



SANPARKS

**Proposed Upgrading of Buffels Bay Recreational Area,
Table Mountain National Park**

FINAL SCOPING REPORT

Report No. 305967/7bb

November 2004

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Report No. 305967/7bb

November 2004

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Executive Summary

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Proposed Upgrading of Buffels Bay Recreational Area, Table Mountain National Park

1 INTRODUCTION

1.1 Background

South African National Parks (SANParks) is proposing to upgrade the existing Buffels Bay Recreational Area. Buffels Bay has been utilised as a picnic and braai area for many years. Under the old Separate Amenities Act, the Buffels Bay site was used for picnicking by “white” communities and the nearby Bordjiesrif site for “non-white” communities. Since these laws were abolished, both sites continued to serve as picnic areas. SANParks is however of the opinion that two separate picnic sites in such close proximity are unnecessary and want to upgrade and improve the facilities at Buffels Bay, which are currently poorly planned and unsightly. Simultaneously they are proposing to use Bordjiesrif for educational purposes (assessed in a separate application). The location of Buffels Bay is indicated in [Figure 1.1](#).

SRK Consulting (SRK) has been appointed by SANParks to undertake the required Environmental Impact Assessment (EIA) process for the proposed upgrade of the Buffels Bay Recreational Area.



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Figure 1.1: Location Plan of Buffels Bay

1.2 Project History

When SANParks first proposed the establishment of an Environmental Experiential Centre at Bordjiesrif, in May 2002, it was decided that Buffels Bay Recreational Area should be upgraded to accommodate the current users of the picnic facilities at Bordjiesrif. SRK was appointed by SANParks to manage and co-ordinate an integrated planning process and to undertake the required Environmental Impact Assessment (EIA) and public consultation process for both the Buffels Bay and Bordjiesrif projects.

The initial study commenced with the compilation of a Site Analysis Report. This report identified opportunities and constraints for the development and upgrading of the Buffels Bay and Bordjiesrif areas. A number of specialist studies were undertaken to inform the analysis, including geotechnical, vegetation, archaeological and visual assessments. The Site Analysis Report was released for public review and comments received were used to inform the next phase of the project, which entailed the preparation of design guidelines for both areas.

Then, in March 2003, SANParks requested that the professional team put the project on hold while internal decisions were made regarding the Bordjiesrif project. During this review process, TMNP conducted an internal re-evaluation of the proposed projects. Initial investigations highlighted the need to upgrade certain facilities at Buffels Bay, regardless of whether the proposed activities at Bordjiesrif were carried out or not. It was therefore agreed that the applications for the Buffels Bay and Bordjiesrif projects should be separated, as these no longer required the same level of assessment.

It was also agreed that Bordjiesrif should be upgraded and preferably used for educational purposes; the appropriate intensity of use of the site was the topic of some discussion.

Consequently, a new Application and Scoping Checklist for Buffels Bay was submitted to the Department of Environmental Affairs and Development Planning (DEA&DP) on 23 April 2004. In addition, a revised Plan of Study for Scoping was also submitted to DEA&DP on 09 February 2004 ([Appendix A](#)).

SRK is also currently managing a separate EIA process for the proposed Environmental Experiential Centre at Bordjiesrif.

1.3 Legal Requirements

There are a number of regulatory requirements at local, provincial and national level to which SANParks' proposed facilities will have to conform. A brief summary of the Acts which are relevant to this study are outlined below.

Note that other legislative requirements may pertain to the proposed development, but identification and interpretation of these is beyond the brief of this study. As such, the list provided below is not intended to be definitive or exhaustive and serves to highlight key environmental legislation and obligations only.

1.3.1 The Environment Conservation Act (Act No. 73 of 1989)

The Environment Conservation Act (Act No. 73 of 1989) makes provision for the identification and assessment of activities that are potentially detrimental to the environment and which require authorisation from the relevant authorities based on the findings of an environmental assessment. Activities identified in the EIA Regulations¹ include:

1. The construction, erection or upgrading of –
 - (e) marinas, harbours and all structures below the high water mark of the sea
 - (m) public and private resorts and associated infrastructure.

The environmental assessment process stipulated in the EIA Regulations is divided into a number of phases. Initially a Scoping Study, including public consultation, is completed to determine whether there are any significant environmental issues associated with the proposed activity. Should the findings of the Scoping Study indicate that there are no significant issues that require detailed assessment or that the issues identified can be effectively managed and the authorities are of the opinion that sufficient information has been provided, a Record of Decision (RoD) will be issued by the relevant authority. However, should the Scoping Study indicate that there are potentially significant environmental impacts associated with the proposed activity and the authorities require more information, they will request that a full EIA be undertaken.

The Environment Conservation Act also makes provision for appeal against any decision issued by the relevant authorities². In terms of the Regulations, appeals have to be lodged with the national Minister of Environmental Affairs, in writing, within thirty days of the issue of the Record of

¹ G.N. No. R1182, September 1997. Promulgated in terms of Section 21 of the Environment Conservation Act 73 of 1989.

Decision. In terms of the EIA Regulations, the provincial authority must refer the application to the national Department of Environmental Affairs and Tourism (DEAT) if the proposed activity takes place within an area of national importance, such as a National Park. DEAT may delegate decision-making authority back to the provincial authorities.

Legal requirements for SANParks

The upgrading of existing resort facilities and associated infrastructure constitutes a listed activity in terms of the Environment Conservation Act. SANParks is consequently obligated in terms of Sections 21, 22 and 26 of the Act to conform to the EIA Regulations. SANParks have appointed SRK Consulting as independent consultants to manage the EIA process. As the site is situated in a National Park, the application was referred to national DEAT, who have delegated authority back to the provincial department, the Department of Environmental Affairs and Development Planning (DEA&DP).

1.3.2 National Environmental Management Act (Act No. 108 of 1998)

The National Environmental Management Act (NEMA, Act No. 108 of 1998) establishes a set of principles, which all authorities (organs of State) have to consider when exercising their powers, for example during the granting of permits. These include the following:

- Development must be sustainable;
- Pollution must be avoided or minimised and remedied;
- Waste must be avoided or minimised, reused or recycled;
- Negative impacts must be minimised;
- Responsibility for the environmental consequences of a policy, project, product or service applies throughout its life cycle.

Section 24 of the Act states that all activities that may significantly affect the environment and require authorisation by law must be assessed prior to approval. The Act goes on to list the requirements for assessment:

- The environment likely to be affected by the activity and viable alternatives;
- Cumulative effects and their potential significance;
- Mitigation measures including the “no go” option.

² Section 35 (3)

Section 28(1) states that “every person who causes, has caused or may cause significant pollution or degradation of the environment must take reasonable measures to prevent such pollution or degradation from occurring, continuing or recurring”. If such degradation/pollution cannot be prevented, then appropriate measures must be taken to minimise or rectify such pollution. These measures may include:

- Assessing the impact on the environment;
- Informing and educating employees about the environmental risks of their work and ways of minimising these risks;
- Ceasing, modifying or controlling actions which cause pollution/degradation;
- Containing pollutants or preventing movement of pollutants;
- Eliminating the source of pollution; and
- Remedying the effects of the pollution.

The authorities may direct an industry to rectify or remedy a potential or actual problem. If such a directive is not complied with, the authorities may undertake the work and recover the costs from the responsible party.

Legal Requirements for SANParks

SANParks has a responsibility to ensure that the proposed activity and the EIA process conform to the principles of NEMA. SANParks is obliged to take actions to prevent pollution or degradation of the environment in terms of Section 28 of NEMA.

1.3.3 The National Heritage Resources Act (Act No. 25 of 1999)

The protection and management of South Africa’s heritage resources are controlled by the National Heritage Resources Act (Act No. 25 of 1999). The enforcing authority for this act is the South African National Heritage Resources Agency (SAHRA). In the Western Cape, SAHRA have delegated this authority to Heritage Western Cape (HWC).

In terms of the Act, historically important features such as graves, trees, archaeology and fossil beds are protected. Similarly, culturally significant symbols, spaces and landscapes are also afforded protection. In terms of Section 38 of the National Heritage Resources Act, SAHRA and/or HWC can call for a Heritage Impact Assessment (HIA) where certain categories of development are proposed. The Act also makes provision for the assessment of heritage impacts as part of an EIA process and indicates that if such an assessment is deemed adequate, a separate HIA is not required.

Legal Requirements for SANParks

According to the National Heritage Resources Act (Section 38(8)), such an assessment has to meet the requirements of the relevant heritage authority. With SAHRA no longer having jurisdiction over provincial and local heritage sites, HWC will be consulted to determine whether heritage-related requirements have been met.

1.3.4 The National Water Act, 1998 (Act No. 36 of 1998)

Water use is controlled by the National Water Act (Act No. 36 of 1998). The enforcing authority is the Department of Water Affairs and Forestry (DWAF). The National Water Act recognises that water is a scarce resource in South Africa and its provisions are aimed at achieving sustainable use of water to the benefit of all users. The provisions of the Act are thus aimed at discouraging pollution and waste of water resources.

In terms of the Act, a land user, owner or occupier of land where an activity occurs that causes or has the potential to cause pollution of a water resource, has a duty to prevent pollution from occurring³. Non-compliance with this provision constitutes a criminal offence.

Water use has been specifically defined in the Act and can be broadly summarised as the abstraction, consumption and discharge of water⁴. Use of water includes:

- The discharge of water containing waste into a water resource;
- The disposal of water containing waste from an industrial process in any manner; and
- Impeding or diverting the flow of water in watercourse⁵.

The use of water, as described above, requires a license unless a General Authorisation is issued. A General Authorisation⁶ has been issued for the discharge of water containing waste into a water resource providing it:

- It conforms to a required standard;
- The volume is less than 2000m³/day; and
- The discharge is registered with DWAF.

³ Section 19

⁴ Section 21

⁵ Section 21 (f), (h) and (c)

⁶ GNR 20526 8 October 1999, General Authorisations in Terms of Section 39 of the National Water Act 36 of 1998, Schedule 3.

Legal Requirements for SANParks

The proposed development would produce less than 2000m³/day of waste water. As such, the provisions of the General Authorisation apply but the proposed discharge would need to be registered with DWAF. The waste water would have to comply with the General Authorisation in terms of section 39 of the National Water Act, Section 21 (e).

1.3.5 Sea-Shore Act (Act No. 21 of 1935)

The Sea-Shore Act (Act No. 21 of 1935) is administered by national DEAT. Most of the provisions of the Sea-Shore Act, however, have been assigned to the coastal provinces, including the section empowering the letting of the sea and sea-shore.

The sea-shore is defined by the Act as: “the water and the land between the low-water mark (LWM) and the high-water mark (HWM).” Alienation of the sea and sea-shore area is prohibited by the Act, but it does stipulate a number of activities for which the area may be leased by the Minister (Premier of the coastal province).

An important proviso qualifies these various items by stipulating “...that in the opinion of the Minister such letting either is in the interests of the general public or will not seriously affect the general public’s enjoyment of the sea and sea-shore.”

Legal Requirements for SANParks:

According to the ‘Review of the legal framework applicable to the development of an integrated environmental management system for the CPNP and the CPPNE’ by Cliff Dekker Fuller Moore Inc. (2000), SANParks are excluded from the scope of the Sea-Shore Act in terms of the National Parks Act (Act No. 57 of 1976): “...the act’s scope of operation is excluded from the CPNP in terms of the National Parks Act...” (2000:88).

1.3.6 Marine Living Resources Act (Act No. 18 of 1998)

This act governs the conservation of marine ecosystems, the long-term sustainable utilization of marine living resources and the orderly access to exploitation, utilization and protection of certain marine living resources in South Africa. It provides for the declaration of marine protected areas; for the protection of fauna, flora and the physical features on which they depend; for fisheries management by protecting spawning stock, allowing stock recovery, enhancing stock abundance in adjacent areas and providing pristine communities for research.

The study area falls wholly within the Table Mountain National Park Marine Protected Area, as defined in the Act and more specifically the study area falls into a “controlled zone” and abuts onto the southern edge of the proposed Karbonkelberg “sanctuary zone”.

The purpose of the Controlled Zone (the rest of the Cape Peninsula Marine Protected Area [MPA]) is to allow controlled and monitored exploitation of marine species that is consistent with the objectives of the MPA. Holders of valid commercial, recreational and subsistence fishing permits are permitted to fish in the controlled zone but all other restriction applicable to marine protected in South Africa are applicable in this area, namely that no person may:

- take or destroy any fauna and flora other than fish;
- dredge, extract sand or gravel, discharge or deposit waste or any other polluting matter, or in any way disturb, alter or destroy the natural environment;
- construct or erect any building or other structure on or over any land or water within such a marine protected area; or
- carry on any activity which may adversely impact on the ecosystems of that area, unless he/she has been given permission to do so by the Minister of Environmental Affairs.

Legal Requirements for SANParks:

In addition to completing the EIA, a special application will have to be made to the Minister, DEAT, in respect of any construction below the high water mark (e.g. in the tidal pool) or any activities associated with the project that might disturb marine life in the MPA.

1.3.7 National Forests Act (Act No. 84 of 1998)

The purpose of the National Forests Act (Act No. 84 of 1998) is primarily to promote the sustainable use of forests (whether indigenous or plantation forests) to the benefit of all South Africans. Of particular relevance is the protection of indigenous trees and natural forests as set out in Chapter 3: Special Measures to Protect Forests and Trees.

According to the act no person may cut, disturb, damage or destroy any indigenous living tree, or remove or receive any such tree from, a natural forest or protected forest areas except in terms of a license issued by the Minister. The act also gives power to the Minister to declare any single tree, group of trees, woodland or certain tree species as protected.

Legal requirements for SANParks

The site contains some indigenous trees including the protected Milkwood (*Sideroxylon inerme*). SANParks may not cut, disturb, damage or destroy any Milkwood trees without first obtaining a license to do so from the Minister of Environmental Affairs.

1.4 Approach

The general approach to this study has been guided by the principles of Integrated Environmental Management (IEM). In accordance with the Integrated Environmental Management Guidelines (DEAT, 1992), an open, transparent approach, which encourages accountable decision-making, has been adopted. The twelve underpinning principles of IEM require:

- informed decision making;
- accountability for information on which decisions are made;
- a broad interpretation of the term “environment”;
- an open participatory approach in the planning of proposals;
- consultation with interested and affected parties;
- due consideration of alternative options;
- an attempt to mitigate negative impacts and enhance positive impacts of proposals;
- an attempt to ensure that the social costs of development proposals are outweighed by the social benefits;
- democratic regard for individual rights and obligations;
- compliance with these principles during all stages of the planning, implementation and decommissioning of proposals; and
- the opportunity for public and specialist input in the decision-making process.

In accordance with these principles, an additional ‘integrated planning’ phase was conducted prior to the commencement of the formal EIA.

The study has also been guided by the requirements of the EIA Regulations set out in terms of the Environment Conservation Act (Act No. 73 of 1989) and NEMA (Act No 107 of 1998). The EIA Regulations, which are more specific in their focus, define the specific approach to the EIA process. As indicated, the EIA process consists of two phases, which are outlined in [Figure 1.2](#). Currently, Scoping is being undertaken. The overall aim of the Scoping Phase is to determine whether there are environmental issues and impacts associated with proposed development that require further

investigation in an EIA. However, if during the Scoping phase it can be clearly demonstrated that the potential impacts do not require further investigation then a decision concerning the proposed activity can be made without undertaking an EIA.

In this respect the study has also been guided by the EIA Regulations Guideline Document (1998) which states that the relevant authority must "...try to keep the inputs required from the applicant to the minimum that are necessary to make an informed decision".

The Scoping Study was undertaken in accordance with the Plan of Study for Scoping submitted to DEA&DP on 9 February 2004 and accepted by DEA&DP on 24 May 2004 ([Appendix A](#)). The Scoping Study has been designed to meet the following objectives:

- Identify any additional stakeholders (besides those already registered) and inform all stakeholders of the proposed activity and the EIA process;
- Identify any issues and concerns associated with the proposed upgrade of the Buffels Bay Recreational Area;
- Produce a Scoping Report which will help DEA&DP to decide whether (and under what conditions) to authorise the project, and
- Identify areas of likely impact and environmental issues (if any) that may require further investigation in an EIA.

Figure 1.2: The EIA Process

The activities that were undertaken during the Scoping Phase are outlined in [Table 1.1](#) below.

Table 1.1 Scoping Phase Activities

| TASK | OBJECTIVES | REFERENCE |
|--|--|----------------------------------|
| Submit Application and Scoping Checklist and Plan of Study for Scoping | To inform the authorities of the proposed Scoping process and gain their input on the proposed process. | Appendix A |
| Advertise (re)commencement of EIA process | To notify Interested and Affected Parties (IAPs) of the recommencement of the EIA process. | Appendix E |
| Distribute Project Update Pamphlet | To re-establish contact with existing IAPs and to provide them with some background information and explanation regarding the status of the application. | Appendix F |
| Compile Draft Scoping Report (DSR) | To provide a description of the proposed activity, alternatives and the affected environment, as well as a description of potential environmental issues | – |
| Release DSR for public comment to registered stakeholders | To provide stakeholders with the opportunity to review the draft report and comment. | Appendix D and H |
| Compile Final Scoping Report (FSR) | To revise the Draft Report based on comments received. | |

Note that comments submitted in terms of the previous (joint Bordjiesrif and Buffels Bay) proposal have been incorporated into the current respective EIA processes.

*Note too that the Draft Scoping Report did not explicitly explain the facilities around the tidal pool, which will accommodate the toilet block and management facilities (e.g. small office and storage facilities). The area will also serve as tourists / activity meeting area. The Draft Scoping Report incorrectly indicated (in response to a question from an IAP) that the offices had been removed from the design. These facilities have been described in greater detail in this Final Report but are **not expected to have any additional significant impact.***

1.5 Assumptions and Limitations

This report assumes that:

- Information provided by specialists and the proponent is accurate;
- The design information provided is sufficient for the purposes of this report; and
- SANParks will implement the recommendations contained in this report.

1.6 Structure of Report

This report describes the proposed project and its context, details the public participation process followed and presents the results of the Scoping Study.

Chapter 1: Introduction

Provides an introduction to the proposed project, briefly describes some of the legal requirements and outlines the approach to the study.

Chapter 2: Project Motivation and Description

Provides the motivation for the project and gives a description of the proposed upgrade and the project alternatives.

Chapter 3: Description of the Affected Environment

Briefly describes the biophysical and socio-economic aspects of the receiving environment.

Chapter 4: Public Consultation

Details the approach followed for the public consultation process and summarises all the issues and concerns raised by stakeholders to date.

Chapter 5: Identification of Impacts and Preliminary Assessment

Summarises the environmental issues/ potential impacts associated with the proposed upgrade. It goes on to give a preliminary assessment of the potential impacts with suggested mitigation measures.

Chapter 6: Findings and Recommendations

Concludes the Scoping Study, makes recommendations and outlines the way forward.

2 PROJECT MOTIVATION AND DESCRIPTION

SANParks has identified the need to modernise and upgrade the facilities in the Buffels Bay Recreational Area. This chapter provides SANParks motivation for the upgrade and a description of the proposed project.

2.1 Project motivation

The picnic facilities at Buffels Bay are currently poorly planned and unsightly. As a result of the apartheid planning legacy, there is a duplication of picnic and braai facilities at the nearby Bordjiesrif site. SANParks feel that two picnic sites in such close proximity are no longer required and have identified Buffels Bay as the appropriate site for a picnic / braai recreational area.

Additionally, SANParks, through a separate EIA process, are also exploring various alternatives for an environmental education centre at the Bordjiesrif site. If one of these alternatives is approved, public users of the picnic sites at Bordjiesrif would need to be accommodated at an alternative location. If the Buffels Bay Recreational Area is upgraded it would be able to accommodate these users. However, even if the proposed Bordjiesrif educational centre did not go ahead; there would still be a need to upgrade the facilities at Buffels Bay due to the fact that it has been developed in an ad hoc manner, which has resulted in a poor layout and inappropriately sited facilities.

The proposed upgrade provides the opportunity to modernise facilities and remove existing, inappropriately sited facilities at Buffels Bay. The upgrade will be confined to the existing footprint and while it will be upgraded, it will not be extended. Additionally, portions of the existing footprint would be rehabilitated, thus reducing the overall footprint area.

2.2 Site Analysis within the Buffels Bay Recreational Area

In the preliminary stages of the EIA, SRK in conjunction with the project team undertook an analysis of the Buffels Bay site. A number of specialist studies were undertaken to inform the analysis, including geotechnical, vegetation, archaeological and visual investigations. The conclusions of Site Analysis Report with regard to Buffels Bay indicated that:

- The upgrading of the Buffels Bay site should be restricted to those areas already disturbed;
- Any new picnic sites should be located downwind of fire buffers;

- Care should be taken that the shell middens on the northern end of the site are not disturbed in any way; and
- Trial excavation must be undertaken before any major earthworks are done.

A full copy of the Site Analysis Report, which provides details regarding the assessment, is provided in [Appendix C](#).

2.3 Project Description

2.3.1 Site Description

The Buffels Bay recreational area is situated along the south-eastern coastline of the Table Mountain National Park, just south of the Bordjiesrif site and to the south east of the Buffelsfontein Visitors Centre. Existing infrastructure at Buffels Bay includes:

- Internal access roads;
- Asphalt parking areas;
- A boat launching ramp;
- A tidal pool;
- Braai sites, including inappropriately located sites directly on the rocky shore;
- A toilet block and associated septic tank as well as temporary toilet facilities; and
- Extensive lawns.

Water is currently supplied in a 75mm / 50mm pipeline from a reservoir located at the Buffelsfontein Visitors Centre.

2.3.2 Design Guidelines

During an initial integrative planning process, design guidelines for the Buffels Bay site were developed by Bernard Oberholzer Landscape Architect and Environmental Planner and Meirelles Lawson Architects. The design guidelines were based on the outcomes of the Site Analysis, the 1990 Cape of Good Hope Nature Reserve: Development and Management Plan and the principles of environmental design. The design guidelines are quite specific and cover the conservation of resources, the siting of structures, roads and infrastructure and designing with the land. A more detailed list of the design principles is provided in [Appendix B](#).

2.3.3 Proposed Upgrade

It is intended that toilet buildings and communal braai structures that are visually intrusive or detract from the natural landscape will be removed. These include structures that intrude into wet seepage zones or areas of archaeological significance.

The open area around the tidal pool will accommodate toilets, and some management facilities such as an office and /or storage room. This area could also possibly serve as a tourist/activity meeting point. New toilets and picnic facilities will be carefully sited and built in a style similar to the low stone walls that were used for the Cape Point upgrade. Picnic sites will be partly sunken to be less visually obtrusive and more sheltered from the wind. Berms and planting will provide additional shelter. The existing pre-fabricated toilets at the southern side of the site which use soakaways are an existing potential source of pollution and will be removed.

Indigenous vegetation will be re-established on portions of the site. The existing picnic sites located on the north western edge of the site in the vicinity of an existing cottage will be removed. The wetland located in the area will be rehabilitated where it has been grassed over, increasing biodiversity on this portion of the site.

Paths and circulation routes will be established through the site and raised boardwalks will be used to limit soil compaction, trampling and erosion in fragile areas. The establishment of boardwalks to the wetland will also be considered.

The site will continue to be managed by TMNP and access to the site will be controlled at the entrance gate to the Cape of Good Hope area. In the short term, baboon-proof bins will be provided at the site. In the long term, TMNP are considering removing all existing dustbins in the area, and providing visitors with litter bags to be discarded outside of the park. This is in line with SANParks support of the “what you take in you take out” principle. If this principle is considered appropriate at Buffels Bay and is implemented, the dust bins will be removed.

It is proposed that the following facilities will be upgraded and / or provided:

- Picnic braai sites will be upgraded and new sites provided;
- Sites in the vicinity of the wetland area will be removed and the wetland reinstated;
- A gravel road on the northern end of the site would be closed to vehicles and reserved for pedestrian use only;

- An open area, at tidal pool which will provide for management facilities (e.g. small office⁷ and storage area) and will serve as a gathering place for tourists and groups.
- Three new toilet blocks will be provided comprising of a combination of composting toilets, conservancy tanks and septic tanks (as appropriate for the need), as well as soakaways for washbasin water;
- If required additional portable toilets (“porta-loos”) will be provided for any special events or days when larger crowds are expected (e.g. the half marathon);
- The road to the southern side of the site would be re-routed, away from the coastline and stormsurge zone, further inland within the existing development footprint;
- A communal or group picnic facility will be provided, at the old rondawal site (SANParks may consider alternative locations for this facility, but these will be within the existing footprint area).

2.4 Alternatives

In terms of both the EIA Regulations⁸ and NEMA, the applicant is required to demonstrate that alternatives have been described and investigated in sufficient detail.

The Conservation Development Framework (CDF) for the TMNP sets out a clear spatial framework to guide and co-ordinate conservation and development activities in and around the Park. The CDF is based on the CPNP Integrated Management System: Management Policy and was prepared in accordance with Strategic Environmental Assessment guidelines. Opportunities and constraints were assessed and suitable areas for upgrading of visitor facilities identified. A public participation process was undertaken in the development of the CDF. In terms of the CDF, Buffels Bay was identified as a ‘mixed leisure use’ site within a ‘low intensity leisure zone’, and the existing land use will not alter.

Given this background and the fact that the proposal is for the upgrade of existing facilities rather than a new development, the EIA process will only consider the following alternatives:

- **The upgrade alternative**, as described in section 2.3.3 above; and

⁷ A small office is being proposed to facilitate efficient management of the site (e.g. life safety equipment, information, baboon control etc.) This is not intended for use by permanent administrative staff and will be a site-specific facility.

⁸ Regulation 6 (1) (d) GN No. R1183, dated 5 September 1997

The no-go alternative, this would involve leaving the site as it currently is, without the modernisation or removal of any facilities or the construction of any new facilities.

Figure 2.1: Conceptual Plan for Buffels Bay Upgrade - North

Figure 2.2: Conceptual Plan for Buffels Bay Upgrade - South

3 DESCRIPTION OF THE AFFECTED ENVIRONMENT

Buffels Bay is located within the Cape of Good Hope Section of the TMNP. The site has a long history of use by various groups, particularly in the 20th and late 19th Century. A description of the affected environment and history of the site is provided below.

This description is based, in part, on the specialist studies that were undertaken for the Site Analysis Report.

3.1 Biophysical Environment

3.1.1 Geotechnical

A thick deposit of recent windblown (aeolian) sand covers much of the site above the high-water mark. The aeolian sand forms an extensive sand dune system, which has largely been stabilised by vegetation. These deposits are generally greater than 3.5 m thick and consist of fine to medium sand.

Rock outcrops are limited to quartzitic sandstone bedrock within the intertidal zone. Recent limestone (calcareous sandstone) cliffs are located up slope and to the north west of the site.

3.1.2 Climate

The climate of the area is characterised by a maritime Mediterranean climate with dry summers and cool winters. Based on data from the Cape Point lighthouse, mean annual temperatures are below 16°C, with the mean minimum for the coldest month approximately 8°C and the mean maximum in summer is approximately 26°C.

The Cape Point stretch of the coastline is renowned for its exposure to wind. It is situated within a high velocity zone, with a mean wind velocity of 35 km/h. The wind dominates from the southerly quadrants (SW-S-SE), with 58% of the prevailing wind blowing from this direction and 27% from the northerly quadrants (NW-N-NE).

The mean annual rainfall for the area is about 500mm, which places the area in the semi-arid climate zone. An estimated 74% of the rain falls within the winter months (April to September). Humidity is high in winter, ranging from between 74% to 83% at the coolest times of the day. However, the

generally low temperatures in winter mean that the humidity values do not pose any problems for human comfort.

3.1.3 Hydrology and Geohydrology

There are no large rivers located in the vicinity of the site. A stream and associated wetland are located in the Buffels Bay valley (between Bordjiesrif and Buffels Bay). An existing wetland within the Buffels Bay area has been grassed over to form lawns.

Based on the general geology of the area, two different types of aquifer systems are present:

- A Sandy Primary Aquifer formed by aeolian deposits.
- A Secondary Aquifer formed by fissures and cracks in the Table Mountain Group (TMG) Sandstone which were caused by faulting, jointing and fracturing.

Groundwater quality is generally good and flow is toward the south-east i.e. towards False Bay. Due to the rough mountainous terrain in the area, groundwater is generally limited to the foothills. A large number of springs occur from fractures and joints following rainy periods.

3.1.4 Vegetation

The Cape of Good Hope section of the TMNP supports a high number of rare and/or endangered floral species and is an area of botanical importance in the region. Existing facilities at Buffels Bay have resulted in transformation of large areas of the site, particularly by paving of roads and parking areas and the establishment of lawns, comprising a mixture of indigenous coastal grasses interspersed with kikuyu. Woody aliens are now very rare on the site, having been cleared about ten years ago, but occasional seedlings of *Acacia cyclops* (rooikrans) are still visible

The areas around the facilities support a diverse array of plant communities, some of which are of high conservation value. Of significance are the dense thickets of mature Milkwoods (*Sideroxylon inerme*). This tree is a protected species, requiring a permit from the authorities prior to any pruning or cutting. Milkwoods are relatively widespread along the coast of South Africa, but their conservation value is high as they occur in relatively few places on the Peninsula. They are moderately resistant to disturbance although excessive trampling of soil leaf litter under the trees is likely to have a detrimental effect in the long term.

The dominant plant community surrounding these thickets is either lawn (existing picnic areas), or a largely pioneer communities consisting mainly of *Tetragonia fruticosa*, *Cullumia squarrosa*, *Ehrharta villosa*, *Amellus asteroides*, and *Passerina paleacea*. These areas around the milkwoods do not support any rare or locally endemic plant species, and are not locally critical habitats that cannot be disturbed.

3.2 Socio-Economic Environment

3.2.1 Cultural and historical significance

A number of shell middens and other historical sites are located in the vicinity of Buffels Bay. Buffels Bay and the surrounding area were heavily utilised in the past by prehistoric people and colonists. The following resources have been identified there:

- The remains of a lime kiln with a replica of a Padrao commemorating the landing of Diaz;
- A tidal fish trap and potential tidal fish trap;
- A largely undisturbed shell midden directly west of the trailer parking area;
- A large disturbed midden, which is more dispersed and impacted with a small track running through it but still conservation worthy;
- A heavily impacted midden in between the parking area and the road to the tidal pool.

The location and sensitivity of the various remains are indicated in [Figure3.1](#). All these sites are protected in terms of the National Heritage Resources Act 25 of 1999 (NHRA).

Figure 3.1: Location of Heritage Resources

3.2.2 Recent History

The Cape of Good Hope section of the TMNP has a rich heritage and long history of human activity. The area has particular historical significance as it is believed to have been the first point on the Cape Peninsula reached by the European explorer, Bartholomew Diaz in 1497.

Before, during and shortly after the advent of European settlement, the area was also consistently inhabited by Late Stone-Age (LSA) hunters. Parts of Cape Point were designated a hunting area in the late 18th Century, whilst other families in the area undertook small-scale, informal farming activities. A number of formal land grants were made in the early 19th Century.

Activities in the area around Buffels Bay and Bordjiesrif included lime quarrying. Lime kilns are found at Black Rocks just north of the Bordjiesrif site. The area was extensively disturbed in the 19th Century due to these activities. During the early half of the 20th Century, Buffels Bay was a popular recreational area for fishing and camping.

3.2.3 Social context

Prior to the abolishing of the Separate Amenities Act, Buffels Bay was reserved for the use of the white community. The site is heavily utilised on key public holidays such as Easter, Family Day (26 December) and 'Tweede Nuwe Jaar' (02 January). More general use of the area appears to have declined in the last ten years. Potential reasons include the increase in gate fees since the early 1990's (although the Wild Card annual season ticket has been introduced with the intention of making access more affordable for locals who use the park on a regular basis), the prohibition of bus access to the sites and the scrapping of the Separate Amenities Act, enabling increased access to beach facilities closer to all Capetonians.

4 PUBLIC CONSULTATION

4.1 Introduction

The Public Participation Process (PPP) forms a key component of the EIA process and has resulted in the identification of a number of issues. Public consultation for the proposed Buffels Bay recreational area upgrade has occurred in two phases:

Phase 1: Public consultation combined with the previously proposed education facility at Bordjiesrif. The issues raised during this phase have been carried forward into this new EIA process, since many of the issues raised are still relevant.

Phase 2: Public consultation since the re-start of the process regarding only the upgrade at Buffels Bay. The EIA processes for the upgrade at Buffels Bay and the Environmental Experiential Centre at Bordjiesrif are now being handled as two independent projects and separate public participation processes are being conducted for each project.

The objectives of the PPP are outlined below, followed by a summary of the approach and issues raised to date.

4.2 Objectives and Approach

The overall aim of the consultation process is to ensure that all stakeholders have adequate opportunity to provide input into the process. More specifically the objectives of public consultation are to:

- Identify stakeholders and inform them about the proposed upgrade of the Buffels Bay Recreational Area;
- Provide stakeholders with the opportunity to identify issues and concerns associated with the proposed project; and
- Identify mitigation and management options to address potential environmental issues.

4.3 Public Participation Activities

The PPP was undertaken in accordance with the requirements of the EIA regulations. The activities undertaken to canvass public opinion regarding the proposed project have occurred in two phases and are summarised in [Table 4.1](#).

Table 4.1: Activities undertaken during the Scoping Study

| PHASE ONE: OVERNIGHT FACILITY AT BORDJESRIF AND UPGRADE OF BUFFELS BAY | |
|---|------------------------------------|
| Activity | Date |
| Identification of key stakeholders (Appendix D) | August 2002 |
| Advertisement of the commencement of the study in Die Burger, The Saturday Argus, The Sunday Argus and The Sunday Times (Appendix E) | 17-18 August 2002 |
| Circulation of Background Information Document (BID) and information letter to all stakeholders (Appendix F) | 20 August 2002 |
| Submission of the Plan of Study for Scoping to DEA&DP | 04 September 2002 |
| Meeting with Helicopter operators | 09 September 2002 |
| Meeting with key NGOs and community based groups | 16 September 2002 |
| Placement of five onsite notices at different locations within the Cape of Good Hope section of the TMNP | October 2002 |
| Meeting with DEA&DP | 14 November 2002 |
| Advertisement of the release of the Site Analysis Report in The Saturday Argus, The Sunday Argus and The False Bay Echo (Appendix E) | 30 November – 05 December 2002 |
| Release of Site Analysis Report for comment period (Appendix C) | 02 December 2002 – 14 January 2003 |
| Distribution of an Educators' Survey | 08 January – 17 February 2003 |
| PHASE TWO: FOR UPGRADE AT BUFFELS BAY | |
| Activity | Date |
| Submission of Revised Plan of Study for Scoping (Appendix A) | 09 February 2004 |
| Distribution of Project Update Document to all stakeholders (also indicating that the Bordjiesrif and Buffels Bay projects will be dealt with separately) (Appendix F). | 10 February 2004 |
| Advertisement in the False Bay Echo (Appendix E) | 12 February 2004 |
| Release of Draft Scoping Report (DSR) | 30 June 2004 |
| Draft Scoping Report Comment Period | 30 June – 21 July 2004 |
| Compile and release Final Scoping Report | 29 November 2004 |

The activities undertaken during phase 2 of public consultation process are outlined in more detail below.

4.3.1 Project Update Document

The Project Update Document ([Appendix E](#)) was distributed to previously identified IAPs on 10 February 2004 in order to:

- Notify IAPs about the revised application, particularly with reference to the separation of the Bordjiesrif application;
- Communicate information regarding the proposed scoping process to IAPs;
- Communicate information regarding the proposed project;
- Afford IAPs the opportunity to comment on the proposed project; and
- Notify IAPs about further opportunities to be involved in the process.

All comments received from stakeholders have been included in the issues tables below and copies of all comments received are included in [Appendix G and H](#).

4.3.2 Advertisement

Extensive advertising was conducted in the first phase of public consultation ([Appendix F](#)) and through this phase, a database of over 300 registered stakeholders had been established. In the second phase of public consultation it was therefore agreed that only an advertisement in the False Bay Echo was required. Additionally, registered stakeholders were sent a copy of the Project Update Document (see section 4.3.1 above).

4.3.3 Plan of Study for Scoping

SRK prepared and submitted a Revised Plan of Study for Scoping (POSS) which outlined SRK's anticipated approach to the Scoping Study. The POSS was submitted to DEA&DP on 09 February 2004 and accepted by the authorities on the 24 May 2004 ([Annexure B](#)).

4.3.4 Draft Scoping Report

The Executive Summary of the Draft Scoping Report was circulated to all stakeholders on 30 June 2004. Full copies of the report will be placed at the following venues:

- Simon's Town Library;
- Kommetjie Library;
- Buffelsfontein Information Centre;

- SRK's offices; and
- SANPark's Westlake office.

The report was also made available on the TMNP website: <http://www.tmnp.co.za>

Stakeholders were provided with a three-week comment period. Comments received have been incorporated into the Final Scoping Report. Comments received from stakeholders are included in [Appendix H](#).

4.4 Issues and Concerns Raised by Stakeholders

Stakeholders have raised a number of issues and concerns as well as provided a number of suggestions. The issues and comments are summarised in Table 4.2 and 4.3 below. The comments have been separated into two Tables:

- comments received for the Buffels Bay and Bordjiesrif project from 2002 – 2003 (Table 4.2); and
- comments received since the re-commencement of the process in 2004 (after the release of the Project Update Document and the Draft Scoping Report) (Table 4.3).

Only comments relating to the Buffels Bay site have been included in this report; those related to the Bordjiesrif site have been included in the Bordjiesrif Scoping Report.

Table 4.2: Issues raised by Stakeholders for Bordjiesrif and Buffels Bay (2002 – 2003)

| Issue Group | Issues | Response |
|---------------------------|---|---|
| Alternatives | <ul style="list-style-type: none"> • Inclusion of the “no-development” option as an alternative | The EIA process will now include evaluation of the “no-go” alternative |
| Buildings and site layout | <ul style="list-style-type: none"> • Scope and nature of ‘upgrading’ of Buffels Bay • Use of existing footprints • Opposition to kiosks at Buffels Bay • Nature of service provision e.g. electricity, wastewater treatment | <p>See Chapter 2 for description of proposed upgrades and facilities</p> <p>Existing footprints will be utilised.</p> <p>The kiosk is no longer being proposed.</p> <p>See Chapter 2 and 5</p> |
| Social | <ul style="list-style-type: none"> • Increased pressure on Buffels Bay because of the loss of public facilities at Bordjiesrif | Users of Bordjiesrif will need to be accommodated at Buffels Bay. Buffels Bay will be renovated to accommodate increased users. |
| Aesthetic | <ul style="list-style-type: none"> • Impact on the sense of place of Buffels Bay | See Chapter 5. |
| Biological | <ul style="list-style-type: none"> • Impact on baboons due to potentially increased food availability | See Chapter 5. |
| Other | <ul style="list-style-type: none"> • Disagreement with demarcation of sites as low intensity leisure zones in the Conservation Development Framework | The CDF, which went through a consultation process and has been approved by SANParks, designates Buffels Bay as a <i>mixed use leisure visitor site</i> situated within a low intensity zone. The CDF has been approved by the SANParks Board and endorsed by the City of Cape Town |
| Development of park | <ul style="list-style-type: none"> • Concern was expressed regarding continued development within the TMNP and the impacts on the area. | <p>Many of the ‘developments’ within the TMNP are required to deal with increasing visitor numbers to the area and degraded underutilised existing infrastructure and facilities.</p> <p>Development within the Park is being undertaken in the context of the CDF.</p> |

Table 4.3: Issues and Comments Raised by Stakeholders for Buffels Bay (2004)

| Issue Group | Issues / Comments | By Whom | Response |
|-------------|--|------------------------------|--|
| Management | Concern regarding management of the facility - are concessionaires envisaged? | Eileen Weinronk | Concessionaires will not manage the Buffels Bay site. |
| | Privatisation of the facilities leads to profit consideration superseding environmental and social consideration. Absolute guarantees of accessibility to all have to be made. | Patrick Dowling | Access to Buffels Bay will not be restricted. One of TMNP's objectives is to ensure that the facilities be accessible to all. This is qualified in the Management Policy and CDF. Currently, social, environmental and educational groups may access the Cape of Good Hope section at reduced rates or for no charge depending on circumstances. |
| | Access should not be restricted; it is a Park for ALL. | Eileen Weinronk | |
| | Query as to the reasons for the projects being put on hold in March 2003. | Donald Stechman | <p>TMNP were considering alternative options for the Bordjiesrif site and deciding on how to proceed with the EIA process (which alternatives should be evaluated in this process). The Park has also broadened its environmental education capacity and so any development of Bordjiesrif should be in line with the environmental education policy and strategy.</p> <p>Additionally during this time it was decided to separate the Bordjiesrif and Buffels Bay projects, as it was realised that the upgrading at Buffels Bay was required regardless of the outcome at Bordjiesrif.</p> |
| Process | Concern regarding the interpretation of the CDF zones. Disagreement regarding the use zones and visitor sites in terms of the CDF. WESSA interpret the CDF to mean that new uses with new facilities require new processes in terms of the CDF. Therefore it is unacceptable that evaluation of the CDF is outside the scope of the EIA. | Eileen Weinronk Andy Gubb | TMNP have considered this issue and believe that their interpretation of the use zone is correct. To determine the appropriate use of existing sites, the CDF only requires that more detailed local area/precinct planning be undertaken within the provisions of the CDF. This is what the current Buffels Bay EIA is addressing. |
| | Agreement that the Bordjiesrif and Buffels Bay projects should be dealt with separately. | J.B. Mcdermid | Comment noted. |

| Issue Group | Issues / Comments | By Whom | Response |
|--------------------------|---|---|---|
| | The EIA process is flawed as the consultants are being paid by the developer and so are biased. | Juliet Bass | SRK Consulting has been employed as independent consultants. Payment is not linked to the findings or outcomes of the EIA process. SRK has and will continue to do everything in its power to ensure all comments and information are accurately recorded and passed on to the authorities, who are responsible for making a decision regarding the project. |
| | The “no development” option must be assessed in the process not just noted. | Andy Gubb | Agreed. See Section 5.3. |
| Buildings and Facilities | More picnic and braai facilities are needed. The Marine Environmental Educational Trust support the proposed upgrade of Buffels Bay | Terry Corr | Comments noted. |
| | Incorporate milkwoods rather than barbed wire fencing | Terry Corr | Suggestion noted. |
| | More showers for recreational use required | Terry Corr | Suggestion noted. |
| | Opposition to a food kiosk because of the baboons in the area and litter. | J. B. McDermid, Donald Stechman Andy Gubb | A kiosk is no longer being proposed. |
| | A permanent office is not necessary. A mobile office could be used. | Donald Stechman | In the draft Scoping Report SRK incorrectly indicated to IAPs that no office is being proposed for Buffels Bay. A small office is being proposed to facilitate efficient management of the site (e.g. life safety equipment, information, baboon control etc.) This is not intended for use by permanent administrative staff and will be a site-specific facility. Mr Stechman’s suggestion has been noted. |
| | Braais should be hip-height for ease of use and unpacking picnic baskets etc. | Mrs. Smidt | Suggestion noted. |
| | Suggestion that the cottage on the site known as “Mayor’s Cottage” be removed. | J. B. McDermid | Suggestion noted. Currently this structure is still owned and managed by the City of Cape Town and therefore SANParks cannot remove it. |

| Issue Group | Issues / Comments | By Whom | Response |
|------------------------------------|--|-----------------------------|--|
| | Concern regarding the “what you bring in you take out” principle and if it will work at Buffels Bay. | J. B. McDermid | Baboon-proof dustbins will be provided at the site. Once SANParks begin implementing their new park-wide waste strategy, they may remove the dustbins, but only if and when appropriate. |
| | Composting toilets are a good idea, must be designed to have the capacity required to cope with the crowds and instructions in all relevant languages should be displayed. | J. B. McDermid | Comments noted. |
| Vegetation | Cutting down existing indigenous trees in the provision of new structures should be avoided. | Mrs Smidt | Development will be limited to the existing footprint (disturbed area). |
| | Protection of milkwoods (especially during construction), concern regarding a pathway through the milkwoods from the Group Picnic facility. Opposition to the location of the group picnic facility. | J. B. McDermid Andy Gubb | An EMP, that will include protection measures for the trees during construction, has been recommended as an essential mitigation measure. In SANParks opinion, a pathway through the milkwoods is preferable to people making their own random paths through the trees, and that such a pathway could be a positive environmental experience. The group picnic facility will remain as proposed, at this stage. SANParks may consider alternative locations for it, within the existing footprint area, in the future. |
| Fauna | Concern regarding baboon and human conflict in the area and concern for the welfare of baboon population in the TMNP generally. | T. Blyth Andy Gubb | Comments noted see Section 5.1.2. SANParks have also recently adopted an official baboon policy. |
| | Suggestion that the Faunal Study for Bordjiesrif include Buffels Bay, as it is believed that increased people will increase the conflict with (and impact on) baboons. | J.B. McDermid Andy Gubb | The faunal study that is being done for Bordjiesrif will also be relevant to Buffels Bay. It will not however, officially be included as part of this EIA process. |
| Statements of support for proposal | These are critically important projects and are supported wholeheartedly by the Marine Environmental Education Trust. The TMNP and SANParks are commended for persisting with these projects and trying to balance education and tourism | Terry Corr | Comment noted |

| Issue Group | Issues / Comments | By Whom | Response |
|-------------|---|-----------------|--|
| | The Pensioners Hiking Club think that CPNP / SANParks are doing very well so far and hope for two well-appointed spots for relaxation and fun. | Mrs Smidt | Comment noted. |
| | WESSA supports the upgrade if it is limited to the existing “footprint” area. | Andy Gubb | Comments noted. |
| | Princess Vlei Civic Association support the proposed upgrade so long as nature is put first and there is no destruction of the wilderness. | J. Burger | Comments noted. |
| Other | The destruction of the “wilderness” and sense of place. | Karen Preston | See Chapter 5. |
| | It is important that specialists be experts in their fields and have working knowledge of the park. | Rosemary Barker | Agreed. Comment noted. |
| | It is sacrilege to do anything at the site besides rehabilitation. SANParks and other conservation bodies should be conserving these areas. | Juliet Bass | The site has already been substantially transformed. Any new development would be restricted to already degraded areas and the surrounding areas would be rehabilitated. |
| | The beauty of Bordjiesrif (and Buffels Bay) will be ruined not only for the so called privileged but also for the disadvantaged who have never seen the coast as it is. | Anne Tilbury | |
| | The construction workers must be trained and supervised regarding conservation issues. This should be included in the EMP. | J. B. McDermid | Comments noted. |

4.5 Conclusion

A number of issues, concerns and suggestions regarding the proposed project were raised by stakeholders in both phases of the public consultation. These are considered in Section 5.

5 IDENTIFICATION OF IMPACTS AND PRELIMINARY ASSESSMENT

Potential environmental issues associated with the proposed upgrading of Buffels Bay have been identified based on:

- A review of the proposed activities (Chapter 2);
- The nature of the affected environment (Chapter 3);
- The issues raised in the public consultation process (Chapter 4);
- Information from the Site Analysis and initial specialist studies (Appendix C).

The key issues raised through the Scoping Phase can be broadly summarised into the following categories:

- **Process:** Concern that the interpretation of the zoning in the CDF is incorrect. Consideration must be taken of the no-go alternative. The consultants are biased as they are paid by SANParks.
- **Social Impacts:** Privatising the management of the site or giving it to concessionaires may impact on the accessibility of the site for use by everyone.
- **Visual Impacts:** The upgrading of the facilities may impact on the sense of place of the area. Buildings and facilities should be aesthetically pleasing and practical.
- **Faunal Impacts:** Opposition to the provision of a food kiosk because it will impact on the behaviour of the baboons. General concerns regarding management of baboons in the area.
- **Botanical Impacts:** Indigenous vegetation could be destroyed during the upgrade / construction and some concern regarding the pathway through the milkwoods from the group picnic area.
- **Heritage Impacts:** A large number of historical sites and artefacts have been found in the area; these could be destroyed or damaged during construction.
- **Water and Soil Contamination Impacts:** Effluent from the ablution facilities is a potential source of pollution

Process issues (which are not impacts) have been addressed in Table 4.2 and 4.3.

5.1 Elimination of Insignificant Impacts During Scoping

During Scoping, potential impacts, both positive and negative, have been identified. However, a preliminary assessment during Scoping indicates that some of these potential impacts will not result in actual impacts and are therefore not addressed in this Scoping Report. In part this is because some

potential impacts were identified early in the planning process during the Site Analysis. This has enabled the proposed facilities to be designed in a manner whereby potential negative effects have been pre-empted and minimised and benefits enhanced in the conceptual designs.

These insignificant or unrelated impacts are:

5.1.1 Social Impacts

Upgrading of Buffels Bay should provide benefits for users and is a positive impact. A further insignificant positive impact is the very limited number of jobs which will be created during the construction phase.

Essential mitigation measures include:

1. Use local skills and resources during the construction phase wherever possible; and
2. Retain unrestricted access to the site, as planned.

5.1.2 Fauna Impacts

Baboons in the entire Cape Point area are an ongoing problem that requires active management, and similar problems occur at Buffels Bay.

Generally, the upgraded facilities will be exactly the same operationally, as existing facilities although they are likely to be more frequently used. In the short term, TMNP are proposing to remove the existing dustbins in the area (which baboons can open) and replace these with baboon-proof bins.

The increased use of the site could lead to an increase in the human/baboon interactions and conflicts. This will be mitigated to some extent by the absence of any food kiosks and the proposed waste management strategies and the newly accepted baboon policy that may help improve current problems with the baboons.

While the baboon issue is recognised as a very important issue within the Park, the upgrading of Buffels Bay will not change the current nature or use of the site and so can not be regarded as a significant impact. Overall there is likely to be a low negative impact, caused primarily by the expected increase of visitors to the site.

Essential mitigation measures include:

1. Implement the proposal regarding waste management;
2. Remove waste promptly after weekends and public holidays;
3. Provide educational signboards as to the importance of not feeding the baboons and of proper waste disposal;
4. Ensure that there is a designated baboon monitor during periods of higher use to monitor baboons and prevent problems from arising; and
5. Promote and encourage the principle of “what you take in you take out”.

5.1.3 Botanical Impacts

Loss and damage to vegetation at Buffels Bay may arise due to:

- Clearing for siting of buildings during construction;
- Trenching for the effluent pipeline;
- Stockpiling of building materials, soil and waste during construction;
- Trampling by construction workers and people utilising the facility once it is operational.

The proposed upgrading of the Buffels Bay picnic area will be undertaken within the existing footprint of the disturbed area. Vegetation located in this area comprises lawns of low conservation value. The thickets of milkwoods located in the picnic area will be preserved as these provide valuable shelter.

Construction may result in the invasion of alien plant species in cleared areas due to the importation of foreign material containing alien seeds. In addition, areas disturbed by construction activities are more vulnerable to alien infestation. Alien species out-compete indigenous vegetation and the result is a reduction in biodiversity and disturbance of ecological functioning.

The possibility of introducing alien seed and the possibility of trampling indigenous vegetation surrounding the site is regarded as being a low, negative impact; the significance of the impact is reduced by the fact that the proposal is an upgrade limited to the existing disturbed area. The rehabilitation of the wetland and other sections of the site will have a positive impact.

Due to the fact that there are effective measures that can be implemented to mitigate the possible negative impacts the overall rating with mitigation, for the vegetation impacts is rated as having a positive impact of low significance.

Essential mitigation measures include:

1. As proposed, rehabilitate the wetland area of the site with indigenous vegetation;
2. Include the following in the construction EMP to be included in tender documents:
 - Demarcate the working area for construction. No activity should be permitted outside the working area;
 - Protect the Milkwood trees with fencing during construction;
 - Minimise working areas and confine to previously disturbed areas;
 - Stabilise all exposed surfaces through mulching and straw stabilisation;
 - Ensure that foreign material imported during construction is free of alien seed;
 - Remove alien invasive vegetation from the surrounding areas.

5.1.4 Water and Soil Contamination Impacts

Due to an expected increase in the use of the Buffels Bay site the increased effluent may impact on the surrounding environment. However, composting toilets⁹ are proposed to deal with 'blackwater' or sewage and water from washbasins will be treated in soakaways. It is anticipated that the composting toilets may not have sufficient capacity to deal with the number of visitors, over peak seasons. Therefore a combination of composting toilets, conservancy tanks and septic tanks will be considered, in consultation with specialist engineers. In addition, the existing pre-fabricated toilets at the southern side of the site which use soakaways are an existing potential source of pollution and will be removed. The other main existing toilet block may also be removed in the longer term.

The upgrade also provides the opportunity to remove current potential sources of pollution and therefore reduce the risks of effluent causing pollution. On balance there will be a low positive impact on soil and water quality.

Essential mitigation measures include:

1. Remove the prefabricated toilets, with septic tanks and soakaways and the toilet block in seepage area;
2. Install combination of composting toilets, conservancy tanks and septic tanks (as appropriate) with soakaways for washbasins;
3. Provide portable toilets, when required, for specific events when large crowds are expected;
4. Service composting toilets annually (or as required) and remove residue water to a licensed landfill or wastewater treatment works; and

⁹ Additionally portable toilets ("porta-loos") will be used on specific days / for specific occasions when large numbers of people are expected.

5. Manage and maintain conservancy and septic tanks to prevent any possible pollution.

5.2 Preliminary Assessment of Impacts

The following potentially more significant environmental impacts relating to the proposed upgrading of Buffels Bay were identified:

- Visual quality or sense of place impacts; and
- Heritage impacts.

SRK have therefore undertaken a preliminary assessment of these two impacts. These assessments are based on information provided in the preliminary specialist studies undertaken for the Site Analysis study.

5.2.1 Impact Rating Methodology

In ascribing significance ratings to potential impacts, various criteria were considered. The impact ratings are:

Not significant: the potential impact is negligible and will not have an influence on the decision regarding the proposed activity/development.

Low: the potential impact should not have any meaningful influence on the decision regarding the proposed activity/development.

Medium: the potential impact should influence the decision regarding the proposed activity/development.

High: the potential impact will affect the decision regarding the proposed activity/development.

5.2.2 Visual

5.2.2.1 Introduction and Baseline

The proposed upgrading of the Buffels Bay recreational area may have an impact on the sense of place of the area.

The Buffels Bay area has a high visual quality due to the rocky coastline, pristine natural vegetation surrounding the site, the undulating topography and views from the site. This visual quality is however reduced by poorly sighted and insensitively placed buildings and braai facilities as well as extensive parking areas and road surfaces.

The 'sense of place' of the area is determined by the visual quality but also by the activities which occur at the site. Currently the visual character or sense of place can be described as being a 'scenic, coastal recreational area for swimming and picnicking'. In the past it has been well used, especially on public holidays and is a node within the Park demarcated for public use in order to lessen the pressure on other more sensitive and pristine areas.

The visibility of structures and facilities at the site are obscured to a large extent by the topography of the area. Buffels Bay is fairly secluded and is not visible from any of the other major locations in the Reserve, such as Cape Point or the Buffelsfontein Visitors Centre. The area becomes visible from the Bordjiesrif access road and from the coastline in the vicinity of the former naval facility. From these viewpoints some visually obtrusive structures are currently visible such as the existing prefabricated toilets and some of the communal braai facilities.

5.2.2.2 Impact Assessment

The proposed upgrade will not alter the sense of place of the area, since the activities will not be different to what currently occurs at the site and because the upgrade will be limited to areas that have already been disturbed. It is likely that there will be an increase in the use of the site but since it has historically been used far more frequently than it is currently being used, this will not be substantially different nor will it alter the visual character of the site.

The proposed upgrade is likely to have a positive visual impact as many of these visually intrusive structures would be removed and replaced by more sensitively situated facilities, specifically designed to blend in with the surroundings.

Therefore the overall visual impact, if mitigation measures are implemented will be improved, i.e. the upgrading of the facilities will improve the visual character of the area.

During construction the visual impact will be substantially increased by the dust and machinery on site. The significance of the visual impact during construction is reduced by the temporary nature of the construction works.

Table 5.1: Significance of the Visual Impact

| | CONSTRUCTION | | OPERATION | |
|---------------------|--------------------|---------------------|------------------------|---------------------|
| | Without Mitigation | Assuming Mitigation | Without Mitigation | Assuming Mitigation |
| Extent | Local | Local | Local | Local |
| Duration | Temporary | Temporary | Long term | Long term |
| Intensity | Medium | Low | Low | Medium |
| Probability | Probable | probable | probable | probable |
| Significance | Medium | Low | Not significant | Medium |
| Status | Negative | negative | negative | positive |
| Confidence | Medium | medium | medium | medium |

5.2.2.3 Mitigation measures

Essential mitigation measures include:

1. Ensure the design as proposed is implemented in order to ensure sense of place and visual impacts are as assessed;
2. Remove existing visually intrusive and inappropriate structures;
3. Rehabilitate previously disturbed areas where necessary;
4. Locate services underground;
5. Avoid street furniture, which creates visual clutter;
6. Use only low signs and place these where they have a backdrop to avoid silhouette effects;
7. Use minimal landscaping – re-vegetate with endemic coastal species.

5.2.3 Heritage

5.2.3.1 Introduction and Baseline

The proposed centre could have an impact on heritage sites in the area due to:

- Earthmoving during construction;
- Damage from people moving in the area.

The heritage sensitivity analysis undertaken for the Site Analysis indicated that a number of heritage sites and artefacts are present in the area (see Figure 3.1). Many of these sites have been disturbed to some extent. One site, a midden located in the vicinity of the trailer parking area has been so severely damaged by construction of the parking lot, that it is no longer regarded as sensitive.

Currently the gravel road to the north is situated in the vicinity of a sensitive midden site.

5.2.3.2 Impact Assessment

Given the evident intensity of prehistoric occupation at Buffels Bay, it is possible that buried material may exist, which could be impacted on by earthmoving during construction. Additionally, visitors to the area may impact on middens should they move outside the boundaries of the established picnic area by trampling or removing artefacts. Heritage impacts are most likely to occur during the construction phase.

However, the proposed upgrades are not proposed for areas where sensitive sites are located and the existing gravel road located in the vicinity of a sensitive midden site at the northern end of the area will be closed. The closure of this road would have a positive heritage impact.

The overall significance of the potential heritage impact has therefore been rated as a low negative impact without mitigation and as not significant, if effective mitigation measures are implemented.

Table 5.2: Significance of Heritage Impacts

| | CONSTRUCTION | | OPERATION | |
|---------------------|--------------------|---------------------|--------------------|------------------------|
| | Without Mitigation | Assuming Mitigation | Without Mitigation | Assuming Mitigation |
| Extent | Site specific | Site specific | Site specific | Site specific |
| Duration | Permanent | permanent | permanent | permanent |
| Intensity | Medium | Low | Medium-low | Very low |
| Probability | Probable | probable | improbable | improbable |
| Significance | Medium | Low | Low | Not significant |
| Status | Negative | negative | negative | negative |
| Confidence | Medium | medium | medium | medium |

Heritage Western Cape (HWC) has confirmed that in terms of the National Heritage Resources Act 25 of 1999 the proposed development may proceed if the following conditions are met:

- Erect signage explaining the significance of the middens;
- Erect signage to assist trippers to identify areas that they are not allowed to walk in;
- Appoint a suitable person to develop a heritage education package; and
- Draw and submit to HWC, a conservation management plan for the area.

A copy of HWC letter of approval, with conditions is provided in [Appendix I](#).

5.2.3.3 Mitigation Measures

Besides the conditions prescribed by HWC, essential mitigation measures include:

1. Undertake trial excavations prior to any major earthworks;
2. Include the midden area in the 'no-go' area to be established in the construction EMP;
3. Ensure that tourists stay within the demarcated picnic area (i.e. roads and grassed areas).

5.3 No-Go Alternative

The 'No-Go' scenario implies that SANParks do not commence with their proposed upgrade of the Buffels Bay recreational area and current facilities and infrastructure remain as they are. The potential environmental issues associated with the proposed No-Go alternative have been briefly assessed and are summarised as follows:

- **Social** - social benefits may be reduced as no jobs will be created and facilities and amenities will not be improved.
- **Faunal** - it is likely that there will be less use of the site and so potentially fewer human / baboon interactions and conflicts. The dustbins however, may not be replaced with baboon-proof dustbins and so more baboons could be encouraged to the site.
- **Botanical** - there would be fewer benefits as the wetland area would not be rehabilitated, but there would be less possibility of the milkwoods and other vegetation being disturbed during construction.
- **Water and Soil Contamination** - there may be an increased possibility of environmental impacts as current potential source of pollution would not be removed.
- **Visual** – there would be fewer visual benefits as structures would remain as they are and not be more sensitively designed and placed.
- **Heritage** – there are likely to be increased heritage impacts due to the gravel road in the vicinity of a sensitive midden site. The potential heritage impacts during construction would be reduced.

Overall the no-go alternative has fewer benefits and greater negative environmental impacts compared to the proposed upgrade alternative, if mitigation measures are implemented during the construction and operation of the upgrade.

6 FINDINGS AND RECOMMENDATIONS

SANParks are proposing to upgrade the facilities at the Buffels Bay Recreational Area. As part of the process to apply for authorisation for this activity, a Scoping Study was undertaken in terms of the EIA Regulations promulgated in terms of the Environment Conservation Act No. 73 of 1989.

During the Scoping Study, stakeholders identified a limited number of issues and concerns. In addition a number of potential impacts, associated with the proposed upgrade, were identified and preliminarily assessed. These were primarily identified through the baseline specialist studies that were done for the Site Analysis Report.

This chapter evaluates the proposed upgrade of the facilities at the Buffels Bay Recreational Area and presents the principal findings. Mitigation measures, as described in Chapter 5, which it is assumed will be implemented – are also listed.

The evaluation is undertaken in the context of:

- The information provided to date;
- The assumptions made for this Scoping Report; and
- The practicality of the recommended mitigation measures.

6.1 Evaluation

The evaluation aims to provide answers to certain key questions posed as objectives at the outset of this report, which are repeated here:

- Identify any issues and concerns associated with the proposed upgrade of the Buffels Bay Recreational Area;
- Identify potential impacts associated with the proposed upgrade of the Buffels Bay Recreational Area;
- Assess the significance of the potential impacts that have been identified; and
- Identify measures to mitigate negative impacts and enhance potential benefits.

The findings of the preliminary impact assessments (heritage and visual) indicated that the potential impacts would be relatively insignificant and/or beneficial, **assuming that the mitigation measures are effectively implemented**. SRK Consulting is therefore of the opinion that there are no potential impacts that require further assessment in an EIA.

6.2 Principal Findings

The key findings of the Scoping Study are as follows:

- SANParks propose to upgrade the facilities at the Buffels Bay Recreational Area which are currently poorly planned and unsightly;
- If a separate proposal to re-develop the adjacent Bordjiesrif site is approved, this would reinforce the need to upgrade Buffels Bay since users of the existing Bordjiesrif picnic facilities would need to be accommodated at Buffels Bay;
- Most IAPs are not opposed in principle to the proposed upgrade the Buffels Bay Recreational Area. However, they have raised some concerns, relating to access to the site, the destruction of the sense of place and existing vegetation and the impact a kiosk¹⁰ would have on the baboons,
- The proposed upgrade the Buffels Bay Recreational Area may have the following key potential environmental impacts:
 - Limited socio-economic benefits;
 - Reduced botanical impacts;
 - Limited increased impact on baboons;
 - Improved soil and groundwater quality;
 - Improved visual quality of the site; and
 - Potential damage to heritage sites, especially during construction.
- The no-go alternative has fewer benefits and greater negative environmental impacts compared to the proposed upgrade alternative - if mitigation measures are implemented during the construction and operation of the upgrade.

6.3 Recommendations

It is believed that sufficient information is available for a decision regarding the upgrade at Buffels Bay to be made. If DEA&DP approves the proposed upgrade, a condition of approval should be that the recommendations and mitigation measures presented below are effectively implemented by SANParks.

¹⁰ NOTE: A kiosk is no longer a part of the proposed upgrade

6.3.1 General Recommendations

- Commit to and effectively implement the mitigation measures listed in this report.
- Formulate and implement an Environmental Management Plan (EMP) for the construction phase of the project (if approved), incorporating:
 - methods to mitigate environmental impacts during construction;
 - assigned responsibilities for the implementation of the EMP;
 - costs associated with the EMP;
 - a specific heritage management component;
 - Compile an operational management plan to ensure the appropriate mitigation measures are implemented once the upgrade is completed.

6.3.2 Specific Recommendations

6.3.2.1 Social

1. Use local skills and resources during the construction phase wherever possible; and
2. Retain unrestricted access to the site, as planned.

6.3.2.2 Fauna

1. Implement the proposal regarding waste management;
2. Remove waste promptly after weekends and public holidays;
3. Provide educational signboards as to the importance of not feeding the baboons and of proper waste disposal;
4. Ensure that there is a designated baboon monitor during periods of higher use to monitor baboons and prevent problems from arising.
5. Promote and encourage the principle of “what you take in you take out”.

6.3.2.3 Botanical

1. As proposed, rehabilitate the wetland area of the site with indigenous vegetation;
2. Include the following in the construction EMP to be included in tender documents:
 - Demarcate the working area for construction. No activity shall be permitted outside the working area;
 - Protect the Milkwood trees with fencing during construction;
 - Minimise working areas and confine to previously disturbed areas;
 - Stabilise all exposed surfaces through mulching and straw stabilisation;

- Ensure that foreign material imported during construction is free of alien seed;
- Remove alien invasive vegetation from the surrounding areas.

6.3.2.4 Water and Soil Contamination

1. Remove the prefabricated toilets, with septic tanks and soakaways and the toilet block in seepage area;
2. Install combination of composting toilets, conservancy tanks and septic tanks (as appropriate) with soakaways for washbasins;
3. Provide portable toilets, when required, for specific events when large crowds are expected;
4. Service composting toilets annually (or as required) and remove residue water to a licensed landfill or wastewater treatment works; and
5. Manage and maintain conservancy and septic tanks to prevent any possible pollution.

6.3.2.5 Visual

1. Ensure the design as proposed is implemented in order to ensure sense of place and visual impacts are as assessed;
2. Remove existing visually intrusive and inappropriate structures;
3. Rehabilitate previously disturbed areas where necessary;
4. Locate services underground;
5. Avoid street furniture, such as benches, which create visual clutter;
6. Use only low signs and place these where they have a backdrop to avoid silhouette effects;
7. Use minimal landscaping – re-vegetate with endemic coastal species.

6.3.2.6 Heritage

1. Undertake trial excavations prior to any major earthworks;
2. Include the midden area in the 'no-go' area to be established in the construction EMP;
3. Ensure that tourists stay within the demarcated picnic area (i.e. roads and grassed areas).

6.4 The Way Forward

The public participation process has given IAPs the opportunity to assist with identification of issues and potential impacts, and these have been incorporated into this Final Scoping Report.

This Final Scoping Report will be submitted to DEA&DP for a decision. This may be either an instruction to undertake an EIA or a Record of Decision (RoD) based on the Final Scoping Report. If DEA&DP approves the project, the recommendations and mitigation measures in this report will help to identify the conditions attached to approval.

Although intended mainly as a report to assist DEA&DP, this report is also available at

- Simon's Town Library;
- Fish Hoek Library;
- Westlake, TMNP; and
- TMNP's website: <http://www.tmnp.co.za>

The Executive Summary of the Final Scoping Report will be sent to all identified IAPs. The report has been placed in these venues as a public record of the document (to be) used by DEA&DP in taking their decision, and is not intended to solicit further comment for the EIA process. However, if members of the public do have further comments or suggestions, these should be sent to:

Mr Michael Slayen

SANParks, PO Box 37, Constantia, 7848

Tel: 021 701 8692

Email: michaels@sanparks.org

Once DEA&DP has taken a decision, SRK will advise IAPs of this Record of Decision. IAPs may request copies of the Record of Decision from DEA&DP. If IAPs are not satisfied with DEA&DP's decision, they have 30 days from the date of the decision in which to lodge a written appeal with the Minister (DEAT) or relevant Member of the Executive Council (MEC).

Upon request, full hard copies of the FSR can also be mailed to stakeholders at a cost of R200 (incl. VAT) and / or a copy (excluding maps, diagrams and annexures) can be emailed free of charge. A CD can also be prepared and mailed at a cost of R100.

Belinda Breetzke
Environmental Consultant

Chris Dalgliesh
Principal Environmental Scientist

SRK Consulting

Appendix A

Revised Plan of Study for Scoping and Letter of Acceptance

Appendix B

Extracts from the Design Guidelines for Buffels Bay

Appendix C

Site Analysis Report

Appendix D

List of Stakeholders

Appendix E

Advertisements

Appendix F

Background Information Document (2002)

Project Update Document (2004)

Appendix G

Comments Received 2002 - 2003

Appendix H

Comments Received 2004

Appendix I

Heritage Western Cape's Comments

SRK Consulting (South Africa) (Pty) Ltd

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