

Annex I





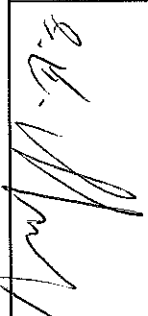
Site Visit


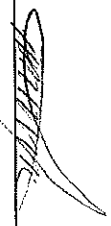
iSimangaliso Wetland Park Authority: Attendance Register

Venue: iSimangaliso Offices (The Dredger Harbour, St Lucia, 3936)

Date: 17 May 2019

Purpose of the Meeting: Requested by DAFF to get an understanding of proposed project and potential impacts to forestry.

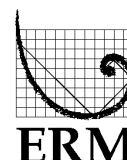
| NO: | Name & Surname | Organisation | Contact Details | Signature |
|-----|--------------------|--------------|--|---|
| 1. | Khosi Dlamini | ERM | (Tel) 031 265 0033 (Cell) 082 625 9719 (Fax) (email) Khosi.dlamini@erm.com |  |
| 2. | Miseman | DAFF - PMB | (Tel) 033 392 7761 (Cell) 060 973 6573 (Fax) (email) Miseman@daff.gov.za |  |
| 3. | Norfuudo | DAFF - PMB | (Tel) 033 392 7739 (Cell) 082 613 9037 (Fax) (email) Norfuudo@daff.gov.za |  |
| 4. | Phumlani Lugagu | iSimangaliso | (Tel) 035 590 1633 (Cell) 064 681 5333 (Fax) 035 590 1602 (email) phumlani@isimangaliso.com |  |
| 5. | Siboniso Mbenze | iSimangaliso | (Tel) 035 590 1633 (Cell) 0823379764 (Fax) 035-5901602 (email) siboniso@isimangaliso.com |  |

| NO: | Name and Surname | Organisation | Contact Details | Signature |
|-----|-------------------------|--------------|---|---|
| 6 | THEMBALAKHE SIBOZUMI | DAFF | (Tel) 033 352 7721 (Cell) 082 860 5342 (Fax) (email) Tembalele@csd.daff.gov.za |  |
| 7 | | | (Tel) 033 392 7729 (Cell) (Fax) 0333 92 8785 (email) Ayanda@myedol.gov.za |  |
| 8 | ANUSIA MUYIMSOA | SMTT | (Tel) (Cell) (Fax) (email) | |
| 9 | | | (Tel) (Cell) (Fax) (email) | |
| 10 | | | (Tel) (Cell) (Fax) (email) | |
| 11 | | | (Tel) (Cell) (Fax) (email) | |
| 12 | | | (Tel) (Cell) (Fax) (email) | |
| 13 | | | (Tel) (Cell) (Fax) (email) | |

Memo

PersERM Johannesburg
Telephone 0117988060
Facsimile
Email khosi.dlamini@erm.com

To Siboniso Mbense; Phumlani Lugagu; Wiseman Rozani;
Nomfundo Ngcobo; Thembalakhe Sibozana; Ayanda
Mnyungula;
Copied to Stephanie Gopaul
From Khosi Dlamini
Ref/Project number 0282731
Subject iSimangaliso Site Visit
Date 17 May 2019



Present:

| | |
|------------------------|---|
| Khosi Dlamini - | Environmental Resources Management |
| Wiseman Rozani - | Department of Agriculture, Forestry and Fisheries |
| Nomfundo Ngcobo - | Department of Agriculture, Forestry and Fisheries |
| Thembalakhe Sibozana - | Department of Agriculture, Forestry and Fisheries |
| Ayanda Mnyungula - | Department of Agriculture, Forestry and Fisheries |
| Phumlani Lugagu - | iSimangaliso Wetland Park Authority |
| Siboniso Mbense - | iSimangaliso Wetland Park Authority |

Purpose of Meeting:

On Friday 17 May 2019, iSimangaliso Wetland Park Authority hosted a site visit at the iSimangaliso Wetland Park where the proposed Bhangazi tourism lodge is to be developed. This site visit was requested by the Department of Agriculture, Forestry and Fisheries (DAFF) in order to get an understanding of the proposed Project and the potential impacts it may impose onto forestry.

Important Points Discussed:

A brief background was provided about the project by Siboniso Mbense to give DAFF an overview of the proposed Project and the parties involved.

DAFF wanted to understand whether trees would be cut down during the development of the cultural tourism lodge. They also wanted to get an understanding of how big the impact would be on the natural forestry. Wiseman Rozani from DAFF made a comment about how this forest was one of the few untouched forests the country has left, and having a development on this untouched land could be a problem.

iSimangaliso Wetland Park stressed that part of the development would occur on land which has already been disturbed. The currently existing houses would be demolished and the development would occur on the same footprint. Further to this, small open pockets within the forest would be utilised as efficiently as possible where the lodge would be built to be below the tree canopy.

Memo

ERM mentioned that the lodge units would be below the tree canopy so as to minimise the visual impact. Furthermore, specialists would be present on site prior to construction to ensure that important trees are not cut down. An auditor is also required to be on site during construction to ensure that all management measures detailed in the EMP are adhered to. It is also important to note that the development will not only adhere to the NEMA Regulations, but it will also adhere to the Regulations set by the iSimangaliso Wetland Park Authority.

DAFF asked whether the current layout plan that is in the Report is the new layout based on the comments made by the National DAFF office.

iSimangaliso mentioned that this was the new layout plan which incorporated the comments made by the National DAFF office. They mentioned that the units would be raised on stilts to minimise their footprint.

DAFF and ERM were then escorted by iSimangaliso Wetland Park Authority further into the forest for a better view of where the development is proposed to take place.

Way Forward:

DAFF to provide comments on the proposed Project within the comment period which ends on 31 May 2019. These comments will be incorporated onto the Final BAR and submitted to the Competent Authority for adjudication.



| Title, First name & Surname | Organisation/ Position | Telephone / Cellphone Number | Email Address | Postal Address | Signature |
|-----------------------------|------------------------|------------------------------|-------------------------------|----------------|-----------|
| Ms Khosi Dlamini | ERM | 081 265 0033 | khosidlamini@erm.com | - | |
| MV Richards Nthunye | BHANGAZI TRUST | 0839544600 | N/A | | |
| Ms Goting Mburazi | BHANGAZI TRUST | 0729079445 | Lipha Mburazi@bhangazi.com.tz | | |
| Joice Gomeede | BHANGAZI TRUST | 0799977849 | joice.gomeede@teloms.net | | |
| V. MTHIYANE | Bhangazi Trust | 0729142520 | N/A | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |

BHANGAZI LODGE APPEAL DISCUSSION

DISCUSSION WITH DEFF & DAFF

14 Feb 2020



APPEAL RESPONSE REPORT

Basic information

- **PROJECT NAME/TITLE:**
 - Basic Assessment for the Bhangazi Cultural Heritage Lodge, iSimangaliso Wetland Park, South Africa
- **PROJECT LOCATION:**
 - iSimangaliso Wetland Park, Norther Kwazulu Natal, South Africa
- **PROJECT REFERENCE NUMBER:**
 - 14/12/16/3/3/1/2015
- **DATE PROJECT/ACTIVITY AUTHORISED:**
 - Authorisation Refused 30/10/2019. Note that the Appeals window was increased to 29/02/2020
- **DATE NOTIFIED OF DECISION:**
 - 01/11/2019

DEFF'S REFUSAL TO GRANT EA: KEY FACTORS

1. Non-compliance with Regulation 44(1) of the Environmental Impact Assessment Regulations (EIA) 2014 (Public Participation Process)
 - The DEFF references two stakeholder submissions that were not included in the Final Basic Assessment Report (FBAR) submissions:
 - A submission from DAFF, submitted to the EAP on the 31/05/2019; and
 - A submission from Rhodes University (PSAM) submitted to the EAP on the 01/06/2019.
2. Issues relating to the positioning of certain high impact non-‘exceptional circumstance’ infrastructure in an high sensitivity area, specifically:
 - Staff housing.
 - Restaurant and communal pool complex.

RESPONSE: NON-INCLUSION OF DAFF PSAM COMMENTS

- As per the NEMA regulations, the DBAR was disclosed for comment on the 02/05/2019 until 01/06/2019 for submission of comments. These comments were included in the FBAR, which was submitted to DEFF on the 16/07/2019. This included initial comments from both PSAM and DAFF.
- The DAFF and PSAM submitted additional comments on the final day of the comment period, 01/06/2019. The EAP acknowledges that, due to an administrative error, these comments were not initially included in the Comments and Response Report (CRR) as part of the FBAR submission (16/07/2019).
- However, once the EAP became aware of these comments, the oversight regarding their non-inclusion was discussed with the DEFF Case Officer (CO) on 20/08/2019 and arrangements were made with the CO for the EAP to submit an updated CRR.
- In the updated CRR, the EAP comprehensively responded to the DAFF and PSAM comments and submitted such to the DEFF Case Officer on the 30/08/2019 (Note that the DEFF EA refusal letter is dated 30/10/2019). Proof of submission and delivery of this updated report is included as Annexure...
- This issue was further addressed by the EAP in so far as all stakeholders were notified of the updated CRR in a letter from the EAP dated 02/09/2019, and the stakeholders were furnished a copy thereof.

Following the above, it would appear from the Refusal of EA, that DEFF did not take the amended CRR into account during the processing and adjudication of the application (despite the arrangements between the DEFF and the EAP to submit such). It is therefore reasoned that, with the submission of the updated CRR, the application was in fact fully compliant with Regulation 44(1) of the Environmental Impact Assessment Regulations (EIA) 2014 as amended.

DISCUSSION: POSITIONING OF THE STAFF ACCOMMODATION & MANAGEMENT INFRASTRUCTURE

- DEFF, in the refusal letter, make the erroneous inference that the proposed staff housing area is positioned within the undisturbed forest area on a greenfield site
 - As per the statement under point (h) of the refusal letter which reads ...*'The location of the staff housing as indicated in the layout plan must be moved to a degraded area or to existing areas...'*
- In fact, the layout map in the FBAR submission indicates that the staff housing is positioned in a disturbed area (cleared / developed).



DISCUSSION: POSITIONING OF THE RESTAURANT / POOL COMPLEX

- DAFF, in principle, is not opposed to the development of the chalet units within the forested area.
 - DAFF's comment '*...the ecotourism accommodation (units placed among trees) can in principle be accommodated, but then the size of these units have to be acceptable with minimal damage to the forest canopy..*'
- DAFF recommend:
 - reducing the size of the units and developing alternative unit design to accommodate specific sites; and that
 - the restaurant complex be relocated to a disturbed area on the site; and that
 - A method statement be developed for all activities within the natural forest.
- A specialist botanical survey, commissioned at the behest of DAFF and included in the FBAR, and using a specialist recommended by DAFF, makes the finding that
 - The development of the units within the forest *may* have an impact relating to the removal of trees
 - loss of canopy cover and understorey cover, small increased risk of erosion
 - Residual impacts of this activity are negligible, and
 - It is anticipated that the forest canopy and undergrowth will recover, with mitigation as follows:
 - enrichment planting,
 - the use of raised platforms and boardwalks and
 - modular construction of units to best fit each particular site.

Note:

- 4 protected tree species (NFA) were identified within the greater study area.
- Only 1 protected species were identified within the chalet development zone (Marula).
- No protected plant species (undergrowth) were identified within the study area (but may occur).
- This assessment was done on an assumed footprint area of 100m² per unit.

Trees that may be impacted (Protected species highlighted)

| Development section | Number of trees in 10 x 10 m plot with stem circumference (cm) | | | | Other species present |
|-----------------------------------|--|-------|-------|---|--|
| | 10-29 | 30-59 | >= 60 | Species > 60 | |
| Lodge accommodation (11X2) | | | | | |
| unit 1 a | 4 | 3 | 2 | <i>Diospyros natalensis</i> <i>Clerodendron glabra</i> | <i>Vepris lanceolata</i> <i>Ziziphus mucronata</i> |
| unit 2 a | 0 | 4 | 0 | | <i>Sersia nebulosa</i> <i>Grewia occidentalis</i> <i>Strichnos Gerradii</i> |
| unit 3 a | 8 | 0 | 0 | | <i>Sclerocarya birrea</i> , <i>Trichelia emmitca</i> |
| unit 4 a | 7 | 1 | 0 | | <i>Trichelia emmetica</i> , <i>Celtis African</i> |
| unit 5 a | 7 | 0 | 2 | <i>Celtis African</i> , <i>Clerodendron glabra</i> | <i>Vepris lanceolate</i> , <i>Ficus trichopoda</i> |
| unit 6 a | 15 | 2 | 1 | <i>Vepris lanceolate</i> | <i>Celtis African</i> , <i>Clerodendron glabra</i> , <i>Grewia occidentalis</i> <i>Strichnos Gerradii</i> |
| unit 7 a | 10 | 0 | 2 | <i>Sclerocarya birrea</i> | <i>Diospyros natalensis</i> ; <i>Harpephyllum caffrum</i> |
| unit 8 a | 7 | 0 | 0 | | <i>Clerodendron glabra</i> , <i>Albizia adianthifolia</i> , <i>Strichnos gerradii</i> <i>Protorhus longifolia</i> |
| unit 9 a | 8 | 0 | 1 | <i>Trichelia emmetica</i> | <i>Diospyros natalensis</i> <i>Clerodendron glabra</i> <i>Albizia adianthifolia</i> |
| unit 10 a | 6 | 2 | 1 | <i>Trichelia emmetica</i> | <i>Clerodendron glabra</i> <i>Diaspyros natalensis</i> |

| | | | | | |
|-----------------------------------|-----------------------------|---|---|---|---|
| | | | | | <i>Celtis Africana</i> <i>Ficus trichapodia</i> <i>Ficus craterostoma</i> <i>Hyphaene coriacea</i> <i>Brachylaena discolour</i> |
| unit 11 a | 4 | 4 | 2 | <i>Albizia adianthifolia</i> <i>Sersia natalensis</i> | <i>Clerodendron glabra</i> <i>Diaspyros natalensis</i> <i>Sersia nebulosa</i> |
| Lodge accommodation (7 x4) | | | | | |
| unit 1 b | 3 | 4 | 0 | | <i>Euclea natalensis</i> <i>Albizia adianthifolia</i> |
| unit 2 b | | | 2 | <i>Albizia adianthifolia</i> <i>Protorhus longifolia</i> | <i>Euclea natalensis</i> |
| unit 3 b | 5 | 2 | 2 | <i>Albizia adianthifolia</i> <i>Diaspiros natalensis</i> | <i>Clerodendron glabra</i> <i>Brachyleana discolour</i> <i>Celtis Africana</i> |
| unit 4 b | 10 | 4 | 0 | | <i>Albizia adianthifolia</i> <i>Diaspiros natalensis</i> <i>Brachylaena discolour</i> |
| unit 5 b | 9 | 4 | 0 | | <i>Brachylaena discolour</i> <i>Searsia nebulosi</i> <i>Searsia gueniensis</i> |
| unit 6 b | 6 | 0 | 1 | <i>Protorhus longifolia</i> | <i>Brachylaena discolour</i> <i>Ziziphus mucronata</i> |
| unit 7 b | Could not fit in, leave out | | | | |
| Main complex (plot 25x25) | 10 | 6 | 3 | <i>Albizia adianthifolia</i> <i>Celtis Africana</i> <i>Trichelia emmitica</i> | <i>Ficus craterostoma</i> <i>Hyphaene coriacea</i> <i>Trichelia emmitica</i> |

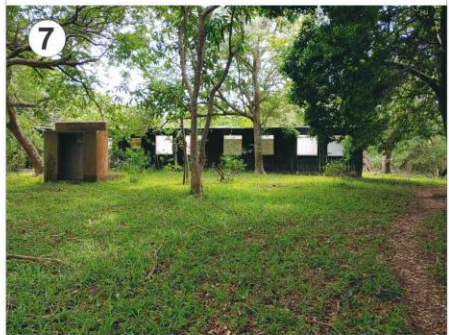
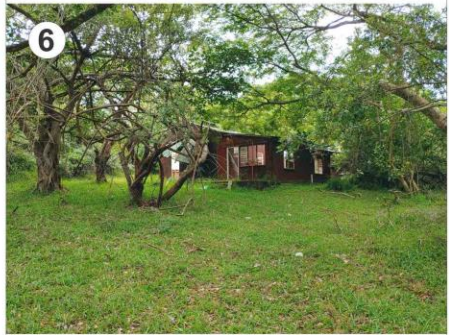
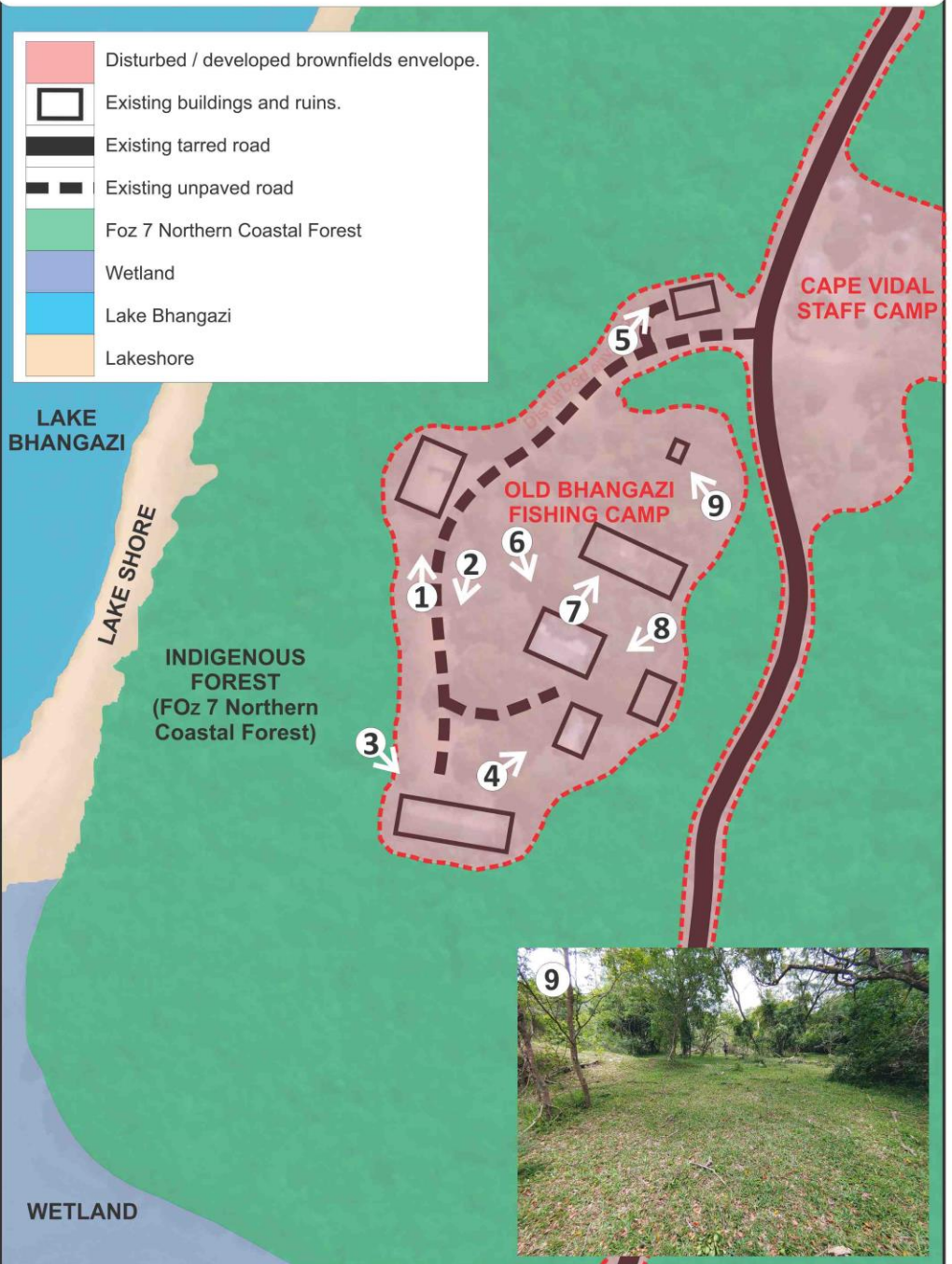
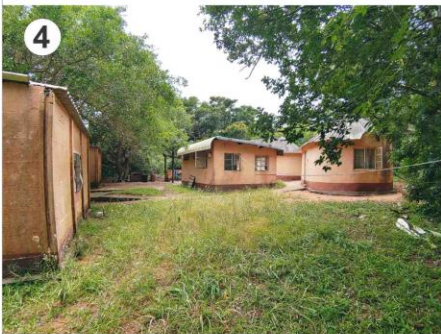
RESPONSE: SITING OF THE RESTAURANT / POOL COMPLEX

- The restaurant and pool complex, previously located within the forest, has been repositioned to a disturbed area outside the forest.
- The staff housing has been split and repositioned on two separate disturbed areas within the old Bhangazi fishing camp (brownfields sites).
- All development within the forest:
 - Will make use of pre-identified cleared areas (old camping spots) where possible, and
 - Reducing the footprint size of the 11x 2 bed units from 75m² to <50m².
 - Reducing the size of the 7x 4 bed units from 75m² to <60m²
 - Use will be made of elevated decks and boardwalks (no infrastructure will be built on the ground).
 - Will be designed for a modular configuration for best positioning on the site.
- The dual access roads have been consolidated to minimize the footprint impact on the forest and restricted to only one access road (existing) in and out of the facility.
- Whilst it is noted that DAFF and the DEA accept the positioning of the ecotourism units (tented chalets) within the forest, the appellant nonetheless proposes further mitigation of potential impacts related hereto by:
 - Limit on the maximum tree removal size of 180mm diameter .
 - No removal of any listed tree species as Protected in terms of the NFA.
 - Appointment of a landscaping contractor to assist with the transplanting trees where at all possible.
- These measures will result in the following nett improvements / benefits to the environment:
 - Original potentially cleared forest area (tented chalets, restaurant, staff): **approx. 1900m²**
 - Revised potentially cleared forest area (tented chalets): **approx. 960m²**
 - By removing the restaurant complex from the forested area, an opportunity is created to space the tented chalet units further apart, and therefore more opportunity is created to find a site that can accommodate the units without significant tree clearing.

RESPONSE: METHOD STATEMENT FOR ACTIVITIES WITH THE FOREST

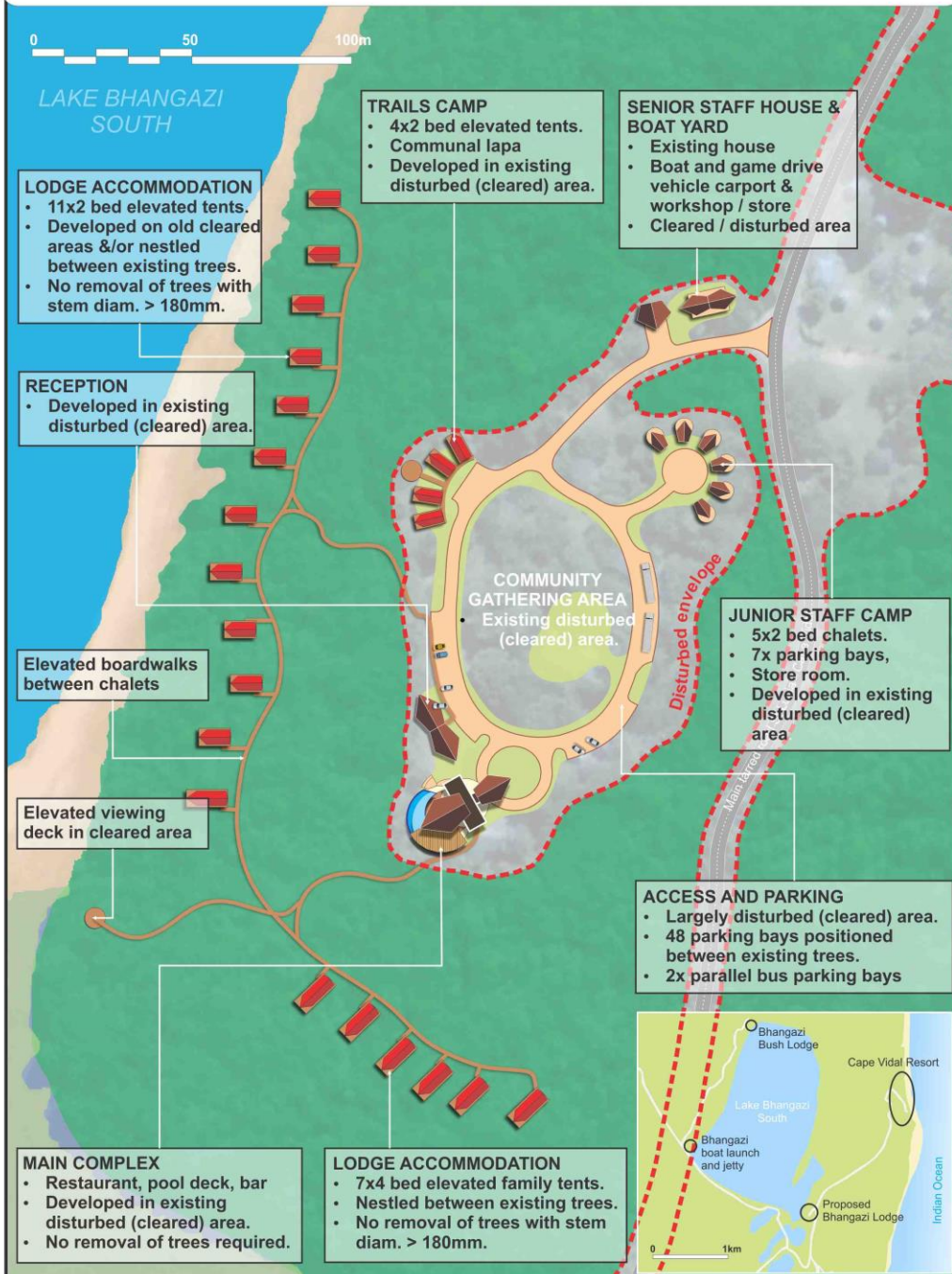
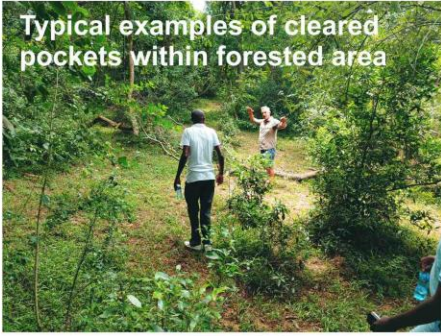
- Pre-construction
 - Site establishment (Botanist and ECO):
 - Identify suitable development envelopes.
 - Identify boardwalk alignment.
 - Mark protected trees and trees exceeding 180mm diam.
 - Identify possible pruning or thinning requirements.
 - Identify possible tree specimens to be transplanted, and mark accordingly.
 - Clearly define each development envelope with danger tape.
 - Identify and define proposed construction access, lay-down, storage and mixing areas.
 - Drafting and submission of permits for removal, transplanting and/or pruning of forest vegetation, as may be required for each site.
 - Design (Architect / Landscape Architect)
 - Develop most appropriate modular layout / arrangement of tented chalet units for each site (site specific).
 - Contractor
 - Ensure contractor has experience with construction in similar environments.
 - ECO to undertake project specific environmental awareness and training course with all construction staff.
 - Establishment of a site nursery for transplanting and enrichment planting.
- Construction
 - ECO to undertake regular (monthly) site monitoring and auditing procedures (measured against the EMPr).
 - EO to report to ECO on weekly basis.
 - Fine system to be instituted.
- Post construction / rehabilitation
 - Removal of all construction debris and material.
 - Rehabilitation of all disturbed areas.
 - Counter erosion measures.
 - No sign-off or final payments (retention) before site is rehabilitated to ECO approval.

BHANGAZI LODGE SITE ASSESSMENT 02/2020

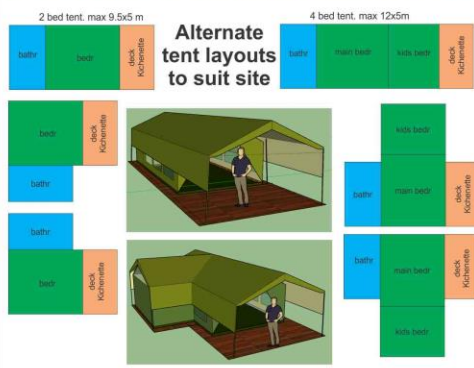


BHANGAZI LODGE SITE LAYOUT PLAN 02/2020

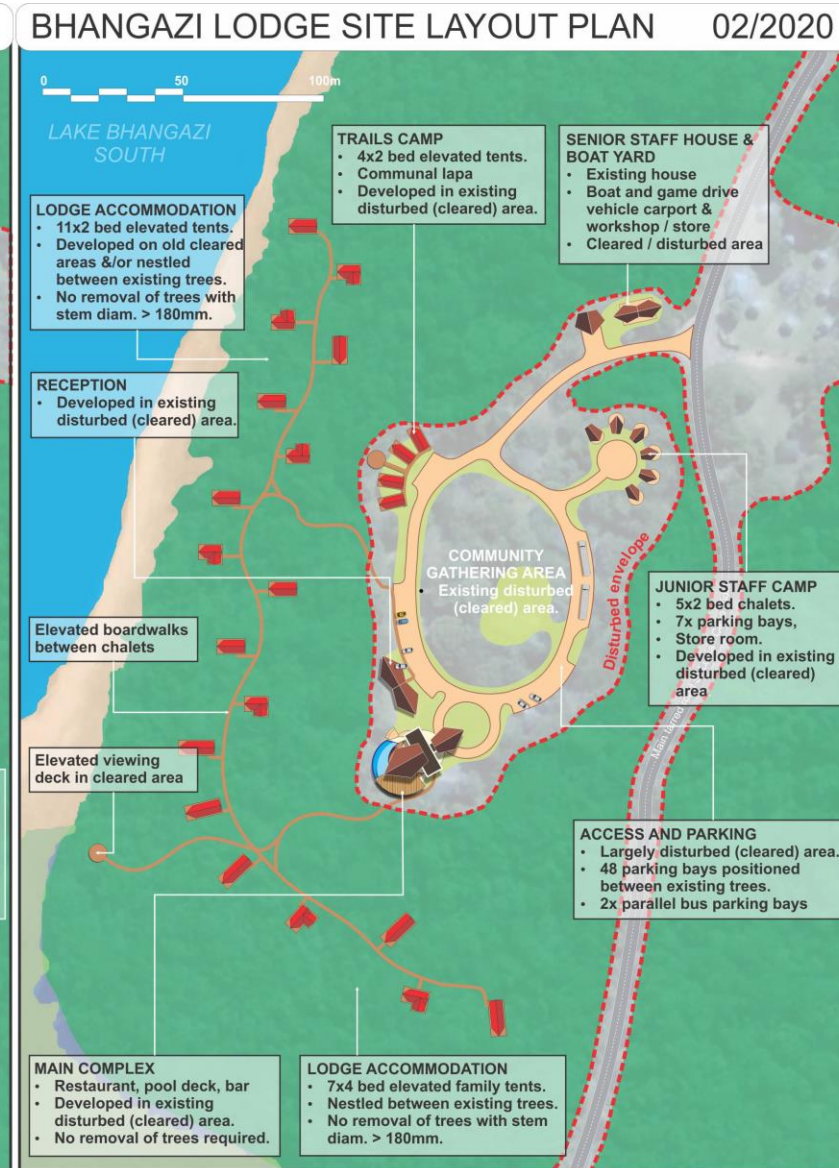
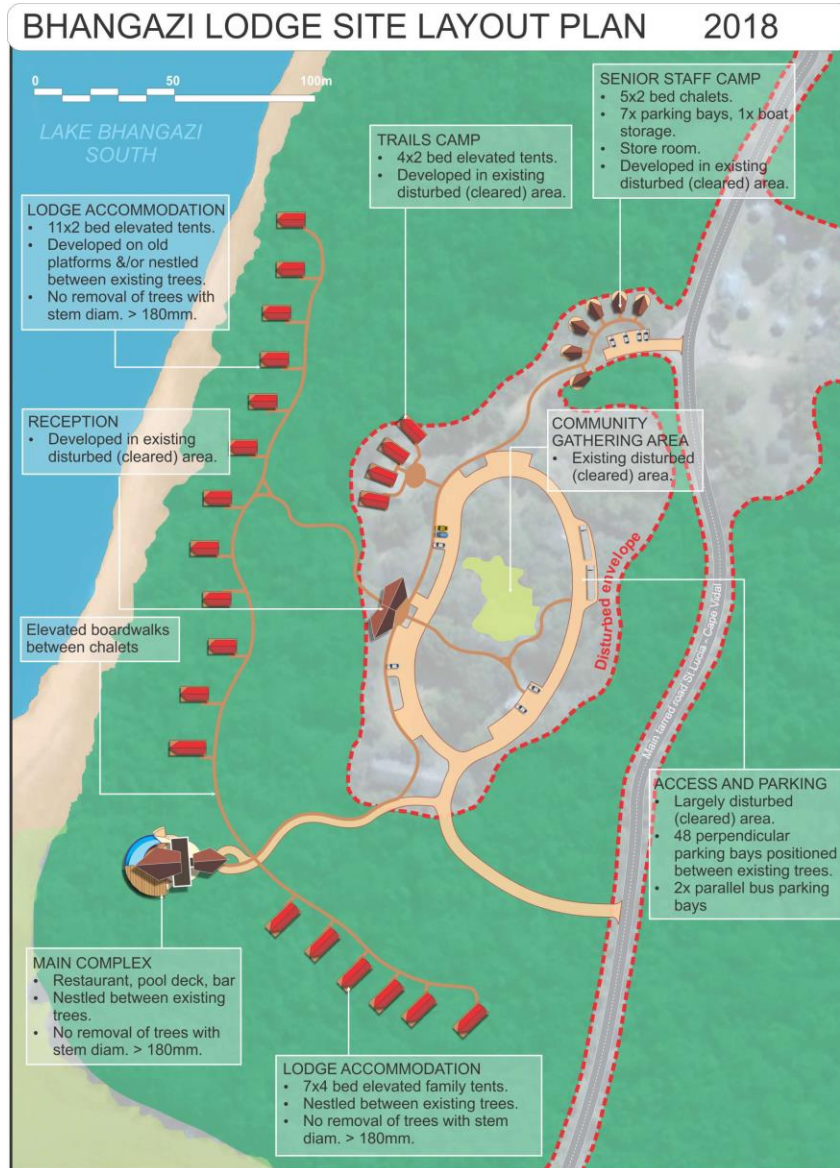
Typical examples of cleared pockets within forested area



Typical look and feel imagery

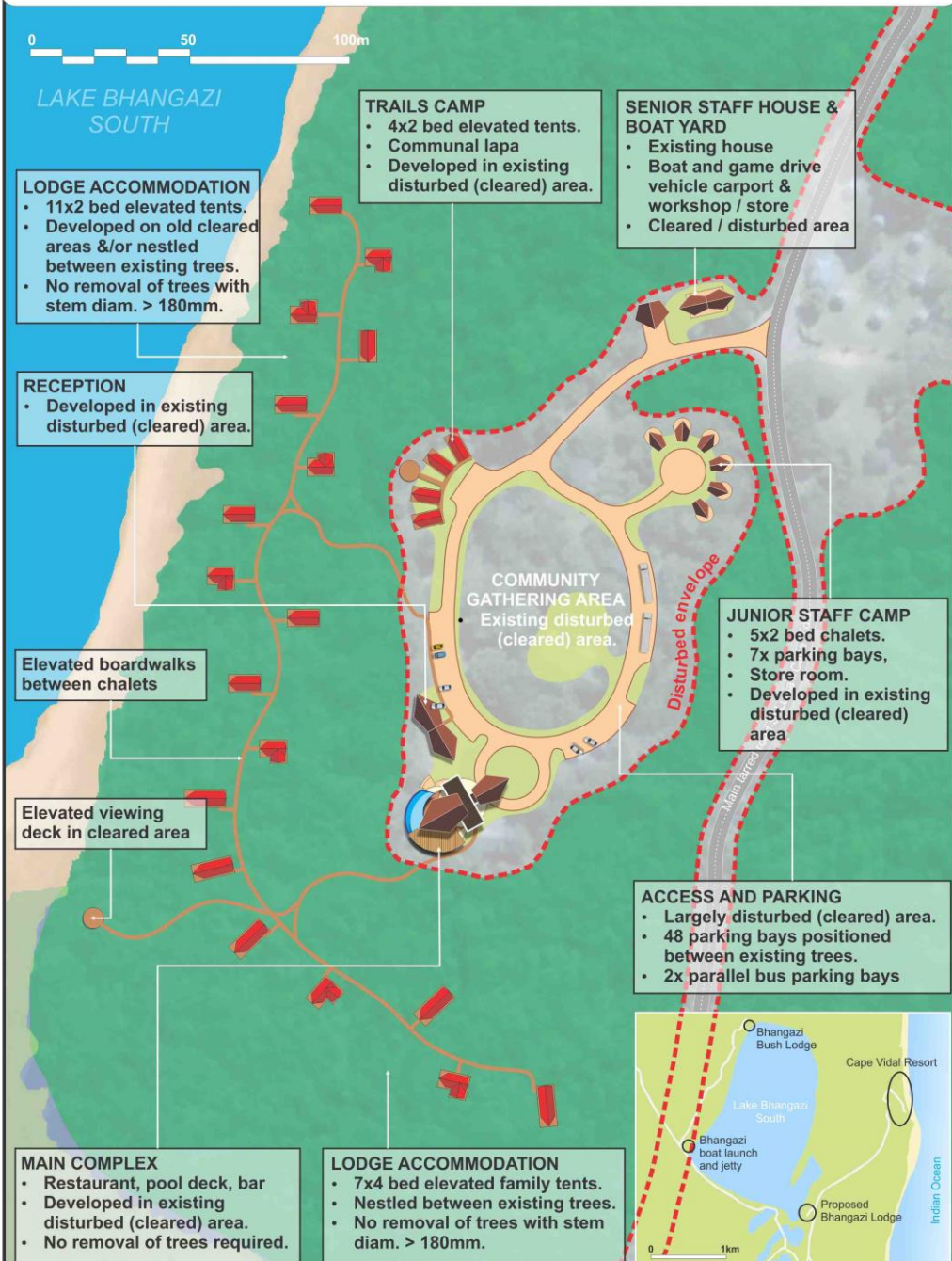
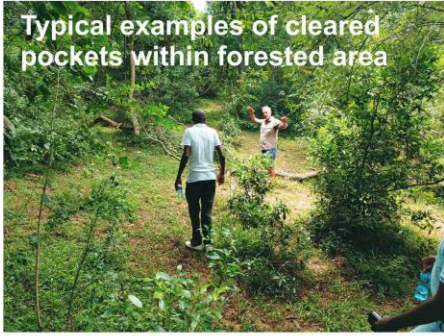


COMPARISON: ORIGINAL LAYOUT (LEFT) VERSUS REVISED LAYOUT (RIGHT)

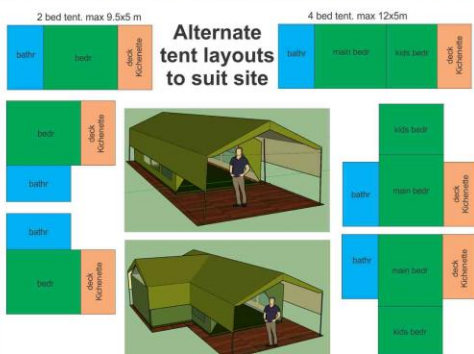


BHANGAZI LODGE SITE LAYOUT PLAN 02/2020

Typical examples of cleared pockets within forested area

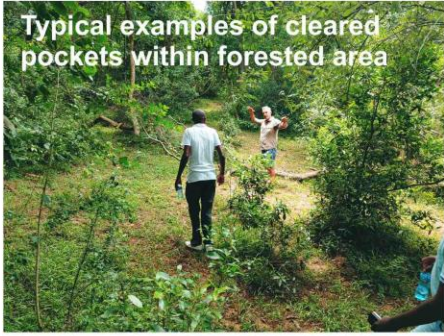


Typical look and feel imagery



BHANGAZI LODGE SITE LAYOUT PLAN 02/2020

Typical examples of cleared pockets within forested area



0 50 100m

LAKE BHANGAZI SOUTH

LODGE ACCOMMODATION
 • 11x2 bed elevated tents.
 • Developed on old cleared areas &/or nestled between existing trees.
 • No removal of trees with stem diam. > 180mm.

TRAILS CAMP
 • 4x2 bed elevated tents.
 • Communal lapa
 • Developed in existing disturbed (cleared) area.

SENIOR STAFF HOUSE & BOAT YARD
 • Existing house
 • Boat and game drive vehicle carport & workshop / store
 • Cleared / disturbed area

RECEPTION
 • Developed in existing disturbed (cleared) area.

COMMUNITY GATHERING AREA
 Existing disturbed (cleared) area.

JUNIOR STAFF CAMP
 • 5x2 bed chalets.
 • 7x parking bays,
 • Store room.
 • Developed in existing disturbed (cleared) area

Elevated boardwalks between chalets

Elevated viewing deck in cleared area

ACCESS AND PARKING
 • Largely disturbed (cleared) area.
 • 48 parking bays positioned between existing trees.
 • 2x parallel bus parking bays

MAIN COMPLEX
 • Restaurant, pool deck, bar
 • Developed in existing disturbed (cleared) area.
 • No removal of trees required.

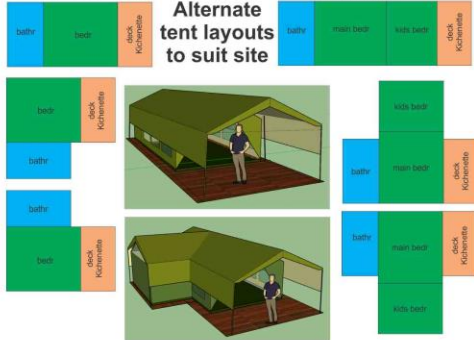
LODGE ACCOMMODATION
 • 7x4 bed elevated family tents.
 • Nestled between existing trees.
 • No removal of trees with stem diam. > 180mm.



Typical look and feel imagery



2 bed tent, max 9.5x5 m 4 bed tent, max 12x5m



**MINUTES OF THE SITE MEETING:
BHANGAZI COMMUNITY LODGE**

BHANGAZI FISHING CAMP SITE
ISIMANGALISO WETLAND PARK

*(Site visit, arranged by DEFF: Appeals and Legal Review,
to assess the revised layout plan as submitted in the appeal documentation)*

12/03/2020

1. ATTENDANCE

| Name | Organisation | Email | Tel. |
|-----------------|---|------------------------------------|-------------|
| J S Gumede | Bhangazi Community Trust | Bhangazicomunitytrust@telkomsa.net | 079 9977849 |
| V Mthiyane | Bhangazi Community Trust | Bhangazicomunitytrust@telkomsa.net | 072 914250 |
| R Mthiyane | Bhangazi Community Trust | Bhangazicomunitytrust@telkomsa.net | 066 5688481 |
| Peter Velcich | Nuleaf Planning and Environmental | peter@nuleafsa.co.za | 082 4420220 |
| Piet Theron | African Safari Foundation | Piettheron01@gmail.com | 0824686488 |
| N Nkosi | Department of Environment Forestry and Fisheries (DEFF):IEA | nnkosi@environment.gov.za | 012 3999392 |
| Z Langa | DEFF:IEA | zlanga@environment.gov.za | 012 3999389 |
| I Van der Merwe | DEFF: Forestry | izakvdm@daff.gov.za | 084 9102604 |
| S E Mbense | iSimangaliso Wetland Park Authority | Siboniso@isimangaliso.com | 035 5901633 |

2. APOLOGIES

- a. Apologies were received from Mr. Mokete Rakgogo (DEFF, Director: Appeals and Legal Review) and Advocate Rudessa Harris (DEFF, Director: Appeals and Legal Review), both of whom were unable to reach the site due to civil protest action encountered en-route.

3. MINUTES

- a. A pre site visit meeting was held at the offices of Isimangaliso Wetland Park Authority, starting at 10h00.
 - i. Mr Theron chaired this meeting and welcomed all.
 - ii. Mr Theron explained to the Bhangazi Community Trust members the purpose of the meeting and why the appeal process was happening and what the process entailed.
 - iii. Following the understanding that the DEFF: Appeals and Legal Review officials would not make the site visit, it was agreed that a site visit would still be undertaken by the attendees and that arrangements would be made for said officials to visit the site the following day (pending the state of the protest action). Mr Mbense undertook to make the necessary arrangements in this regard
 - iv. Mr Velcich then presented the core issues addressed in the Appeal, as submitted to DEFF on the 28/02/2020.
 - v. Mr Velcich specifically highlighted the revisions that were made to the layout plan, in response to comments and concerns that were received from DEFF (Forestry) and Public Service Accountability Monitors (PSAM) in the Basic Assessment Process, as follows:
 1. The restaurant / pool complex had been relocated from the forest area to a disturbed site within the old Bhangazi Fishing Camp.
 2. Similarly, the staff accommodation facilities were positioned within the disturbed area.
 3. All other infrastructure, with the exception of the guest chalets, was located in the disturbed area.
 4. The access road system had been revised to include a single entry road, off the main Cape Vidal road.
 5. The size of the guest chalets had been reduced from 75m² to <70m² and <50m² (4 bed and 2 bed chalets respectively).
 6. A comprehensive Method Statement had been developed to address all construction and post construction related activities within the forest area.

7. Mr Velcich emphasized that the Method Statement pays particular attention to the siting of the chalets within the forest area. In this regard, pre-construction activity would include the identification and marking of sites and pathways with a suitably qualified botanist. This activity will also include the marking of trees and plants that may or may not be disturbed.
- vi. Mr Van Der Merwe noted the following:
1. DEFF are more concerned with keystone species and protection of our natural forests, and less concerned with protected species.
 2. Any removal of protected species would require permitting / licensing from the iSimangaliso Wetland Park Authority, and not from DEFF (due to the transfer of the said state forest from the then Minister of Agriculture, Forestry and Fisheries to the then Minister of Environmental Affairs. This transfer included the transfer of the provisions of section 7 of the National Forestry Act (NFA) for Protected Areas).
 3. The mandate of DEFF in terms of natural forests, and in accordance with the National Forestry Act, is to ensure that natural forests are protected, and not cleared except in exceptional circumstances. DEFF would like to avoid creating a precedent, by approving the development of infrastructure within natural forests, where such infrastructure could not reasonably be considered 'exceptional circumstance'.
 4. Mr Van der Merwe noted that DEFF had sought legal opinion, which stated that the restaurant / pool complex and staff housing could not be considered 'exceptional circumstance' but that guest chalets could be considered 'exceptional circumstance'. Therefore, DEFF are supportive of the revised layout plan as submitted with the appeal, in that only guest chalets will be developed within the forest area. Mr Van der Merwe went on to note that positioning of the chalets within the natural forest area was important to the success of the tourism destination, and the positioning of such units must ensure a true eco-tourism / forest experience for guests.

5. Mr Van der Merwe noted that our natural forests are important as they provide numerous benefits to the community at large, through eco-system services, hence the strict nature of national legislation governing our natural forests.
 6. Mr Van der Merwe concluded by noting that: he was happy with the revisions and to the layout plan; supportive of method statement and mitigation measures; that such revisions were responsive to DEFF concerns; that the concept of exceptional circumstance had now been properly addressed; and, in his words, *'this can work'*
 - vii. Mr Mbense noted that the Bhangazi Community Trust would be involved in the specific actions and activities listed in the Method Statement, and most importantly, with the final positioning of the chalets on-site.
 - viii. Mr Van der Merwe requested that the Method Statement include the identification of any plant species (as opposed to tree species) for transplanting
 - ix. Mrs Joice Mthiyane (Bhangazi Community Trust Chairperson) spoke at length about the history of the project, and impressed on all stakeholders that this project was first initiated over 20 years ago, in 1999. The community have been patiently waiting ever since to see some tangible progress and benefit, but have instead been faced with numerous delays and obstacles. She requested that all project stakeholders recognise the plight of the community in this regard, and maximise all efforts to bring this project to fruition in an expedient manner.
- b. Following the meeting, the attendees made their way to the site, for a site inspection
- i. Mr Velcich used the layout plan to orientate the attendees on the ground, and pointed out the disturbed sites where the restaurant, reception, staff housing, trails camp chalets, and access road and parking areas would be located (all within the disturbed footprint of the old Bhangazi Fishing Camp).
 - ii. The attendees then walked from site to site for closer inspection.
 - iii. Ms Langa noted that the site and infrastructure, used to house Ezemvelo KZN Wildlife staff, was severely degraded, and very poorly maintained.

- iv. Ms Langa queried the participation of PSAM in the Appeal process. Mr Velcich noted that contact had been made with Mr Scarr from PSAM, and that Mr Scarr was provided with the Draft Appeal document and invited to submit comment and input. However, Mr Scarr indicated that, in terms of procedure, he would feel more comfortable commenting on the Final Appeal as submitted to DEFF. Mr Velcich noted that Mr Scarr had been furnished with a copy of the Final Appeal.
 - v. The attendees were then taken along an informal pathway leading through the forest and down to the edge of the lake. Along this route, Mr Velcich pointed out a number open of pockets in the forest which were suitable for the development of chalets, without the need for significant clearance or pruning of trees. Mr Van der Merwe confirmed this by measuring out one of the sites with a tape measure.
- c. Following the site walk,
- i. Ms Nkosi discussed the way forward, noting that DEFF, Director: Appeals and Legal Review would require their comments submitted by Monday 16th March, following which, a recommendation on the Appeal would be forwarded to the Minister for a decision. She also noted that the process *may* require resubmission of the layout plan to the Interested and Affected Parties, and resubmission of the Comments and Response Report and Final Basic Assessment Report.
 - ii. Mr Van der Merwe again noted that he was comfortable with the new layout and mitigation measures, and specifically the actions described in the Method Statement. Mr Van der Merwe concluded with the observation that *'this can be done'*.

4. CLOSURE

- a. Mr Theron thanked everyone for attending the meeting and site visit, and closed the meeting at approximately 12h30.