians

The following table outlines recommended mitigation measures to manage potential impacts on amphibians.

Impact Category	Project Phase	Mitigation Measure	Objective
Habitat Destruction (Seepage Zones)	Planning & Design	Exclude infrastructure from wetland areas and natural drainage lines; buffer of at least 30 m maintained around any seepage areas.	Protect critical breeding and foraging microhabitats.
Breeding Habitat Degradation	Construction	Avoid any earthworks or vegetation clearance in potential amphibian habitats during the breeding season (late winter to spring).	Prevent loss of egg-laying and tadpole development areas.

Water Quality Impacts	Construction	Prevent chemical and sediment runoff into aquatic habitats by installing erosion controls and avoiding use of herbicides nearby.	Maintain water quality essential for larval development.
Artificial Lighting	Operation	Minimize night lighting near wet zones with motion sensors or full shielding.	Prevent disorientation and alteration of amphibian activity cycles.
Disturbance from Recreation	Operation	Prevent foot traffic, picnicking, or construction of trails through sensitive seepage habitats.	Reduce habitat trampling and stress to frog populations.
Fire Regime Alteration	Operation & Maintenance	Maintain natural fire cycles at appropriate intervals, avoiding hot fires in known wetland/seep areas.	Sustain post-burn recovery of wetland vegetation and invertebrate prey.
Population Monitoring	Operation	Implement seasonal call surveys post-development to detect persistence or declines.	Assess success of mitigation and adjust practices if necessary.

15. Mitigation specific to insects

The following table outlines recommended mitigation measures to manage potential impacts on insects.

Impact Category	Project Phase	Mitigation Measure	Objective
Microhabitat Disturbance	Planning & Construction	Avoid fynbos clearing in known or likely habitat patches (south-facing slopes, grassy mosaics, restio-dominated areas).	Conserve host plants and breeding sites.
Artificial Light Pollution	Operation	Use amber-spectrum or motion-controlled lighting; eliminate unnecessary lights in nocturnal insect habitats.	Reduce disorientation and mortality from light attraction.
Host Plant Loss	Construction	Identify and preserve endemic/restioid host plants during vegetation surveys prior to clearing.	Protect essential larval resources.
Fire Management	Operation & Maintenance	Implement a patch-mosaic burning regime that allows refugia to remain during fire events.	Support insect recolonization and maintain habitat heterogeneity.
Post-development Monitoring	Operation	Conduct seasonal sweep-net surveys and visual assessments to track persistence of species populations.	Verify mitigation effectiveness and inform adaptive management.

ESSENTIAL MITIGATION RECOMMENDED BY HERITAGE SPECIALIST:

Regarding a proposed eco-tourism development on Farms 824, 826 and 887 near Villiersdorp, the following recommendations are made.

4. No archaeological mitigation is required prior to construction excavations commencing.
5. No archaeological monitoring is required.
6. Pending the exposure of significant new fossils (*e.g.* shelly invertebrates, well-preserved trace fossil assemblages) during construction, no further specialist paleontological studies are recommended here and there are no objections on paleontological heritage grounds to authorization of the proposed development (Almond 2024).

3.	List the specialist investigations and the impact management measures that will **not** be implemented and provide an explanation as to why these measures will not be implemented.
N/A	
4.	Explain how the proposed development will impact the surrounding communities.

Employment opportunities during the construction phase will have a positive economic impact on the surrounding communities, skills transfer, investment in the area. Noise, dust, and visual impacts will be experienced by the guests during the Construction Phase. These will be of very low negative significance when mitigation measures are implemented.

5.	Explain how the risk of climate change may influence the proposed activity or development and how has the potential impacts of climate change been considered and addressed.

The expansion of the tourism offering at Rusty Gate is proposed. One major potential aspect is risk of fire. The surrounding natural areas should be managed for and prepared for fire, and appropriate fire breaks applied to reduce the risk to the development areas. As important is allowing for the natural fire regime to persist alongside the development to ensure that the vegetation can persist. Specific considerations have been given to fire management and allowing for the natural fire regime to persist as discussed earlier in the report.

All new development is located sufficiently away from watercourses and drainage lines and therefore risks associated with flooding is negligible.

Renewable energy sources should be encouraged on site, solar power, rainwater harvesting, indigenous landscaping etc.

6.	Explain whether there are any conflicting recommendations between the specialists. If so, explain how these have been addressed and resolved.

N/A

7.	Explain how the findings and recommendations of the different specialist studies have been integrated to inform the most appropriate mitigation measures that should be implemented to manage the potential impacts of the proposed activity or development.

The preferred alternative has evolved in response to recommendations by the specialist team and organs of state input.

The addition of tourism overnight units and associated facilities is proposed. The number of units and number of people remain the same for Alternative 1 and 2, however the following changes were implemented in response to specialist input and comments received during the first round of public participation to result in the previous preferred Alternative 2.

- → Units 6, 26 and 27 have been moved to fall outside of identified sensitive wetland areas, to the satisfaction of the Freshwater Specialist
- → Units 7, 27 and 31 have been moved to avoid sensitive botanical areas and species of conservation concern as recommended by the Botanist.
- → The camp site location at 3A was found to infringe on Striped Flufftail habitat and was moved west and parallel-aligned to the firebreak to avoid impacting this species habitat.
- → The three farm portions will be consolidated and rezoned to Open Space 4 – Nature Reserve. This change responds to concerns from DEA&DP and DOA regarding the impact of loss of Agricultural land. In addition, after extensive consultation with Cape Nature and in response to the unique natural offering of Rusty Gate, the proposal to preserve the site in the long term under a Nature Reserve status, as well as provide a mechanism for connecting the Riviersonderend Mountain Catchment Area and Riviersonderend Nature Reserves was found to have significant positive impacts for the broader area. The option of collaborating with Cape Nature, as the neighbours, provides positive benefits for both parties in the form of consolidated land management and unlocking possible opportunities for eco-tourism and revenue generation on the Cape Nature reserves in the future. The applicant is also in discussion with Cape Nature regarding their Biodiversity Stewardship Programme and adding Rusty Gate as a Stewardship site.

8.	Explain how the mitigation hierarchy has been applied to arrive at the best practicable environmental option.

The best practicable environmental concept for the proposed expansion of the Rusty Gate resort on Farms 824, Farm 826 and 887, Greyton are as follows:

- ✓ Avoidance
- ✓ Minimisation
- ✓ Restoration/rehabilitation

Avoid

Avoiding environmental impacts as far as possible during the construction phase through the implementation of the recommendations of the specialist team, avoiding sensitive areas identified by the specialists which allowed for the evolution of the Final preferred Alternative. In addition to this, Alternative 3 avoids all development on the 2 outlying properties.

Minimise

The mitigation measures set out in the EMPr should aim to ensure that the potential negative construction impacts on the surrounding community are minimised and reduced, as far as possible. The evolution of the layouts allows for the minimisation of the possible impacts.

Restore/rehabilitate

The final preferred layout alternative sees the exclusion of new development on the 2 outlying farms, rezoning to Open Space 4 – Private Natures reserve and the securing of an important ecological link between the 2 Rusty Gate properties which has allowed for the development of a large and protected Ecological corridor which will link the 2 adjacent protected areas. The proposal sees the addition of approximately 290 ha of land towards the broader existing Protected Area.

SECTION J: GENERAL

1. Environmental Impact Statement

1.1.	Provide a summary of the key findings of the EIA.

Through specialist input, it was found that Alternative 1 encroaches into wetland areas and buffer zones and poses risk to these ecosystems on site. In addition, some areas were also identified to contain vegetation of high botanical significance. For this reason, some of the development areas proposed in Alternative 1 have been shifted to fall outside of these areas. Alternative 2 was derived from these layout changes described above. The final preferred Alternative, however, sees development proposed for core Farm 826 only, with no development options proposed for the 2 outlying farms. In addition, the consolidation and rezoning to Open Space 4 (Private Nature Reserve) is also proposed.

1.2.	Provide a map that that superimposes the preferred activity and its associated structures and infrastructure on the environmental sensitivities of the preferred site indicating any areas that should be avoided, including buffers. (Attach map to this BAR as Appendix B2)

See Appendix B and below:

1.3.	Provide a summary of the positive and negative impacts and risks that the proposed activity or development and alternatives will have on the environment and community.

CONSTRUCTION PHASE

Negative impacts:

- → General construction phase impacts
- → Loss of vegetation, loss of SOCC and high sensitivity habitat if preferred alternative is not implemented
- → Risk to watercourses and wetlands if preferred alternative is not implemented
- → Risk of spread of construction activities (trampling, litter, contamination etc)

Positive impacts:

- → Job creation and skills transfer
- → Investment in the area

OPERATIONAL PHASE

Negative impacts of preferred alternative:

- → Risk of sprawl of activities across the farms, i.e. ad hoc footpaths – these need to be managed

Positive impacts:

- → Investment in the area, attraction for the area, local spending, job creation
- → Attraction to the area and opening up access to Rusty Gate as a Unique Resources
- → Serves as an example of low key environmentally conscious development where ecological management is critical to the design. Elements such as allowing for natural fire regimes and prevention of fire suppression are included in the design

- → Collaboration with Cape Nature in the form of linking the Riviersonderend Nature Reserves and including Rusty Gate as a Stewardship site
- → Securing long term protection of the site and surrounds

2. Recommendation of the Environmental Assessment Practitioner ("EAP")

2.1.	Provide Impact management outcomes (based on the assessment and where applicable, specialist assessments) for the proposed activity or development for inclusion in the EMPr

The impact management outcomes included in the EMPr (based on the impact assessment) are as follows:

General

- → Watercourses must be marked as No-Go areas during construction
- → Careful waste management to be implemented, all waste removed from site once construction is complete
- → Operator to ensure that only demarcated cycle tracks and footpaths are used
- → Fire management must be implemented and care must be taken if and when using open fires
- → Existing access roads to be used only

Dust

- → Maintain ground cover for as long as possible to reduce the total surface area exposed to wind.
- → Ensure vehicle speed limits on site are kept to a minimum.
- → Cover fine material stockpiles.
- → Staff to wear correct PPE if dust is generated for long periods.
- → Wet dry and dusty surfaces using non-potable water.

Visual impacts

- → Good housekeeping of construction site and working areas.
- → Screen the visual elements of the site camp with netting.
- → Locate the site camp in a transformed area.

Noise

- → Limit noise levels (e.g. install and maintain silencers on machinery)
- → Provide protective wear for workers i.e. ear plugs.
- → Ensure that construction vehicles and machinery are maintained regularly to reduce noise generation.
- → Work may only take place during normal working hours to limit impact on the guests in other cabins.

Freshwater / Wetland

- → Clearly demarcate the edge of the development footprint of each accommodation area using Weather-proof markers for the full duration of the construction phase and ensure that construction activities are limited to within the designated area
- → Designate a 20 m setback from the delineated wetland edges for sites 26, 27, 2, 3a, 3b and 28 and the 32 m setback for the remaining sites as a no-go area during the construction phase (i.e. the Setback areas and their associated watercourses must be off-limits to construction workers, vehicles and machinery unless authorised by the Environmental Control Officer (ECO)).
- → Limit the construction phase to the dry summer months when rainfall is at its lowest

- → Make use of "stilt" or "pillar and beam" type foundations where the structure of accommodation units will be built on an elevated platform placed on top of the raised pillar/stilt foundations
- → Minimise the time that exposed soils are potentially exposed to the elements (as far as practically possible);
- → Cover all soil, sand and stone stockpiles with plastic sheeting to ensure that the stockpiles are protected from rain;
- → Actively repair any erosion runnels and prevent any sediment-laden run-off from exiting the construction through placement of sandbags or similar; and
- → Immediately after construction of the buildings and associated infrastructure is complete, revegetate any exposed areas with locally occurring indigenous plant species.
- → Undertake the construction project during the dry summer months and ensure that all construction vehicles and machinery cease from operating during the rainy winter period.
- → Make use of "stilt" or "pillar and beam" type foundations where the structure of accommodation units will be built on an elevated platform placed on top of the raised pillar/stilt foundation.
- → Ensure that all construction machinery and vehicles are checked for oil leaks and are in good working order before being permitted onto the development site;
- → Use drip-trays at all times when operating petrochemical driven construction machinery (e.g. generators and cement mixers);
- → Use drip trays and other appropriate containment methods while refuelling of vehicles and machinery;
- → Demarcate an area for the refuelling of machinery and vehicles (this is recommended to be at the existing farm shed);
- → Ensure that hazardous substances and chemicals are stored in a contained, impermeable area which has the capacity to contain at least 110% of the total volume of stored substances.
- → Store cement is a secure weather-proof area (e.g. shipping container) and ensure that used cement bags are placed in plastic bin-bags prior to placement in the on-site solid waste storage area; All cement batching on the site must be undertaken on impermeable and bunded batching boards to ensure cement slurry is contained; and
- → Any cement residues and concrete waste within the construction site must be removed at the end of every working day and disposed of as rubble.
- → Clearly demarcate the edge of the development site using weather-proof markers for the full duration of the construction phase;
- → Designate a 20m setback from the delineated wetland edges for sites 26, 27, 2, 3A, 3B and 28 and the 32m setback for the remaining sites as a No-Go area during the construction phase (i.e. the setback areas and their associated watercourses must be off-limits to construction workers, vehicles and machinery unless authorised by the ECO); and
- → Keep construction material stockpiles as far from the wetlands and drainage lines as possible and where possible do not place these immediately upslope of any of the hillslope seeps.
- → Collect rainwater off the roofs of the dwellings and store the water in rainwater tanks for domestic use.
- → Ensure that the conservancy tank is appropriately sized (input should be obtained from a professional civils engineer and the calculation endorsed by the municipality).
- → Formalise an operational agreement between the owner/s and the municipality/3rd party contractor that specifies the timing of tank emptying; and
- → During the operational phase, monitor the site for any odorous liquids possibly being associated with a leaking sewerage system.

Botanical / Ecological

- → Alternative 2 (and3) are the preferred development alternative from a botanical perspective, and incorporates changes made to the original Alternative 1 layout.

- → All invasive alien vegetation on the property must be removed within three years of any project approval, using proper methodology (see Martens et al 2021). Annual alien vegetation removal around all new units must be undertaken, so that these sites do not act as sources of alien spread.
- → No plant species that are not locally indigenous may be planted around any of the new units.
- → Rubbish, building rubble and household refuse must not be stored or disposed of outdoors on any of the sites as this may encourage spread of alien invasive Argentine ants. Rubbish and refuse should be kept indoors for responsible disposal later, and building sites should be kept as free of rubble and building material as far as is possible, during construction and operational phases.
- → Firebreaks should be brush cut annually around all isolated units, using handheld brush cutters. These firebreaks should extend from the edge of the building platforms outwards for at least 5m and can extended to 10 m, and this brush cutting will then at least partially simulate regular fires in these areas within 5m of the buildings, whilst minimising likely fire damage to the infrastructure.

Faunal

- → Move site 3A to the west and parallel-align it to the firebreak to avoid the infringement. This will lower impact to disturbance during construction phase and increased human presence due to tourism activities with the habitat destruction component removed. If this is done the impact could be considered 'medium' and a full impact assessment would not be required – Implemented in the preferred alternative
- → Mitigation suggestions for nocturnal insect SCC (1-10) and diurnal insect SCC (8-10):
    - Switch lights off when not needed
    - Add timers / sensors to lights
    - Make lights activated by movement
    - Add shields to lights
    - Make lights shine downward, or direct only to where needed
    - Use long wavelength red or amber lights / filtered amber LED, with no blue / minimal green light for outdoor lighted areas
    - A lighting plan should be developed to ensure that the impact of night lights is kept to an absolute minimum
    - Clearing of indigenous fynbos vegetation should be kept to an absolute minimum
    - Avoid the establishment of invasive species
    - Avoid trampling of natural fynbos vegetation surrounding developments
- → Locate infrastructure outside CBA1 and ESA1 zones wherever feasible.
- → Designate and map natural movement corridors prior to finalizing development layout.
- → Maintain broad undeveloped buffer zones around natural corridors.
- → Minimize construction footprint and avoid unnecessary vegetation clearance.
- → Restore temporary construction areas with indigenous vegetation.
- → Incorporate wildlife-friendly fencing designs where fencing is required. Avoid fencing as far as possible
- → Schedule high-disturbance activities (e.g., bulk earthworks) outside of sensitive wildlife periods (e.g., breeding seasons).
- → Limit noisy or disruptive activities to daylight hours only.
- → Establish clear, enforced no-go zones for construction crews within or adjacent to key habitat corridors.
- → Implement visitor education programs promoting low-impact recreation practices.
- → Monitor large mammal activity patterns (e.g., camera trapping) to detect shifts in behaviour or corridor use.
- → Manage tourist flows spatially and temporally (e.g., restrict access during dawn/dusk in sensitive areas).
- → Avoid development in seepage zones and dense fynbos patches known to support Striped Flufftail. Move development sites out of 30 m buffer zone (Sites 2, 3, 5, 26 and 27)
- → Maintain ecological corridors and a minimum 30 m buffer zone around sensitive wetland microhabitats.

- → Restrict construction near sensitive habitat to the non-breeding season (November-April); limit construction to daylight hours.
- → Implement a rotational fire management plan preserving unburned refugia; avoid hot burns in seepage zones.
- → Use sediment traps, contour berms, and redirect runoff away from seepage zones during site preparation and construction.
- → Install low-intensity, downward-shielded lights and avoid lighting near wetland and dense fynbos zones.
- → Prohibit the use of playback (acoustic luring) within designated sensitive zones through signage and visitor briefings.
- → Conduct periodic acoustic and camera trap surveys to confirm presence and assess population trends post-construction.
- → Exclude infrastructure from wetland areas and natural drainage lines; buffer of at least 30 m maintained around any seepage areas.
- → Avoid any earthworks or vegetation clearance in potential amphibian habitats during the breeding season (late winter to spring).
- → Prevent chemical and sediment runoff into aquatic habitats by installing erosion controls and avoiding use of herbicides nearby.
- → Minimize night lighting near wet zones with motion sensors or full shielding.
- → Prevent foot traffic, picnicking, or construction of trails through sensitive seepage habitats.
- → Maintain natural fire cycles at appropriate intervals, avoiding hot fires in known wetland/seep areas.
- → Implement seasonal call surveys post-development to detect persistence or declines.
- → Avoid fynbos clearing in known or likely habitat patches (south-facing slopes, grassy mosaics, restio-dominated areas).
- → Use amber-spectrum or motion-controlled lighting; eliminate unnecessary lights in nocturnal insect habitats.
- → Identify and preserve endemic/restioid host plants during vegetation surveys prior to clearing.
- → Implement a patch-mosaic burning regime that allows refugia to remain during fire events.
- → Conduct seasonal sweep-net surveys and visual assessments to track persistence of species populations.

Heritage

- → No archaeological mitigation is required prior to construction excavations commencing
- → No archaeological monitoring is required
- → Pending the exposure of significant new fossils (e.g. shelly invertebrates, well-preserved trace fossil assemblages) during construction, no further specialist paleontological studies are recommended here and there are no objections on paleontological heritage grounds to authorization of the proposed development (Almond 2024)

Additional

- → An integrated Fire and Alien management plan must be drafted as a condition of authorisation
- → Fire must not be excluded from the development and must be allowed to burn up to the units
- → The option of Stewardship must be implemented as guided by Cape Nature

2.2.	Provide a description of any aspects that were conditional to the findings of the assessment either by the EAP or specialist that must be included as conditions of the authorisation.

- → The implementation of the mitigation measures recommended by the specialists and as included in the EMP, must be conditional.
- → The consolidation and rezoning to Open Space 4 and the pursuing of a Stewardship Agreement / similar with Cape Nature

2.3.	Provide a reasoned opinion as to whether the proposed activity or development should or should not be authorised, and if the opinion is that it should be authorised, any conditions that should be included in the authorisation.

It is the opinion of the EAP that:

- → The development will not pose any negative impacts of critical significance. All potential impacts will be mitigated to minimise the significance on the surrounding environment to an acceptable level.
- → The project is in line with International, National, Provincial and Municipal legislation and policy.
- → The considerations in terms of the Western Cape Rural Development Guidelines have been contemplated and applied where applicable for this application.
- → The considerations relating to fire management and allowing for the persistence of the natural fire regime to continue, have been addressed herein.
- → The motivation for a sprawled vs clustering approach has been discussed at length in the BAR and no obvious reason has become evident as to why the proposal should not be considered as presented in layout Alternative 3
- → The evolution and assessment of alternatives has been implemented in line with the NEMA and EIA regulations and addresses concerns previously raised.
- → The ecological gain of connecting the two arms of the Riviersonderend Nature Reserve and MCA is significant and will be a noteworthy win for ecological connectivity in the area.
- → The proposed rezoning and Stewardship agreement will ensure long term protection of this ecologically significant and strategically placed property.
- → The benefits of implementing the preferred alternative are significant on a socio-economic and well as ecological scale benefiting both the local and broader areas.
- → The Basic Assessment Report contains sufficient information to allow DEA&DP to make an informed decision.

Therefore, provided that the specified mitigation measures stated herein are effectively implemented, it is recommended that the project receive Environmental Authorisation in terms of the EIA Regulations promulgated under the National Environmental Management Act (Act 107 of 1998, as amended).

2.4.	Provide a description of any assumptions, uncertainties and gaps in knowledge that relate to the assessment and mitigation measures proposed.

N/A

2.5.	The period for which the EA is required, the date the activity will be concluded and when the post construction monitoring requirements should be finalised.

The EA should be valid for a period of at least 10 years. The portion of the Environmental Authorisation that deals with operational aspects should be open-ended.

3. Water

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

- → Rusty Gate has existing and legal rights in terms of the National Water Act.
- → The prefabricated design of the units means that water requirements for construction are limited when compared with conventional building methodologies
- → Design elements will encourage water wise use (dual flush toilets, low flow shower heads etc.)
- → No landscaping or exotic gardens will be implemented

→ Rainwater harvesting will be used for operations. This will be supplemented by onsite borehole if required.

4. Waste

Explain what measures have been taken to reduce, reuse or recycle waste.
→ The ethos of the expansion relates to a low impact, touch the earth lightly approach. → On site provisions for wate segregation will be implemented and encouraged

5. Energy Efficiency

8.1.	Explain what design measures have been taken to ensure that the development proposal will be energy efficient.
PV / solar power will be fitted to the units, they will not be connected to Eskom.	

SECTION K: DECLARATIONS

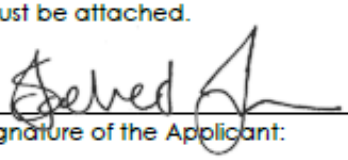
DECLARATION OF THE APPLICANT

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

I **Stefanus Johannes de Wet Fourie**, ID number **720127 5032081** in my personal capacity or duly authorised thereto hereby declare/affirm that all the information submitted or to be submitted as part of this application form is true and correct, and that:

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

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



Signature of the Applicant: Date: 15 May 2025

Rusty Gate Mountain Retreat (Pty) Ltd, Reg No: 2006/019364/07

Name of company (if applicable):

DECLARATION OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER ("EAP")

I **MICHELLE NAYLOR** EAPASA Registration number **2019/698** as the appointed EAP hereby declare/affirm the correctness of the:

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

14/05/2025

Signature of the EAP: Date:

Lornay Environmental Consulting

Name of company (if applicable):

DECLARATION OF THE REVIEW EAP

I……, EAPASA Registration number …… as the appointed Review EAP hereby declare/affirm that:

- I have reviewed all the work produced by the EAP;
- I have reviewed the correctness of the information provided as part of this Report;
- I meet all of the general requirements of EAPs as set out in Regulation 13 of the NEMA EIA Regulations;
- I have disclosed to the applicant, the EAP, the specialist (if any), the review specialist (if any), the Department and I&APs, all material information that has or may have the potential to influence the decision of the Department or the objectivity of any Report, plan or document prepared as part of the application; and
- I am aware that a false declaration is an offence in terms of Regulation 48 of the NEMA EIA Regulations.

Signature of the EAP: Date:

Name of company (if applicable):

Lornay Environmental Consulting

DECLARATION OF THE SPECIALIST

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

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

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

Jonathan Kaplan — 15 May 2025

Signature of the EAP: Date:

Agency for Cultural Resource Management

Name of company (if applicable):

Lornay Environmental Consulting

DECLARATION OF THE SPECIALIST

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

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

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

Signature of the EAP: Date: 15.05.25

EnviroSwift Western Cape

Name of company (if applicable):

Lornay Environmental Consulting

DECLARATION OF THE SPECIALIST

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

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

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

15 May 2025

Signature of the Specialist — Date:

Nick Helme Botanical Surveys

Name of company (if applicable):

DECLARATION OF THE REVIEW SPECIALIST

I ....., as the appointed Review Specialist hereby declare/affirm that:

- I have reviewed all the work produced by the Specialist(s):
- I have reviewed the correctness of the specialist information provided as part of this Report;
- I meet all of the general requirements of specialists as set out in Regulation 13 of the NEMA EIA Regulations;
- I have disclosed to the applicant, the EAP, the review EAP (if applicable), the Specialist(s), the Department and I&APs, all material information that has or may have the potential to influence the decision of the Department or the objectivity of any Report, plan or document prepared as part of the application; and
- I am aware that a false declaration is an offence in terms of Regulation 48 of the NEMA EIA Regulations.

Signature of the EAP: Date:

Name of company (if applicable):