

PROPOSED ESTABLISHMENT OF A RESIDENTIAL DEVELOPMENT AND ASSOCIATED INFRASTRUCTURE ON PORTION 2 OF FARM GOEDE VERWACHTING NO. 870, REMAINDER OF FARM NO. 869, FARM NO. 1262, REMAINDER OF FARM NO. 866, REMAINDER OF FARM NO. 1054, AND PORTIONS 2 AND 3 OF FARM NO. 1054, SIR LOWRY'S PASS VILLAGE. - Compliance with the conditions of the Environmental Authorisation (EA) dated 16 August 2022 with DFFE Reference number: 16/3/3/1/A3/53/2005/22

The table below gives a summary of the conditions applicable to this environmental authorisation and discuss compliance on the hand of proof.

EA Condition No.	Short description of each Condition	Comments on Compliance (The following colours are used for ease of reference) Compliant Partial-compliant Non-compliant Require confirmation Not auditable
1	The holder is authorised to undertake the listed activities specified in Section B above in accordance with and restricted to the preferred alternative, described in the BAR dated 04 May 2022 on the site as described in Section C above.	Noted
2	Authorisation of the activities is subject to compliance with the conditions set out in this Environmental Authorisation. The holder must	Note

	ensure compliance with the conditions by any person acting on his/her behalf, including an agent, sub-contractor, employee or any person rendering a service to the holder.	
3	The holder must commence with, and conclude, the listed activities within the stipulated validity period which this Environmental Authorisation is granted for, or this Environmental Authorisation shall lapse and a new application for Environmental Authorisation must be submitted to the competent authority. This Environmental Authorisation is granted for– (a) A period of five (5) years, from the date of issue, during which period the holder must commence with the authorised listed activities; and (b) A period of fifteen (15) years, from the date the holder commenced with an authorised listed activity, during which period the authorised listed activities must be concluded.	Compliant The EA was granted in 2022, thus the listed activities commenced within 2 years.
4	The activities that have been authorised may only be carried out at the site described in Section C above in terms of the approved Environmental Management Programme (“EMPr”) and the River	Compliant The activities are being carried out in terms of the EMPr and the RMMP.

	Maintenance Management Plan ("RMMP").	
5	Any changes to, or deviations from the scope of the description set out in Section B and Condition 2 above must be accepted or approved, in writing, by the competent authority before such changes or deviations may be implemented. In assessing whether to grant such acceptance/approval or not, the competent authority may request such information to evaluate the significance and impacts of such changes or deviations, and it may be necessary for the holder to apply for further authorisation in terms of the applicable legislation.	Compliant No changes or deviations from the scope was observed on site.
6	The holder of the authorisation must in writing, within 14 (fourteen) calendar days of the date of this decision – 6.1.3 the date of the decision; and 6.1 notify all registered interested and affected parties ("I&APs") of – 6.1.1 the outcome of the application; 6.1.2 the reasons for the decision; 6.1.4 the date of issue of the decision;	Compliant The EA was issued on the 16 th of August 2022, and the I&APs has been notified of the EA on the 18 th of August, so within 2 days of the EA being issued.

	6.2 draw the attention of all registered I&APs to the fact that an appeal may be lodged against the decision in terms of the National Appeal Regulations, 2014 (as amended); 6.3 draw the attention of all registered I&APs to the manner in which they may access the decision; and 6.4 provide the registered I&APs with: 6.4.1 the name of the holder (entity) of this Environmental Authorisation, 6.4.2 name of the responsible person for this Environmental Authorisation, 6.4.3 postal address of the holder, 6.4.4 telephonic and fax details of the holder, 6.4.5 e-mail address, if any; 6.4.6 the contact details (postal and/or physical address, contact number, facsimile and e-mail address) of the decision-maker and all registered I&APs in the event that an appeal is lodged in terms of the	
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	National Appeal Regulations, 2014 (as amended).	
7	The listed activities, including site preparation, must not commence within 20 (twenty) calendar days from the date the applicant notified the registered I&APs of this decision.	Compliant The I&APs were notified on the 18 th of August 2022, and the letter of commencement for site preparation was sent on the 12 th of February 2024.
8	In the event that an appeal is lodged with the Appeal Administrator, the effect of this Environmental Authorisation is suspended until such time as the appeal is decided. In the instance where an appeal is lodged the holder may not commence with the activity, including site preparation, until such time as the appeal has been finalised and the holder is authorised to do so.	Compliant No appeals were lodged.
9	A minimum of 7 (seven) calendar days' notice, in writing, must be given to the competent authority before commencement of construction activities. Commencement for the purpose of this condition includes site preparation. 9.1 The notice must make clear reference to the site details and EIA Reference number given above.	Compliant The notification of commencement was sent to the competent authority on the 12 th of February 2024. The notice made clear reference to the site details and the reference number. The notice included proof of compliance with condition

	9.2 The notice must also include proof of compliance with the following conditions described herein: Conditions: 6, 7, 14 and 21.	6, 7, 14 and 21.
10	The draft EMPr dated 04 May 2022 (as compiled by Guillaume Nel Environmental Consultants); the draft RMMP dated 24 February 2022 (as compiled by Mr. Christoff Dippenaar of Guillaume Nel Environmental Consultants); the Watercourse and Wetland Rehabilitation Plan dated March 2021 (as compiled by Freshwater Ecologist Network Consulting (Pty) Ltd.); and the Rehabilitation Plan November 2022, amended March 2021 (as compiled by Mr. Christoff Dippenaar of Guillaume Nel Environmental Consultants) are hereby approved and must be implemented.	Complaint The EMPr, RMMP, the WWRP and Rehabilitation Plan is implemented on site.
11	An application for amendment to the EMPr must be submitted to the competent authority in terms of Chapter 5 of the EIA Regulations, 2014 (as amended) if any amendments are to be made to the outcomes of the EMPr, and these may only be implemented once the amended EMPr has been authorised by the competent authority.	Compliant No amendments to the EMPr have been done to date.
12	The EMPr, including the RMMP, Watercourse and Wetland	Supply proof

	Rehabilitation Plan and Rehabilitation Plan must be included in all contract documentation for all phases of implementation.	The holder to supply proof to the ECO of the EMPr, RMMP, Watercourse and Wetland Rehabilitation Plan and Rehabilitation Plan was included in the contract documentation.
13	A copy of the Environmental Authorisation and the EMPr must be kept at the site where the listed activities will be undertaken. Access to the site referred to in Section C above must be granted and, the Environmental Authorisation and EMPr must be produced to any authorised official representing the competent authority who requests to see it for the purposes of assessing and/or monitoring compliance with the conditions contained herein. The Environmental Authorisation and EMPr must also be made available for inspection by any employee or agent of the applicant who works or undertakes work at the site.	Supply proof The contractor should supply proof of the EA and EMPr that is kept on site.
14	The holder must appoint a suitably experienced Environment Control Officer ("ECO"), for the duration of the construction phase to ensure compliance with the provisions of the EMPr and the conditions contained in this Environmental Authorisation. The ECO must– 14.1 be appointed prior to commencement of any construction	Compliant An ECO was appointed prior to the commencement on site, and ensures compliance with the EMPr and the EA. The current ECO on site is Nica Kotze from Guillaume Nel Environmental Consultants.

	activities commencing; 14.2 ensure compliance with the EMPr and the conditions contained herein; 14.3 keep record of all activities on site; problems identified; transgressions noted, and a task schedule of tasks undertaken by the ECO; 14.4 remain employed until all rehabilitation measures, as required for implementation due to construction damage, are completed; 14.5 provide the competent authority with copies of the ECO reports within 30 days of the project being finalised; and 14.6 conduct two weekly site inspections during the construction phase.	
15	The holder must, for the period during which the Environmental Authorisation and EMPr remain valid - 15.1 ensure that the compliance with the conditions of the Environmental Authorisation and the EMPr is audited;	Note An external audit should be done 4 months after construction commenced on site. An external audit should be done in October 2024, as construction

	15.2 submit an environmental audit report four (4) months after commencement of the construction phase to the relevant competent authority; 15.3 submit an environmental audit report six (6) months after completion of the construction phase to the relevant competent authority; and 15.4 submit an environmental audit report every five (5) years while the Environmental Authorisation remains valid.	commenced in June. Another external audit should then be done 6 months after the completion of the entire construction phase. Quotes for the External audit has been sent and should please be approved ASAP
16	The environmental audit reports must be prepared by an independent person with expertise and must address the objectives and contain all the information set out in Appendix 7 of the EIA Regulations, 2014 (as amended). In addition to the above, the environmental audit report, must - 16.1 provide verifiable findings, in a structured and systematic manner, on- (a) the level of compliance with the conditions of the Environmental Authorisation and the EMPr and whether this is sufficient or not; and	Noted

	(b) the extent to which the avoidance, management and mitigation measures provided for in the EMPr achieve the objectives and outcomes of the EMPr and highlight whether this is sufficient or not; 16.2 identify and assess any new impacts and risks as a result of undertaking the activity; 16.3 evaluate the effectiveness of the EMPr; 16.4 identify shortcomings in the EMPr; 16.5 identify the need for any changes to the avoidance, management and mitigation measures provided for in the EMPr; 16.6 indicate the date on which the construction work was commenced with and completed or in the case where the development is incomplete, the progress of the development and rehabilitation; 16.7 include a photographic record of the site applicable to the audit; and 16.8 be informed by the ECO reports.	
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17	The holder must, within 7 days of the submission of the environmental audit report to the competent authority, notify all potential and registered I&APs of the submission and make the report available to anyone on request and, where the holder has such a facility, be placed on a publicly accessible website.	Noted
18	Surface or ground water must not be polluted due to any actions on the site. The applicable requirements with respect to relevant legislation pertaining to water must be met.	Compliant No surface or groundwater was polluted on site during the visit.
19	An integrated waste management approach, which is based on waste minimisation and incorporates reduction, recycling, re-use and disposal, where appropriate, must be employed. Any solid waste must be disposed of at a waste disposal facility licensed in terms of the applicable legislation.	Note The holder to take note of this condition. Disposal slips should be sent to the ECO.
20	Should any heritage remains be exposed during excavations or any actions on the site, these must immediately be reported to the Provincial Heritage Resources Authority of the Western Cape, Heritage Western Cape (in accordance with the applicable legislation). Heritage remains uncovered or disturbed during earthworks must not be further	Supply proof No heritage remains were exposed on site.

	disturbed until the necessary approval has been obtained from Heritage Western Cape. Heritage remains include archaeological remains (including fossil bones and fossil shells); coins; indigenous and/or colonial ceramics; any articles of value or antiquity; marine shell heaps; stone artifacts and bone remains; structures and other built features; rock art and rock engravings; shipwrecks; and graves or unmarked human burials. A qualified archaeologist must be contracted where necessary (at the expense of the applicant and in consultation with the relevant authority) to remove any human remains in accordance with the requirements of the relevant authority. 20.1 Within six (6) months of approval of the proposed development, the owner of the proposed “Remainder Goede Verwachting Homestead Erf” must submit a Conservation Management Plan for the homestead and its context to Heritage Western Cape for approval. 20.2 The Conservation Management Plan must be prepared by a suitably qualified heritage practitioner and must include, inter alia, the requirement that trenching activity within 50m of the homestead area must be checked by an archaeologist.	20.1) No proof was received of the Conservation Plan as yet; the developer should please submit the plan to the ECO. As it should have been done 6 months after approval.
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	20.3 Prior to any work in the vernacular cottage precinct, the proposed alterations (including a maintenance plan) for all structures to be retained in the precinct, must be submitted to Heritage Western Cape for approval and must be accompanied by more detailed proposals for the precinct, including an appropriate maintenance and refurbishment plan, and plans for landscaping, boundary treatment, lighting and signage.	
21	The area in the southwestern corner where the <i>Monsonia speciosa</i> species has been identified must be demarcated before any construction activities commences. This area must be treated as a no-go area and may not be developed.	Compliant The area in the southwestern corner of the site has been clearly demarcated on site, and will be treated as a no go area and will not be developed.
22	The holder of the Environmental Authorisation must, at all times, ensure that the activities comply with the Noise Regulations in terms of the relevant legislation.	Compliant The holder to take note of this condition.
23	Water saving mechanisms and/or water recycling systems must be installed in order to reduce water consumption that include inter alia, the following:	Not auditable Only the civil services are underway at the moment.

	23.1 Dual-flush toilet systems. 23.2 All taps must be fitted with water saving devices (i.e., tap aerators, flow restrictors and low flow shower heads). 23.3 Water-wise landscaping must be established.	
24	The development must incorporate energy/electricity saving measures, which include inter alia, the following: 24.1 Use of energy efficient lamps and light fittings. Low energy bulbs must be installed, and replacement bulbs must also be of the low energy consumption type. 24.2 Street lighting must be kept to a minimum and down lighting must be used to minimise light impacts. Streetlights must be switched off during the day. 24.3 All geysers must be covered with geyser “blankets”. 24.4 The installation of solar water heaters and solar panels must be considered for all buildings.	Not auditable Only the civil services are underway at the moment. The holder to please take note of this condition