

REFERENCE: 16/3/3/5/D2/19/0009/22
NEAS REF.: WCP/EIA/AMEND/0000681/2022
DATE OF ISSUE: 14 December 2022

ADDENDUM TO ENVIRONMENTAL AUTHORISATION

APPLICATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) FOR THE AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 4 NOVEMBER 2010 (DEA&DP REF NO. EG12/2/1-AG3-5720) FOR THE PROPOSED CHANGE IN LAND USE FROM AGRICULTURAL TO ANY OTHER LAND USE FOR RESIDENTIAL TOWNSHIP DEVELOPMENT ON PORTIONS 370 AND 371 OF THE FARM KRAAIBOSCH 195, GEORGE

With reference to your application for the abovementioned, find below the decision with respect to the application (submitted on 2 November 2022) for the amendment to the Environmental Authorisation issued on 4 November 2010 under DEA&DP Reference EG12/2/1-AG3-5720 (hereinafter referred to as the "Environmental Authorisation").

A. DECISION

By virtue of the powers conferred on it by the National Environmental Management Act, 1998 (Act No. 107 of 1998, as amended) and the Environmental Impact Assessment Regulations, 2010, ("NEMA EIA Regulations") the competent authority herewith **grants** the amendment to the Environmental Authorisation issued on 4 November 2010.

The Environmental Authorisation is amended as set out below:

1. Section C of the Environmental Authorisation is substituted for the following:

"C. DETAILS OF THE HOLDER OF THIS ENVIRONMENTAL AUTHORISATION

*The Director
Cape Estates Properties Outeniqua (Pty) Ltd
P.O. Box 12486
GEORGE
6546*

*Tel: 044 887 0455
E-mail: arno@kraaibosch.co.za"*

The abovementioned company is the holder of this Environmental Authorisation and is hereinafter referred to as '**the holder**'. "

2. Section G: 27 of the Environmental Authorisation is substituted for the following:

"The Holder is authorised to undertake the listed activities specified in Section A above and such activities may only be carried out at the property indicated in Section B the activities must be implemented and concluded within the specified validity period of the Environmental Authorisation.

This Environmental Authorisation is only for the implementation of the Preferred Alternative for the site which entails:

The rezoning of Agricultural Zone I land to subdivisonal area for the construction of a mixed density residential township. The proposed development entails the establishment of not more than 193 Residential Zone I erven; five (5) Residential Zone II erven of not more than 6.66 ha in total; Road Reserve; Open Space within the proposed development and at least 2.93 ha (7.77%) of land along the Modderkloof / Modderrugrivier. Residential Zone I erven of 800m² on average, according to the recommended density in the Kraaibosch / Glenwood Local Structure Plan.

Bulk service provisions and associated infrastructure are to be installed to the George Municipality's standard.

*The development will be carried out in accordance with the Site Development Plan (SDP) compiled by Marike Vreken Urban and Environmental Planners (Drawing number Pr22/37 GEO27668Ph3Layout06 dated October 2022) attached hereto as:
ANNEXURE 1: SITE DEVELOPMENT PLAN."*

A copy of "ANNEXURE 1: SITE DEVELOPMENT PLAN" is attached to this Addendum to the Environmental Authorisation which must be read together with the Environmental Authorisation.

All other conditions contained in the Environmental Authorisation issued on 4 November 2010 still remain unchanged and in force.

B. REASONS FOR THE DECISION

In reaching its decision, the Department took, *inter alia*, the following into consideration:

1. The Environmental Authorisation issued on 4 November 2010 (as amended), is regarded to be valid.
2. The applicant has motivated that the application relates to a change of the company information of the Holder. An amended registration certificate issued by the Commissioner CIPC was received wherein the name was changed from REIGATE DEVELOPMENT PROJECTS to

CAPE ESTATES PROPERTIES OUTENIQUA. The applicant wishes to transfer the rights and obligations associated with the Environmental Authorisation to CAPE ESTATES PROPERTIES OUTENIQUA (PTY) LTD. (1993/006590/07). Section C of the Environmental Authorisation has been amended to reflect this change.

3. The proposal to redevelop Phase 3 of the Site Development plan will not change the scope of the environmental authorisation, nor increase the level or nature of the impact, which impact was initially assessed and considered when application was made for an environmental authorisation. This was confirmed in the letter issued by this Directorate on 8 November 2022. Condition 27 (Section G: 27) of the Environmental Authorisation has been amended to reflect this change.

4. In correspondence dated 9 March 2020, the Competent Authority indicated that the following in relation to earlier changes to the approved layout plan:

Any further changes to the SDP as stated in this Addendum to the Environmental Authorisation must be approved by the Competent Authority prior to such changes being undertaken. The details of Phases 4, 5 and 6 as depicted on the SDP in Annexure 1 still need to be determined. Such changes will be subject to a further application in terms of Chapter 5 of the Environmental Impact Assessment Regulations, 2014 (as amended) or subsequent regulations.

The onus is on the Holder of the Environmental Authorisation to confirm the correct procedure before continuing with the development.

5. The environment and the rights and interests of other parties are not likely to be adversely affected by this decision to amend the Environmental Authorisation.

C. CONDITIONS

1. In the event that an appeal is lodged with the Appeal Authority, the effect of this amendment to the Environmental Authorisation (issued on 4 November 2010) is suspended until the appeal is decided (i.e. the listed activities, including site preparation for the revised layout, must not commence until the appeal is decided).

2. The holder of the environmental authorisation must provide the Competent Authority with seven (7) calendar days' written notice before the commencement of the continuation of the construction activities.

2.1. The notice must also include proof of compliance with Condition 1 described herein.

3. The conditions contained in the Environmental Authorisation issued on 4 November 2010 (as amended), remain in force.

D. APPEALS

1. An appellant (if the holder of the decision) must, within 20 (twenty) calendar days from the date the notification of the decision was sent to the holder by the Competent Authority –
 - 1.1. Submit an appeal in accordance with Regulation 4 of the National Appeal Regulations 2014 (as amended) to the Appeal Administrator; and
 - 1.2. Submit a copy of the appeal to any registered I&APs including any Organ of State with interest in the matter; and
 - 1.3. Submit a copy of the appeal to the decision-maker (i.e. the Competent Authority that issued the decision) at:
Zaahir.Toefy@westerncape.gov.za
Gavin.Benjamin@westerncape.gov.za and copied to
DEADPEIAadmin.George@westerncape.gov.za
2. An appellant (if NOT the holder of the decision) must, within 20 (twenty) calendar days from the date the holder of the decision sent notification of the decision to the registered I&APs–
 - 2.1. Submit an appeal in accordance with Regulation 4 of the National Appeal Regulations 2014 (as amended) to the Appeal Administrator; and
 - 2.2. Submit a copy of the appeal to the holder of the decision and any registered I&AP including any Organ of State with an interest in the matter; and
 - 2.3. Submit a copy of the appeal to the decision-maker (i.e. the Competent Authority that issued the decision) at:
Zaahir.Toefy@westerncape.gov.za
Gavin.Benjamin@westerncape.gov.za and copied to
DEADPEIAadmin.George@westerncape.gov.za
3. The holder of the decision (if not the appellant), the decision-maker that issued the decision, the registered I&AP and the Organ of State must submit their responding statements, if any, to the appeal authority and the appellant within 20 (twenty) calendar days from the date of receipt of the appeal submission.
4. The appeal and the responding statement must be submitted to the Appeal Administrator at the address listed below:

By post: Western Cape Ministry of Local Government, Environmental Affairs and Development Planning
Private Bag X9186
CAPE TOWN
8000

By facsimile: (021) 483 4174; or

By hand: Appeal Administrator
Attention: Mr Marius Venter (Tel: 021 483 3721)
Room 809, 8th Floor Utilitas Building
1 Dorp Street, CAPE TOWN, 8001

Note: For purposes of electronic database management, you are also requested to submit electronic copies (Microsoft Word format) of the appeal, responding statement and any supporting documents to the Appeal Authority to the address listed above and/or via e-mail to DEADP.Appeals@westerncape.gov.za.

5. A prescribed appeal form as well as assistance regarding the appeal processes is obtainable from the Appeal Administrator at: Tel. (021) 483 3721, E-mail DEADP.Appeals@westerncape.gov.za or URL <http://www.westerncape.gov.za/eadp>.

E. DISCLAIMER

The Western Cape Government, the Local Authority, committees or any other public authority or organisation appointed in terms of the conditions of this Addendum to the Environmental Authorisation shall not be responsible for any damages or losses suffered by the holder, developer or his/her successor in any instance where construction or operation subsequent to construction is temporarily or permanently stopped for reasons of non-compliance with the conditions as set out herein or any other subsequent document or legal action emanating from this decision.

Your interest in the future of our environment is appreciated.

Yours faithfully

Zaahir Toefy

Digitally signed by
Zaahir Toefy
Date: 2022.12.14
09:11:28 +02'00'

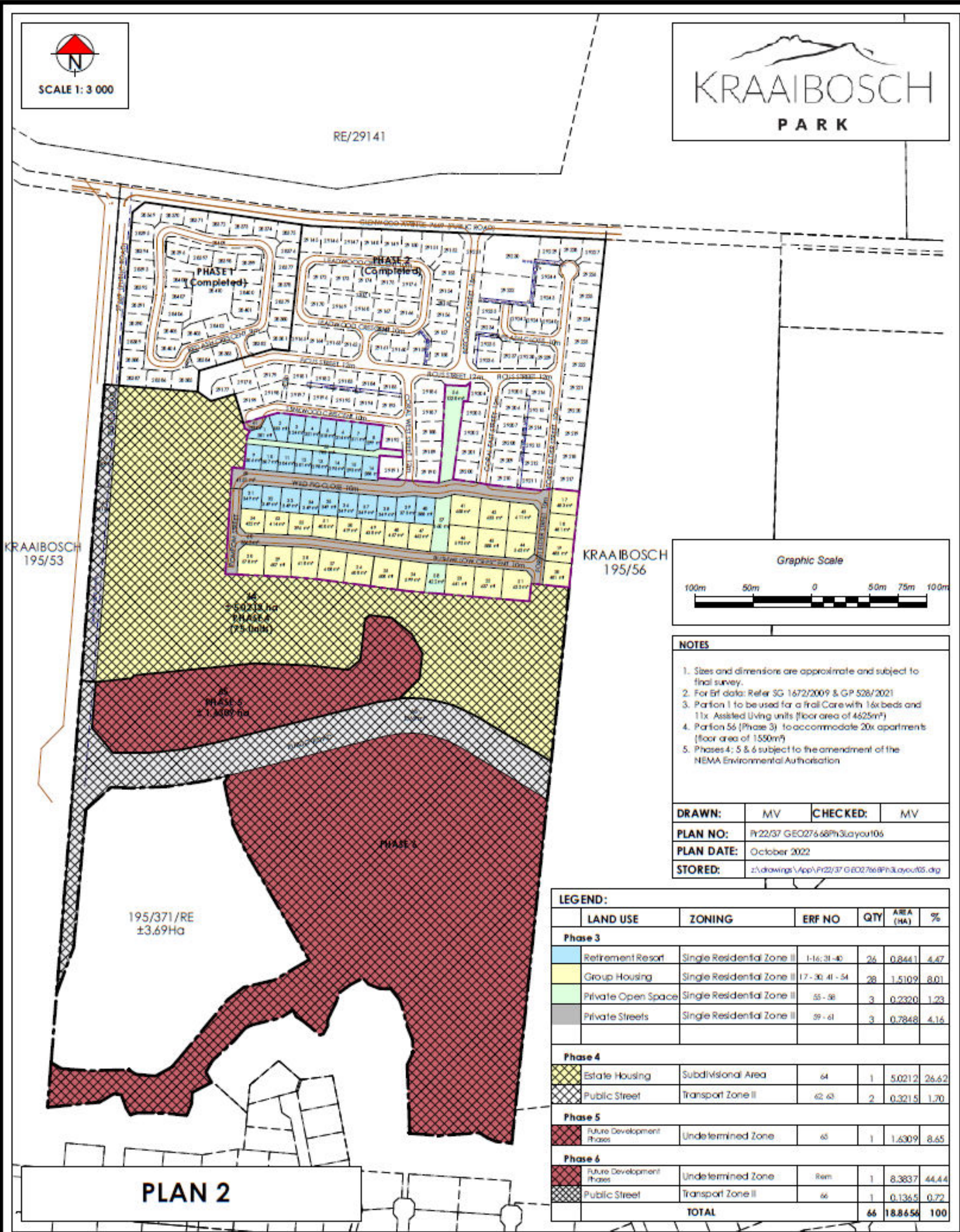
MR. ZAAHIR TOEFY
DIRECTOR: DEVELOPMENT MANAGEMENT
DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING
WESTERN CAPE GOVERNMENT

DATE OF DECISION: 14 DECEMBER 2022

FOR OFFICIAL USE ONLY:

EIA REFERENCE NUMBER:	EG12/2/1-AG3-5720
DATE OF ISSUE:	04 NOVEMBER 2010
EA ADDENDUM #1 REFERENCE NUMBER:	EG12/2/1/- AG3-5720
DATE OF ISSUE:	04 November 2011
EA ADDENDUM #2 REFERENCE NUMBER:	16/3/3/5/D2/19/0009/16
NEAS REFERENCE NUMBER:	WCP/EIA/AMEND/0000142/2016
DATE OF ISSUE:	09 May 2017
EA ADDENDUM #3 REFERENCE NUMBER:	16/3/3/5/D2/19/0009/22
NEAS REFERENCE NUMBER:	WCP/EIA/AMEND/0000681/2022
DATE OF ISSUE:	Date of issue of this document.

----- **END** -----



GEORGE REMAINDER
ERF 27668 (KRAAIBOSCH PARK)

**ZONING & PHASING
PLAN**

APPROVED IN TERMS OF SECTION 23(1) OF THE
GEORGE MUNICIPALITY'S BY-LAW ON
MUNICIPAL PLANNING 1 SEPTEMBER 2015

MUNICIPAL MANAGER
DATE: _____



21 Trotter Street, PO Box 2180
KNYSNA 6570

(044) 382 0420
086-459-2987
e-mail: marike@vreken.co.za
www.vreken.co.za



REFERENCE: 16/3/3/5/D2/19/0009/22
NEAS REF.: WCP/EIA/AMEND/0000681/2022
DATE OF ISSUE: 14 December 2022

THE DIRECTOR
CAPE ESTATES PROPERTIES OUTENIQUA (PTY) LTD
P.O. Box 12486
GEORGE
6530

Attention: Mr. A. de Vos

Tel: 044 887 0455

E-mail: arno@kraaibosch.co.za

Dear Sir

APPLICATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) FOR THE AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 4 NOVEMBER 2010 (DEA&DP REF NO. EG12/2/1-AG3-5720) FOR THE PROPOSED CHANGE IN LAND USE FROM AGRICULTURAL TO ANY OTHER LAND USE FOR RESIDENTIAL TOWNSHIP DEVELOPMENT ON PORTIONS 370 AND 371 OF THE FARM KRAAIBOSCH 195, GEORGE

1. With reference to the aforementioned application, the Department hereby notifies you of its decision to **grants the amendment of the Environmental Authorisation issued on 4 November 2010**, attached herewith together with the reasons for the decision.
2. Your attention is drawn to Chapter 2 of the Appeal Regulations, 2014, which prescribes the appeal procedure to be followed. This procedure is summarised in the attached Addendum to the Environmental Authorisation.

Yours faithfully

Zaahir Toefy
Digitally signed by
Zaahir Toefy
Date: 2022.12.14
09:04:32 +02'00'

**DIRECTOR: DEVELOPMENT MANAGEMENT
DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING
WESTERN CAPE GOVERNMENT**

Copied to: HillLand Environmental

E-mail: cathy@hilland.c.za | environmental@hilland.co.za



REFERENCE: 16/3/3/5/D2/19/0009/16
NEAS REFERENCE: WCP/EIA/AMEND/ 0000142/2016
ENQUIRIES: Francois Naudé / Marianne Lesch
DATE OF ISSUE: 09 MAY 2017

ADDENDUM TO ENVIRONMENTAL AUTHORISATION

APPLICATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) AND PART 1 OF THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 FOR THE AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 4 NOVEMBER 2010: PROPOSED CHANGE IN LAND USE FROM AGRICULTURAL TO ANY OTHER LAND USE FOR RESIDENTIAL TOWNSHIP DEVELOPMENT ON PORTIONS 370 AND 371 (PREVIOUSLY PORTIONS 54 AND 55) OF THE FARM KRAAIBOSCH 195, GEORGE

With reference to your application for the abovementioned, find below the outcome with respect to this application.

A. DECISION

By virtue of the powers conferred on it by the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA") and the Environmental Impact Assessment ("EIA") Regulations, 2014, the Department herewith **grants** the amendment of the Environmental Authorisation issued on 4 November 2010, DEA&DP Ref.: EG12/2/1-AG3-5720 ("the EA") in terms of Part 1 of the Environmental Impact Assessment Regulations, 2014 (as amended on 7 April 2017).

The aforementioned Environmental Authorisation is amended as set out below:

1. The Environmental Authorisation is amended by the substitution of the Title for the following –

“

ENVIRONMENTAL AUTHORISATION

APPLICATION IN TERMS OF THE ENVIRONMENT CONSERVATION ACT, 1989 (ACT NO. 73 OF 1989) AND GOVERNMENT NOTICE NO. R. 1183 OF 5 SEPTEMBER 1997: PROPOSED CHANGE OF LAND USE FROM AGRICULTURAL TO ANY OTHER LAND USE FOR THE ESTABLISHMENT OF A RESIDENTIAL TOWNSHIP DEVELOPMENT ON PORTIONS 370 AND 371 (PREVIOUSLY PORTIONS 54 AND 55) OF THE FARM KRAAIBOSCH NO. 195, GEORGE. ”

2. The Environmental Authorisation is amended by the substitution in Section A for the expression "KRAAIBOSCH FARM NO. 195, PORTION 54 AND PORTION 55," for the following words—

" Portions 370 and 371 (previously Portions 54 and 55) of the Farm Kraaibosch no. 195, George, "

3. Section B of the Environmental Authorisation is substituted for the following:

" B. LOCATION:

Portion 370 and Portion 371 (previously Portions 54 and 55) of the Farm Kraaibosch No. 195, are located in the rural area east of George, in the George Magisterial District on SG: 1: 50 000 Topographical Map 3322DC & 3422BA WILDERNESS. The adjacent portions are situated north of the N2, accessed via the N9 Knysna Road then from the Saasveld Road turnoff to Glenwood Avenue, south-east of Loerie Park, Eden and Glenwood residential suburbs.

Portion 370 and Portion 371 of the Farm Kraaibosch No. 195, are reported to be collectively 30.77 hectares in size.

SG21 Digit codes: C02700000000019500370
 C02700000000019500371

Coordinates: Latitude 33° 58' 37.57" South
 Longitude 22° 30' 28.86" East

Portions 370 and 371 of the Farm Kraaibosch No. 195, are hereinafter referred to as 'the property'. "

4. Section C of the Environmental Authorisation is substituted for the following:

"C. DETAILS OF THE HOLDER OF THIS ENVIRONMENTAL AUTHORISATION

The Director
Reigate Development Projects (Pty) Ltd.
PO Box 12486
Garden Route
GEORGE
6546

% Mr A. de Vos

Tel: 044 887 0455
Fax: 086 512 3729
E-mail: arno@kraaibosch.co.za

The abovementioned company is the holder of this Environmental Authorisation and is hereinafter referred to as 'the holder'. "

5. Section G: 7.1 of the Environmental Authorisation is substituted for the following:

"Meet the requirements outlined in Section 24N (2) and (3) of the National Environmental Management Act, 1998 (Act no. 107 of 1998, as amended) ("NEMA") and Appendix 4 of the Environmental Impact Assessment Regulations 2014".

6. Section G: 24 of the Environmental Authorisation is substituted for the following:

"Non-compliance with a condition of this Environmental Authorisation or EMPr may render the holder liable to criminal prosecution"

7. Section G: 27 of the Environmental Authorisation is substituted for the following:

"The activities which are authorised may only be carried out at the property indicated above, and the activities must be implemented and concluded within the specified validity period of the Environmental Authorisation. "

8. Section I of the Environmental Authorisation, is substituted for the following:

"I DURATION AND DATE OF EXPIRY:

The Environmental Authorisation is granted for a period of two (2) years from the date of issue of the Record of Decision and will be valid until 4 November 2012.

This authorisation shall lapse if the activity does not commence before or on 04 November 2012.

*The holder of the environmental authorisation must conclude all the authorised listed activities by **4 November 2027**. Failing which, this Environmental Authorisation shall expire, unless the environmental authorisation is amended in accordance with the relevant process contemplated in the Environmental Impact Assessment Regulations promulgated under the National Environmental Management Act, 1998 (Act no. 107 of 1998)."*

All other conditions contained in the Environmental Authorisation issued on 04 November 2011 still remain unchanged and in force.

B. REASONS FOR THE DECISION

In reaching its decision, the Department took, *inter alia*, the following into consideration:

1. The Environmental Authorisation, issued on 4 November 2011, is regarded to be valid.
2. The amendment applied for is in terms of Part 1 of the Environmental Impact Assessment Regulations, 2014 and will not change the scope of the Environmental Authorisation, issued on 4 November 2010.

3. The environment and the rights and interests of interested and affected parties ("I&APs") will not be adversely affected by the decision to amend the Environmental Authorisation.
4. The information contained in the application form.
 - 4.1. An application was received by the Department on 25 October 2016 from the environmental assessment practitioner ("EAP"). Additional information was received on 12 December 2016 and 6 February 2017 from Mr Andre Swart (Stadler & Swart Attorneys) whom was acting on behalf of the applicant.
 - 4.2. Subsequent to aforementioned application, a revised application form (dated 5 April 2017) and additional information was received from the EAP on 5, 11 and 20 April 2017, respectively.
5. Since the Environmental Authorisation was issued in November 2011, the original properties, Portions 54 and 55 of the Farm Kraaibosch no. 195, George, have been consolidated, subdivided and rezoned. The cadastral description of the property has been amended in the title and Sections A and B of the Environmental Authorisation to reflect the current cadastral description of the property.
6. Editorial changes have been made to conditions 7.1 and 24 contained in section G of the Environmental Authorisation to comply with current legislative requirements.
7. The holder of the Environmental Authorisation has motivated that the application relates to the change of ownership and he wishes to transfer the rights and obligations associated with the Environmental Authorisation.
8. The intended new holder, the Director of *Reigate Development Projects (Pty) Ltd.*, confirmed in writing the acceptance of the transfer of the rights and obligations of the Environmental Authorisation.

Reigate Development Projects (Pty) Ltd. confirmed in writing that it has the ability to implement the mitigation and management measures to comply with the stipulated conditions of the Environmental Authorisation. In this regard, *Reigate Development Projects (Pty) Ltd.*, anticipates that the development programme will be more or less 10 years depending on market conditions.

In light hereof, the holder has been provided a period wherein which the authorised activities must be concluded. The validity period of the Environmental Authorisation has been granted for a period ending on 4 November 2027.

9. Condition 27 in section G of the Environmental Authorisation has been amended to translate the validity period to the current legislative framework.
10. The holder will be required to follow the process contemplated in the Environmental Impact Assessment Regulations, 2014 (or applicable regulations) for any further extension of the validity period. Furthermore, the continuation of any development where the environmental authorisation has lapsed and where the continuation of the development, after the date the environmental authorisation has lapsed will meet the threshold of any activity or activities listed in the Listing Notices of 2014, will require environmental authorisation. The onus is however on the holder to confirm the legislative process requirements for the above scenarios at that time.

Note: Where an environmental authorisation granted in terms of the Regulations does not include operational aspects and the activity has been commenced with, the period for which such environmental authorisation is granted will only be extended for a maximum further period of 5 years.

Failure to lodge an application for amendment of an environmental authorisation prior to the expiry of the validity period, may result in the expiry of the environmental authorisation.

C. CONDITIONS

1. The holder must in writing, within 14 (fourteen) calendar days of the date of this decision–
 - 1.1 notify all registered I&APs of –
 - 1.1.1 the outcome of the application;
 - 1.1.2 the reasons for the decision as included in Section B;
 - 1.1.3 the date of the decision; and
 - 1.1.4 the date when the decision was issued.
 - 1.2 draw the attention of all registered I&APs to the fact that an appeal may be lodged against the decision in terms of National Appeals Regulations, 2014 detailed in Section D below;
 - 1.3 draw the attention of all registered I&APs to the manner in which they may access the decision;
 - 1.4 provide the registered I&APs with:
 - 1.4.1 the name of the holder (entity) of this Environmental Authorisation;
 - 1.4.2 name of the responsible person for this Environmental Authorisation;
 - 1.4.3 postal address of the holder;
 - 1.4.4 telephonic and fax details of the holder;
 - 1.4.5 e-mail address, if any, of the holder; and
 - 1.4.6 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 2014 National Appeals Regulations.
2. One week's notice must be given to the Directorate: Development Management (Region 3) before construction activities are re-commenced with. The said notice must also include proof of compliance with Condition 1 described in Section C of this Environmental Authorisation.
3. The conditions contained in the Environmental Authorisation issued on 4 November 2011, hereto attached, remain in force.

D. APPEALS

Appeals must comply with the provisions contained in the National Appeal Regulations 2014 (as amended).

1. An appellant (if the holder of the decision) must, within 20 (twenty) calendar days from the date the notification of the decision was sent to the holder by the Competent Authority –
 - 1.1. Submit an appeal in accordance with Regulation 4 of the National Appeal Regulations 2014 (as amended) to the Appeal Administrator; and
 - 1.2. Submit a copy of the appeal to any registered I&APs, any Organ of State with interest in the matter and the decision-maker i.e. the Competent Authority that issued the decision. -
2. An appellant (if NOT the holder of the decision) must, within 20 (twenty) calendar days from the date the holder of the decision sent notification of the decision to the registered I&APs–
 - 2.1. Submit an appeal in accordance with Regulation 4 of the National Appeal Regulations 2014 (as amended) to the Appeal Administrator; and
 - 2.2 Submit a copy of the appeal to the holder of the decision, any registered I&AP, any Organ of State with interest in the matter and the decision-maker i.e. the Competent Authority that issued the decision.
3. The holder of the decision (if not the appellant), the decision-maker that issued the decision, the registered I&AP and the Organ of State must submit their responding statements, if any, to the appeal authority and the appellant within 20 (twenty) calendar days from the date of receipt of the appeal submission.
4. The appeal and the responding statement must be submitted to the address listed below:

By post: Western Cape Ministry of Local Government, Environmental Affairs and
Development Planning
Private Bag X9186
CAPE TOWN
8000

By facsimile: (021) 483 4174; or

By hand: Attention: Mr Jaap de Villiers (Tel: 021 483 3721)
Room 809
8th Floor Utilitas Building, 1 Dorp Street, Cape Town, 8001

Note: For purposes of electronic database management, you are also requested to submit electronic copies (Microsoft Word format) of the appeal, responding statement and any supporting documents to the Appeal Authority to the address listed above and/ or via e-mail to Jaap.DeVilliers@westerncape.gov.za.

5. A prescribed appeal form as well as assistance regarding the appeal processes is obtainable from Appeal Authority at: Tel. (021) 483 3721, E-mail Jaap.DeVilliers@westerncape.gov.za or URL <http://www.westerncape.gov.za/eadp>.

E. DISCLAIMER

The Western Cape Government, the Local Authority, committees or any other public authority or organisation appointed in terms of the conditions of this Environmental Authorisation shall not be responsible for any damages or losses suffered by the holder, developer or his/her successor in any instance where construction or operation subsequent to construction is temporarily or permanently stopped for reasons of non-compliance with the conditions as set out herein or any other subsequent document or legal action emanating from this decision.

Your interest in the future of our environment is appreciated.

Yours faithfully



MR. GAVIN BENJAMIN

DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 3)

DATE OF DECISION: 08/05/2017

FOR OFFICIAL USE ONLY:

ENVIRONMENTAL AUTHORISATION:	20 JANUARY 2009 (DATE OF ISSUE)
EIA REFERENCE NUMBER:	EG12/2/1/-AG3-5720
AMENDMENT #1	
NEW ENVIRONMENTAL AUTHORISATION:	04 NOVEMBER 2011 (DATE OF RE-ISSUE)
EIA REFERENCE NUMBER:	EG12/2/1/-AG3-5720
AMENDMENT #2 (ADDENDUM):	
EIA REFERENCE NUMBER:	09 MAY 2017 (DATE OF ISSUE)
EIA NEAS NUMBER:	16/3/3/5/D2/19/0009/16
	WCP/EIA/AMEND/0000142/2016

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DEPARTMENT of
ENVIRONMENTAL AFFAIRS
& DEVELOPMENT PLANNING

Provincial Government of the Western Cape

Directorate:
Land Management (Region 1)

mlamour@pgwc.gov.za
tel: +27 44 805 8617; fax: +27 44 8742423
Private bag X6509 George, 6530
93 York Street, George
www.capegateway.gov.za

REFERENCE: EG12/2/1-AG3-5720/V1

ENQUIRIES: Mr. M. Lamour

DATE OF ISSUE: 2010 -11- 04

The Board of Directors
Park 2000 Developments (Pty) Ltd
P.O. Box 592
DURBANVILLE
7551

REGION A1
FILE

Attention: Mr R. van Rooyen

Tel.: (021) 949 2400
Fax: (021) 949 2426

Dear Sir

APPLICATION: PROPOSED CHANGE OF LAND USE FROM AGRICULTURAL TO ANY OTHER LAND USE FOR RESIDENTIAL TOWNSHIP DEVELOPMENT ON PORTION 54 AND 55 OF KRAAIBOSCH FARM No. 195, GEORGE

With reference to your application, find below the Record of Decision in respect of this application.

RECORD OF DECISION

A. DESCRIPTION OF ACTIVITY:

Kraaibosch Farm No. 195, Portion 54 and Portion 55, are collectively 30.77 hectares in size forming part of the rural landscape at the eastern part of George. The development proposal comprises an application for the rezoning of Agricultural Zone I (Nature Area) land to sub-divisional area for the construction of a mixed density residential township. The proposed development entails the establishment of: not more than 193 Residential Zone I erven; five Residential Zone II erven of not more than 6.66 ha in total; Road Reserve; Open Space within the proposed development and at least 2.39 ha (7.77%) of land along the Modderkloof / Modderrugrivier. Residential Zone I erven of 800 m² on average, accord with the recommended density in the Kraaibosch / Glenwood Local Structure Plan ("KG-LSP").

Bulk service provisions and associated infrastructure are to be installed to the Local Authorities (i.e. George Municipality) standard.

FILE

2017 -05- 09

Added

*Department of Environmental Affairs and Development Planning
Directorate: Land Management (Region 1)*

These are activities identified in Schedule 1 of the Government Notice No. R. 1182 of the 5 September 1997, as amended, being:

- Item 1(d): The construction, erection or upgrading of roads, railways, airfields and associated structures.
- Item 1(n): The construction, erection or upgrading of sewerage treatment plants and associated infrastructure.
- Item 2(c): The change of land use from agricultural or zoned undetermined use or an equivalent zoning, to any other land use.

These items are hereinafter referred to as "the activities".

B. LOCATION:

Portion 54 and Portion 55 of the Farm Kraaibosch No. 195, are located in the rural area east of George, in the George Magisterial District on SG: 1: 50 000 Topographical Map 3322DC & 3422BA WILDERNESS. The adjacent portions are situated north of the N2, accessed via the N9 Knysna Road then from the Saasveld Road turnoff to Glenwood Avenue, south-east of Loerie Park, Eden and Glenwood residential suburbs.

SG21 Digit codes: C02700000000019500054
 C02700000000019500055

Coordinates: Latitude 33° 58' 37.57" South
 Longitude 22° 30' 28.86" East

Kraaibosch Farm No. 195, Portions 54 & 55 are hereinafter referred to as "the property".

C. APPLICANT:

Park 2000 Developments (Pty) Ltd
% Mr R. van Rooyen
P O Box 592
DURBANVILLE
7551
Tel.: (021) 949 2400
Fax: (021) 949 2426

D. ENVIRONMENTAL ASSESSMENT PRACTITIONER ("EAP"):

Sharpley Environmental Services cc ("SES")
% Mr D. van Rensburg
P O Box 9087
GEORGE
6530

*Department of Environmental Affairs and Development Planning
Directorate: Land Management (Region 1)*

Tel.: (044) 873 4923

Fax: (044) 874 5953

E. SITE VISIT(S):

A site visit was conducted on 29 September 2008. Persons present were: Mr. BA Walton from the Department of Environmental Affairs and Development Planning ("DEA&DP") and Mr. D van Rensburg (SES). A site visit was also conducted on 17 October 2007. Persons present were: Mr. P Langa, Mr. R O'Leary, Ms. S Murugan, Mr. A Oosthuizen (DEA&DP); Mr. J Sharples and Mr. D van Rensburg (SES) and Mr. K Munro (SetPlan Settlement Planning Services).

F. DECISION:

In terms of Section 22 and by virtue of the powers delegated by the Minister in terms of Sections 28 and 33 of the Environment Conservation Act of 1989 (Act No. 73 of 1989), the relevant authority (as defined in GN No. R. 1183 of 5 September 1997, as amended), hereby grants **authorisation with the conditions** contained in this Record of Decision ("ROD") for the commencement of the activities described above.

This Authorisation has been granted in terms of Section 22 of the Environment Conservation Act of 1989 (Act No. 73 of 1989) solely for the purposes of commencing with the activities referred to above, and does not exempt the holder thereof from compliance with any other relevant legislation.

G. CONDITIONS OF AUTHORISATION:

- 1 The activities, including the preparation of the site, may not commence before the statutory thirty (30) day appeal period expires. In the case of an appeal being submitted to the competent authority, the effect of this ROD will be suspended until such time as the appeal is decided.
- 2 One week's notice, in writing, must be given to the Directorate: Land Management (Region 1) (hereinafter referred to as "this Directorate"), before commencement of construction activities.
 - 2.1 Such notice shall make clear reference to the site location details and reference number provided above.
 - 2.2 The said notice must also include proof of compliance with the following conditions described herein:

Conditions: 1, 7, 8 and 17.
- 3 A Home Owners Association ("HOA") must be established with a pertinent constitution, by the applicant, which is responsible for the following:
 - 3.1. Energy efficiency measures to reduce energy and water consumption as described in the Environmental Management Plan ("EMP").
 - 3.2 Management of Private Open Spaces within the residential development. The management of the Private Open Spaces must be outlined concisely in

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an EMP. Eradication and prevention of further encroachment by Alien Invasive Plant species will require an ongoing management programme.

4. An integrated waste management approach must be implemented that is based on waste minimization and must incorporate reduction, recycling, re-use and disposal where appropriate. This recycling programme must adopt the cradle-to-grave approach. Any recyclable material must be disposed of at a recycling facility and not be disposed of as general household waste at a landfill site.
 - 4.1 The integrated waste management strategy must be detailed in the EMP.
 - 4.2 Any solid waste that cannot be recycled or re-used shall be disposed of at a waste disposal facility licensed in terms of Section 20 of the Environment Conservation Act, 1989 (Act No. 73 of 1989). The Department's "Waste Minimization Guideline Document for Environmental Impact Assessment Reviews" (May 2003), available on request from the Department, must be taken into account. The Guideline raises awareness to waste minimisation issues and highlights waste and wastage minimization practices. In particular, it is recommended that Part B be considered as it covers general waste and wastage minimisation and general construction activities.
 - 4.3 A collection point must be established into which containers must be placed to allow for the separation of recyclable waste i.e. glass, paper, plastics and tins / cans. These containers must be appropriately labelled and of a suitable size so that owners can easily place their separated plastic, tins and paper recyclables therein. Owners must be informed that their recyclables must be cleaned and dried if stipulated by the recipient service provider. Signage to this effect should be placed on or above the containers if applicable.
 - 4.4 The HOA's must regularly encourage prospective owners of the property to separate their waste at source for placement into these containers.
 - 4.5 A suitable service provider(s) must be contracted to remove collected recyclable items on a regular basis.
- 5 The proposed development must comply with the following restrictions:
 - 5.1 No development, including sewerage servitudes and associated infrastructure, may occur below the 1:100 year flood-line, except where pipelines or roads cross rivers.
 - 5.2 No development (i.e. activities, buildings or associated infrastructure) may occur on slopes of 1:4, or steeper.
 - 5.3 A development setback boundary of 30 metres along the edge of the Modderkloof / Modderrugrivier and surrounding the edge of dams, marshes or wetlands must be maintained free of construction activities.
- 6 Should any heritage remains or resources be exposed during excavations, these must immediately be reported to the Provincial Heritage Resources Authority of the Western Cape, Heritage Western Cape (in terms of the National Heritage Resources Act, 1999 (Act No. 25 of 1999)). Heritage remains uncovered or disturbed during earthworks must not be disturbed further until the necessary approval has been obtained from Heritage Western Cape. Burial remains unearthed must not be

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disturbed or removed until inspected or removed by an archaeologist, at the expense of the developer.

- 6.1 If any archaeological remains (including but not limited to fossil bones and fossil shells, coins, indigenous and / or colonial ceramics, any articles of value or antiquity, marine shell heaps, stone artefacts and bone remains, structures and other built features, historical wagon track remnants, rock art and rock engravings) are discovered during construction they must immediately be reported to Heritage Western Cape and must not be disturbed further until the necessary approval has been obtained from Heritage Western Cape.
 - 6.2 If any graves or unmarked human burials are discovered, they must be treated with respect and SAHRA must be notified immediately and the burials must not be disturbed further until the necessary approval has been obtained from SAHRA. An archaeologist must be contracted to remove the remains at the expense of the developer.
- 7 The applicant must commission a suitably qualified environmental consultant to compile a comprehensive Environmental Management Plan ("EMP") for submission to this Directorate. The EMP must:
- 7.1 Meet the requirements of the Departmental Guideline for Environmental Management Plans (2005), available electronically at the Departmental website URL <http://www.capecapeway.gov.za/eng/pubs/guides/G/103381>;
 - 7.2 Be submitted to this Directorate for approval, **three weeks prior** to commencement of any construction related activity;
 - 7.3 Define the code of conduct for all construction staff (contractors / building contractors / sub-contractors / labourers, engineers, service providers, including any other party operating on the property). The EMP must be included in all contractual documentation for construction staff to adhere to;
 - 7.4 Determine the tasks, schedule, responsibilities and frequency of site inspections for the Environmental Control Officer(s) ("ECO");
 - 7.5 Provide a relevant environmental awareness training programme to be taught by the ECO to all construction phase related staff;
 - 7.6 Contain detailed methodologies of tasks to perform and comply with;
 - 7.7 Provide exact penalties for non-compliance;
 - 7.8 Delineate the construction site perimeter on a layout diagram, which must be appropriately fenced in prior to commencement of construction;
 - 7.9 Identify and demarcate all sensitive "NO-GO" areas, viz.: 1:100 year flood-lines; steep slopes ($\leq 1:4$); greenbelt / corridor areas, drainage lines, streams and other wetlands (§ G 5.3 above), that require protection from the construction zone on a layout diagram. Protection fencing must be constructed using either shade-cloth or appropriate fencing. The management protocol for sensitive areas includes briefing construction staff about "NO-GO" areas where access or development inside of these areas is strictly prohibited.

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- 7.10 Provide a search and rescue methodology to identify all indigenous plant species and organisms found to occur at the property within the development footprint. Plant material must be collected and housed on site under shade-cloth or at external facilities, to be utilized later in supplementary planting and landscaping, where appropriate, at the property.
- 7.11 Designate that prior to commencement of construction activities at the property, topsoil material must be gathered from within the construction site perimeter, stored appropriately, for use in rehabilitating the property.
- 7.12 Include a site restoration protocol with a plant species checklist, to be compiled by an experienced field biologist for sensitive areas (§ G 5.1 to 5.3 above) and residual forest, fynbos, renosterveld or wetland vegetation. Restoration of disturbed areas must be habitat specific and only indigenous Southern Cape plant species are stipulated for use in supplementary planting. The implementation of the restoration protocol and management of sensitive areas must be conducted in an ecologically responsible manner.
- 7.13 Include a site rehabilitation protocol with a plant species checklist, to be compiled by a horticulturalist or landscaper, for areas disturbed during construction. Landscaping of Open Space areas within the development footprint must be done using local topsoil, and a variety of indigenous and / or water-wise (i.e. conservative in water utilization) Southern Cape plant species and selected extra-limital species.
- 7.14 Include appropriate environmental control measures and procedures to ensure that adequate environmental protection is exercised during the construction phase, including, but not limited to:
 - a) Management of sensitive areas referred to in § G 7.9 above;
 - b) Storm water management to avoid erosion and destabilization of hill slopes;
 - c) Protecting slopes from destabilization using landscaping techniques and effective erosion control measures throughout the property;
 - d) Alien Invasive Plant removal;
 - e) Socio-economic impacts;
 - f) Noise and dust suppression;
 - g) Visual impacts;
 - h) Traffic impacts;
 - i) Storage of building material, fuel or oil, and hazardous substances;
 - j) Waste management, effluent disposal and pollution control measures;
 - k) Archaeological, cultural and heritage features at the property; and
 - l) Landscaping and re-vegetating the property.
- 7.15 Include the architectural design guideline (see condition G 16), and incorporate environmentally compatible design in any service-related infrastructure;
- 7.16 The following Resource Conservation Measures must be implemented and included in all sales agreements:
 - a) Rain water from roofs must be collected and stored in rainwater tanks;
 - b) All taps installed outside of any buildings or residential erven may be connected to rain water tanks or the municipal supply. Rainwater

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collected and stored must receive preference to address water demand and be utilised within a reasonable timeframe. Rainwater that is stored on erven may be utilised either individually or in a network system;

- c) All houses must be fitted with and use low flow showerheads, tap aerators and dual-flush toilets;
- d) All houses must be fitted with and use energy-efficient lighting and heating designs, geyser insulator "blankets" and solar water heaters.

7.17 Access to the property during the construction phase must only be via the Servitude Road (Class III District Distributor) and not along Glenwood Avenue.

All future amendments to the EMP must be approved by this Directorate, prior to their implementation.

- 8 The applicant must appoint a suitably experienced Environmental Control Officer ("ECO") before commencement of any activity (land clearing or construction activities) to guarantee that the mitigation / rehabilitation measures and recommendations referred to in this Record of Decision are implemented and to ensure compliance with the provisions of the EMP.
- 9 The applicant must rehabilitate the Open Space(s) to the George Municipalities standard of requirement and as according to the EMP stipulations for the Greater Kraaibosch Area Open Space System prior to any transfer or erven.
 - 9.1 The property must be cleared of all Alien Invasive Plant species in liaison with the ECO. This will facilitate the restoration of the Riparian Zone and other natural areas. The Open Space System along the river(s) must not be fenced in following restoration, as it must allow for access to all members of the public. The Open Space System flanking the Collector Roads must similarly be cleared of all Alien Invasive Plant species.
 - 9.2 The Open Space must be repeatedly cleared of Alien Invasive Plant species as a follow-up strategy programme as detailed in the EMP provided by the EAP. Restoration after eradication of all Alien Invasive Plant species must be facilitated by a resting period to allow the indigenous seedbank to germinate. The supplementary planting in these areas must be done in consultation with qualified botanists / ecologists / the Botanical Society in liaison with the ECO. Pioneer plants must be used initially as the remaining indigenous seedbank must be allowed to flourish here. Thereafter rescued plant species at the property must be utilized as well as outsourced indigenous pioneer and climax species. Indigenous plant species specific to Riparian Zones and wetland habitats must be used only in supplementary planting to restore plant communities and enable healthy ecosystem functioning.
 - 9.3 A public walkway must be established in the Open Space System along the river(s), away from the riverbank to prevent erosion. The walkway alignment, width and materials must conform to the specifications detailed in the EMP provided by the Local Authority. These walkways must be able to accommodate pedestrians, wheelchairs and cyclists, and be at least 2.5 m in width. Pathways must be made using either: log poles and stone or woodchip, or a rough natural-looking concrete mixture, or preferably natural

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stone with small culverts as specified by the Local Authority in their EMP. Where pathways cross areas with perched water tables or where wetlands are traversed, a boardwalk must be constructed. Vehicular access must be denied here.

Once all the requirements are met with and approved by the Local Authority, the management of the Open Space System may be transferred to the Local Authority, if agreed to by George Municipality. Further supplementary planting of indigenous plant species can be done, where necessary.

- 10 The holder of the authorisation must submit an Environmental Audit Report, ("audit report") to this Directorate within six months after construction has been completed, (i.e. all service installations are complete).
 - 10.1 The audit report must indicate the date on which the construction was completed, and detail compliance with the conditions of this authorisation, EMP and the status of the rehabilitation programme.
 - 10.2 This Directorate may require remedial action should the audit report reflect that rehabilitation is inadequate.
 - 10.3 If the audit report is not submitted, this Directorate may give 30 days written notice and may have such an audit undertaken at the expense of the applicant and may authorise any person to take such measures necessary for this purpose.
- 11 Alien Invasive Plants: The Modderkloof / Moddergrivier and associated riparian vegetation flanking the riverine environment along the southern boundary of the property must be thoroughly cleared of all Alien Invasive Plant species, such as *Acacia mearnsii* (black wattle), *A. melanoxylon* (blackwood), *Pennisetum clandestinum* (kikuyu), *Pinus radiata*, etc. This must not be done by means of heavy machinery (i.e. bulldozers) and care must be taken not to damage existing desirable plant species to be retained there, whilst conducting the alien clearing activity. All excess biomass generated from this activity must be removed elsewhere to a Municipal landfill site, or either burnt or chipped for use in landscaping or as retainers for erosion control. Elsewhere on the property large *Eucalyptus* species (bluegums), *Pinus* species (Pine) and other Alien Invasive Plant species must all be removed and replaced with suitable alternative indigenous plant species, such as *Afrocarpus falcatus*, *Celtis africana*, *Ekebergia capensis* and *Nuxia floribunda*.
- 12 Open Spaces and Natural Areas: The open spaces and natural areas on the property are either in the form of: drainage lines and associated buffer areas; rural pasturelands / parklands; the riverine habitat(s) and associated buffer areas; wetlands and associated buffer areas (i.e. mostly non-developable land). The Natural Areas ("NO-GO"; sensitive areas), i.e.: drainage lines, riverine habitat and wetland areas, with associated buffer areas (see § G 5.1 to 5.3 above), must be restored to an acceptable former state of ecosystem health and integrity in order to function ecologically. The Natural Areas must be set-aside for conservation management and be managed collectively, with linkages, to protect and promote ecological functionality. The implementation of environmental management

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thereof must be conducted in an integrated manner to maintain ecological integrity and to preserve existing biodiversity.

- 13 Planning: The layout plan proposed for this development must conform to, and align with, the Kraaibosch Roads Master Plan. Furthermore the proposed development must conform to the Kraaibosch / Glenwood Local Structure Plan ("KG-LSP") guidelines for the character, density and residential mixture of the suburban development. In addition to the non-developable Open Space(s) the proposed development must make provision for functional Open Space(s) within the development footprint area that caters for pedestrian walkways and cycle routes. The Local Authority must approve the layout plan and site development plans for the proposed Group Housing. The proposed development must comply with the guidelines proposed in the KG-LSP to the satisfaction of the Local Authority.
- 13.1 Land Use Pattern: the character and density of the proposed development must integrate with and resemble that of Loerie Park and Eden suburbs and have a mixture of low-density (free standing dwellings) and medium-density residential developments (affordable housing) with open linkages to other developments.
- 13.2 Density and Residential Mixture: To provide affordable housing and non-residential facilities (e.g. community facilities, convenience stores, pharmacies, etc), within the proposed development the overall (gross) residential density has been increased from 13 du/ha to 15 du/ha. Not more than 25% of the housing on the property must be allocated for higher density housing, i.e. a ratio of 1:4 for group housing and single residential housing. High density housing must be located near or adjacent to higher order roads for ease of mobility in line with the George Mobility Strategy, and not be located along the Modderkloof / Modderrugrivier, at cul-de-sacs or far from public transport stops.
- 13.3 Affordable Housing and Integration: The proposed developments for the Greater Kraaibosch Area must allow for integration and spatial reconstruction by the provision of inclusive (affordable) housing to the satisfaction of the Local Authority.
- 13.4 Open Spaces: Open Spaces alongside the Modderkloof / Modderrugrivier must remain linked to form greenbelt corridors connecting these Open Spaces with Natural Areas and other public facilities and made accessible to the public. Provision must be made by the developer for functional (sports fields, play parks and recreational areas) Open Space, (i.e. outside of 1:4 slopes and Natural Areas) within the development footprint as required for approval by the Local Authority. The required apportionment of 72 m² per single residential erf that must be contributed to the desired minimum of functional Open Space, as described above, is to prevent "town cramming". Specifically here 193 single residential dwelling units times 72 m² equals 13896 m². Furthermore provision must be made for pedestrian / cycling walkways and access routes through functional Open Space linking with Natural Areas, etc. The conditions referred to in § G 9 above apply here. Group Housing must comply with the requirements of the Zoning Scheme regarding "Private" Open Space.

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- 13.5 Natural Areas: Areas close to rivers and drainage lines (streams) (i.e. non-developable areas), conservation worthy areas of remaining natural vegetation and areas where conservation worthy vegetation can be restored are to be kept outside of any development and managed appropriately.
- 13.6 Visual Impact: measures to mitigate the visual impact of the development would be required such as screening with indigenous plant species and the construction of raised berms where applicable.
- 14 No surface or ground water may be polluted due to any activity on the site. The relevant requirements of the National Water Act, 1998 (Act No. 36 of 1998) must be complied with at all times.
- 15 Storm water Management:
- 15.1 A Storm water management plan must be compiled to the satisfaction of the Local Authority and this Directorate.
- 15.2 The major storm water drainage system of roads and open channels (with a capacity for 1:20 year floods) must cater for overland flow from the development with the minor storm water drainage system of kerb inlet catchpits and stormwater pipes collecting 1:2 year return period runoffs. All formal storm water drainage systems must be designed to ensure that storm water discharge points do not flow directly into the Modderrugrivier or other streams. Storm water runoff must be effectively dissipated and stabilized by the use of berms and swales, catchpits and attenuation ponds, and / or artificial wetlands (reed beds) to counteract erosion and maximise infiltration and natural dissipation of water. The attenuation ponds or wetlands must act as natural filters to sediment and pollution emanating from runoff from the residential area.
- 15.3 No concrete canalization or piping of drainage lines or river channels is allowed. The natural drainage pattern of the open system must be used to collect and channel storm water runoff from dwelling units and hard paved surfaces. In addition drainage lines must be kept vegetated with suitable water-loving species to increase habitat diversity and plant community structuring and zonation. This will sustain a storm water buffer and allow for deposition of particles, dissipation and a reduction in erosion from runoff. Canalization or piping of the water will not allow for percolation, and the hyporheic properties of the water will be lost – and increase the velocity and erosive force of runoff. If retention barriers are constructed in open areas they must be of natural material (wood / rock) with a permeable substrate.
- 15.5 The wetland at the north-eastern part of the property; western and eastern drainage lines and buffers; as well as the area at the southern boundary of the property must be retained for the purpose of storm water management and zoned Open Space. These drainage lines (open channels) and Open Spaces must be linked to the more Natural Areas like the Modderrugrivier as part of the Open Space System.

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- 16 An architectural design guideline must be developed by the applicant as part of the EMP, and must be approved by the George Aesthetics Committee. The architectural design guideline must address, but should not be limited to:
- 16.1 Architectural styles and designs (e.g. structures, colours, height) of the proposed residential units so as to blend with the surrounding environment;
 - 16.2 Measures to reduce visual impacts such as the use of vegetation and other suitable visual screening methods;
 - 16.3 Fencing and outdoor advertising (also see condition 18 below); and
 - 16.4 Outdoor lighting, which must be minimised and of low intensity so as not to impact on the natural nocturnal ambience of the area;
 - 16.5 The Local Authority bylaws regarding height restrictions for dwelling units must be adhered to for all single- or double- storey dwelling units for Residential Zone I and dwelling units for Residential Zone II.
- 17 The applicant must, within **five calendar days of the date of issue** of this Record of Decision:
- Inform the relevant Local Authority as well as all Interested and Affected Parties ("I&AP's") registered during the Scoping and Impact Assessment processes in writing of the outcome of this application and, if requested, provide copies of this Record of Decision within a reasonable time before expiry of the thirty day appeal period;
 - Include in such information the provisions of Regulation 11 of Government Notice No. R. 1183 of 5 September 1997, as amended, which reads as follows:
 - (1) An appeal to the Minister or provincial authority under section 35(3) of the Act must be done in writing within 30 days from the date on which the record of decision was issued to the applicant in terms of Regulation 10(1);
 - (2) An appeal must set out all the facts as well as the grounds of appeal, and must be accompanied by all relevant documents or copies of them which are certified as true by a commissioner of oaths.
 - Include the date on which the record of decision was issued to the applicant in terms of Regulation 10(1) and the date by which appeals must reach the Minister.
 - Inform all I&AP's that a signed and certified Appeal Questionnaire, obtainable from the Minister's office at tel. (021) 483 3915, or email jedevill@pgwc.gov.za or URL http://www.capegateway.gov.za/Text/2006/8/14_aug_06_eca_eia_appeal_questionnaire.doc must accompany the appeal.
 - If the applicant should appeal against this Record of Decision, he must inform all I&AP's that such an appeal is being lodged with the Minister and if requested, the applicant / appellant must provide those persons with reasonable access to a full copy of the appeal within a reasonable time before expiry of the thirty day appeal period.

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- 18 All outdoor advertising associated with this activity, whether on or off the property concerned, must comply with the applicable Local Authority By-Law for the control of Outdoor Advertising or in the absence of local legislative controls, must comply with the South African Manual for Outdoor Advertising Control (SAMOAC) available from:
- The Director: Environmental Impact Management
Department of Environmental Affairs and Tourism
Private Bag X447
Pretoria
0001
- 19 The applicant shall be responsible for ensuring compliance with the conditions contained in this Record of Decision by any person acting on his behalf, including but not limited to, an agent, servant, employee or any person rendering a service to the applicant in respect of the activity, including but not limited to contractors and consultants.
- 20 Any changes to, or deviations from, the project description set out in this authorisation must be approved, in writing, by the Department before such changes or deviations may be effected. In assessing whether to grant such approval or not, the Department may request such information as it deems necessary to evaluate the significance and impacts of such changes or deviations and it may be necessary for the holder of the authorisation to apply for further authorisation in terms of the Regulations.
- 21 The holder of the authorisation must notify this Directorate and any other relevant authority, in writing, within 24 hours thereof if any condition of this authorisation is not adhered to.
- 22 A copy of this authorisation must be kept at the property where the activity will be undertaken. The authorisation must be produced to any authorised official of the Department who requests to see it and must be made available for inspection by any employee or agent of the holder of the authorisation who works or undertakes work at the property.
- 23 Where any of the holder of the authorisation's contact details change, including the name of the responsible person, the physical or postal address and / or telephonic details, the applicant must notify the Department as soon as the new details become known to the holder of the authorisation.
- 24 Non-compliance with a condition of this authorisation may result in the withdrawal of the authorisation and may render the holder liable for criminal prosecution.
- 25 This Department must be notified, within 30 days thereof, of any change of ownership and/or project developer. Conditions imposed in this authorisation must be made known to the new owner and/or developer and are binding on the new owner and/or developer.

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- 26 Departmental officials shall be given access to the property referred to in B above for the purpose of assessing and/or monitoring compliance with the conditions contained in this environmental authorisation, at all reasonable times.
- 27 The activity which is authorised may only be carried out at the property indicated above.
- 28 Notwithstanding this authorisation, the holder of the authorisation must still comply with any other statutory requirements that may be applicable to the undertaking of the activity.

H. RECOMMENDATIONS:

- o The Directorate recommends that preference be given to using indigenous Southern Cape plant species in landscaping the property and residential gardens.
- o The Directorate recommends that preference be given to employing contractors and related labour from local communities in the Eden District.

I. REASONS FOR THE DECISION:

In reaching its decision, the Department took, *inter alia*, the following into consideration:

- a. Review of Documentation:
 - o Scoping Report (SES compilation; July 2007): Residential development on Portions 54 & 55 of the Farm Kraaibosch No. 195, George; including all letters of correspondence contained within;
 - o Letter from SES (2008/09/09) containing comment from SetPlan;
 - o Western Cape Education Department's (2008/07/10) letter concerning the location of a new school;
 - o Letter from the District Roads Engineer (2008/09/11);
 - o Letter from George Municipality (2007/02/02) concerning service provision;
 - o Letter from the Provincial Department of Health (2006/09/29) concerning service provision;
 - o Letter from WESSA (2006/07/11) concerning biophysical aspects and housing density;
 - o Letter from the Glenwood Conservancy Association (2006/05/09) concerning Master Planning for the GKA;
 - o Letter from the Botanical Society (Garden Route Branch; 2006/05/03) concerning biophysical aspects of the property and environmental management;
 - o Electronic correspondence from George Municipality (2006/04/26) concerning the Kraaibosch Roads Master Plan layout;
 - o Letter from CapeNature (2006/04/18) concerning biophysical aspects of the property;
 - o Letter from the Provincial Department of Agriculture (2006/04/01);
 - o Letter from Heritage Western Cape (2006/03/08).
- b. The comments received from Interested and Affected Parties ("I&AP's") as included in the Scoping Report and that received subsequently from the EAP.

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- c. Relevant information contained in the Departmental information data base including: –
Guideline for involving visual and aesthetic specialists in EIA processes, June 2005;
Mucina L, Rutherford MC (eds) 2006. Vegetation of South Africa, Lesotho and Swaziland. Strelitzia 19. South African National Biodiversity Institute, Pretoria.
- d. The objectives and requirements of relevant legislation, policies and guidelines, including:
- o George Municipality: Spatial Development Framework ("GSDF") Volume II: Strategic Environmental Assessment ("SEA") (Arcus Gibb (Pty) Ltd; May 2007);
 - o George Municipality: Spatial Development Framework ("GSDF") Plan No.: GSDF 1.1 (WM de Kock & Associates and VRM AFRICA; May 2007);
 - o George Open Space System (Brink, Stokes & Mkhize and VRM Africa; 2008)
 - o George Roads Master Plan (Kantey & Templer (Pty) Ltd; 2005)
 - o Kraaibosch / Glenwood Local Structure Plan (September 2008)
 - o Kraaibosch Roads Master Plan (Vela VKE; 2006)
 - o Kraaibosch Spatial Development Plan (March 2007)
 - o National Environmental Management Act of 1998 (Act No. 107 of 1998) ("NEMA");
 - o Provincial Urban Edge Guideline (2005);
 - o Western Cape Spatial Development Framework ("WCSDF") (2005).

All the information that was presented to the Department was taken into account in the Department's consideration and review of the application. A summary of the issues, which in the Department's analysis were of most significance, is described below.

J. KEY FACTORS AFFECTING THE DECISION:

Sufficient information was submitted to this Directorate to regard the Scoping Report prepared by SES (July 2007) and additional documentation as fulfilling the requirements prescribed by Regulation 6 of GN No. R. 1183 of 5 September 1997, as amended.

1) NEMA Principles

As an introduction to the key factors affecting this decision, the applicant is respectfully reminded of the principles of the National Environmental Management Act of 1998 (Act 107 of 1998) which apply throughout the Republic to the actions of all organs of state that may significantly affect the environment. These principles serve as guidelines by reference to which any organ of state must exercise any function when taking any decision in terms of this Act or any statutory provision concerning the protection of the environment.

The NEMA principles of Section 2(4)(a) state that sustainable development requires the consideration of all relevant factors including, *inter alia*, the following:

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- i. That the disturbance of ecosystems and loss of biological diversity are avoided, or, where they cannot be altogether avoided, are minimised and remedied;
- ii. that the disturbance of landscapes and sites that constitute the nation's cultural heritage is avoided, or where it cannot be altogether avoided, is minimised and remedied;
- iii. that a risk-averse and cautious approach is applied, which takes into account the limits of current knowledge about the consequences of decisions and actions; and
- iv. that negative impacts on the environment and on people's environmental rights be anticipated and prevented, and where they cannot be altogether prevented, are minimised and remedied.

2) Biophysical Factors

The property has been utilized for agricultural and forestry purposes over time. The natural vegetation unit¹ that occurred at the property, viz. Garden Route Shale Fynbos has been transformed for the most part. Remnants of this vegetation unit are thus of utmost conservation importance as Garden Route Shale Fynbos is Endangered, and if any indigenous plant species are found to occur at the property they must be rescued prior to land clearing to be incorporated into the development's rehabilitation and landscaping programme (refer to § G 7.10).

The riverine habitat of the Modderkloof / Modderrugrivier occurring along the southern boundary of the property has been proposed as Open Space and is regarded as a Core Natural area or green belt / corridor, linking other properties flanking the Modderkloof / Modderrugrivier. Linking green belt areas as ecological corridors would provide space for fauna, flora and water bodies as well as allow movement of animals, plant propagules and water to drain. A setback line of 30 metres (see § G 5.3 above) from each side of the Modderkloof / Modderrugrivier and dams or wetlands, will provide a conservation buffer zone to protect the habitat and facilitate hydrological and ecological functioning of the riverine habitat. Buffers will protect the ecological integrity of the ecosystem and provide sufficient space to allow for restoration work and management of these wetland systems.

As indicated in the KG-LSP condition 9 must be adhered to as a requirement for the development to be registered at the Registrar of Deeds office. Once the Open Space(s) alongside the Modderkloof / Modderrugrivier is sufficiently restored or rehabilitated the management will revert to the responsibility of George Municipality. The overarching objective of the Open Space System is that it will be managed holistically as part of the George Open Space System ("GOSS"), retaining linkages or green belt / corridors throughout the Urban Area. There will be a walkway or boardwalk to allow unhindered access for pedestrians, runners and cyclists to utilize the Open Space. With the GOSS the aim is to provide cycle routes and walkways linking the Greater Kraaibosch Area ("GKA") to existing suburbs and

¹ Mucina L & Rutherford MC (eds) 2006. Vegetation of South Africa, Lesotho and Swaziland. Strelitzia 19. South African National Biodiversity Institute, Pretoria.

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proposed adjacent developments at the Garden Route Mall and Garden Route Dam.

3) Socio-economic and Cultural/Historic Factors

No historical buildings are located at the property and the transformed agricultural landscape may have removed wagon trail remnants, which at some point may have been evident. Heritage Western Cape was involved during the drafting of the Kraaibosch Spatial Development Plan and a Heritage Impact Assessment was not requested or considered necessary.

The proposed development will result in the establishment of temporary and permanent employment opportunities. The applicant will contribute directly to local economic development if local construction companies, sub-contractors and labourers are employed.

4) Visual Impact Assessment

There is concern by I&AP's that the mixed residential housing is seen as excessive and likely to result in clashing architectural styles. The GKA is one of the main showcase entrances to George. Mitigation of the visual impact of sense of place necessitates sufficient landscaping utilizing local floristic elements and the rehabilitation of open spaces and natural areas to retain the natural setting of the area. In addition provision of functional Open Space will mitigate the housing density impact of the proposed development. This combined with suitable architectural guidelines to create a setting reminiscent of the vegetated and rural scenery that currently exists there would be proficient.

The vista towards the mountains from the N9 Knysna Road and the N2 National Road will be affected by development in the Kraaibosch area. This development would therefore require mitigation measures to ensure that the visual aesthetic and integrity of the area is retained. The property is currently screened along the southern boundary from the areas further south and along the N9 Knysna Road by large alien trees thus the visual exposure of the property can be classed as low to moderate. However during the construction phase these alien trees must be removed creating temporary high visual exposure of the property. Indigenous plant species will be used to replace this screening and create a more valuable alternative and permanent screen thereby reducing the visual exposure in the long term.

It is important that any disturbance to the landscape is undertaken cautiously to ensure that the sense of place of the area is not severely degraded during the construction phase. Rehabilitation of the area, especially along the southern boundary and the proposed green belt riverine environment, will be necessary to ensure that a suitable visual buffer is maintained between N9 Knysna Road and the development. A number of conditions have been incorporated into this ROD to ensure that visual impacts are minimised.

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There is a concern from I&AP's that the sense of place is likely to be impacted by the perceived loss of tranquillity and nature-like character of the area. With the additional traffic loads, elevated noise levels, increased degree of activity and visual impact the existing semi-rural character will disappear. The development and the cumulative effect of similar developments at surrounding properties will create a sense of a suburban setting. In this regard it should be considered that the GKA has been identified by the Local Authority in the KG-LSP as an area for future expansion of the town of George.

5) Regional and Planning Policy Context

The George Municipal Council approved the application to amend the George and Environs Urban Structure Plan (1982) on 10 October 2007, from "Agriculture / Forestry" to "Township Development". The George Municipal Council on 23 September 2008 endorsed the delineation of the George Interim Urban Edge further east of George, by the adoption of the Kraaibosch / Glenwood Local Structure Plan that allots the Greater Kraaibosch Area for suburbanization. Conditions therein make provisions to resolve the location of a school site prior to any rezoning application approval and allowing provision for amendments to the KG-LSP. The KG-LSP forms part of the George Spatial Development Framework ("GSDF") which has indicated that the property is part of an expansion area being compatible with the densification policy of the WCSDF. According to the Provincial Urban Edge Guidelines (2005), the urban edge has to include all the areas that can be serviced safely, feasibly and without impact on the existing users.

6) Alternatives

No site alternatives were investigated. Four (4) Alternative Layout Plans, including the "NO-GO" alternative were investigated:

Alternative Layout Plan No. 1: by SetPlan (Settlement Planning Services) (Fig. 1 in POSS: August 2005) compiled for Park 2000 Investments (Pty) Ltd comprises: 213 Residential Zone I erven; 6 Residential Zone II erven; 1 Residential Zone IV erf; 2 Transport Zone I erven and 7 Open Space I erven. The development footprint associated with this layout is 95.53%. This layout does not conform to the Kraaibosch Roads Master Plan and the requirements of the KG-LSP i.t.o. provisioning of functional Open Space.

Alternative Layout Plan No. 2: by SetPlan (Plan #: KB/54+55/0707; June 2007) compiled for Park 2000 Investments (Pty) Ltd comprises: 191 Residential Zone I erven; 5 Residential Zone II erven; 1 Transport Zone I erven and 3 Open Space Zone I erven. The development footprint associated with this layout is 92.18%. This layout does not conform to the requirements of the KG-LSP i.t.o. provisioning of functional Open Space.

Alternative Layout Plan No. 3: by SetPlan (Plan #: KB/54+55/0907; September 2007) compiled for Park 2000 Investments (Pty) Ltd comprises: 184 Residential Zone I erven; 5 Residential Zone II erven; 1 Transport Zone I erf and 3 Open Space Zone I erven. Alternative Layout Plan No. 3 incorporates the infrastructure of the Kraaibosch

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Roads Master Plan but does not conform to the requirements of the KG-LSP i.t.o. density and provisioning of functional Open Space.

Alternative Layout Plan No. 4: by SetPlan (Plan #: KB/54+55/0808; August 2008) compiled for Park 2000 Investments (Pty) Ltd comprises: 193 Residential Zone I erven; 5 Residential Zone II erven; 1 Transport Zone I erf and 3 Open Space Zone I erven. Alternative Layout Plan No. 4 incorporates the infrastructure of the Kraaibosch Roads Master Plan but fails to fulfil the requirements of the KG-LSP i.t.o. provisioning of functional Open Space (13896 m² minimum).

The "NO-GO" alternative:

The property would retain a rural setting if no development occurred. Dryland agriculture could continue as the soils are sufficiently fertile for the production of winter- and summer-grain and annual or perennial pasture grasses, thus providing immediate food security. The rural sense of place would be maintained. However, the NO-GO alternative will not be implemented because the property has been designated for township development.

A residential township development similar to that of Alternative Layout Plan No. 4 is hereby authorised, with a number of conditions of approval.

7) Public Participation

The Public Participation Process ("PPP") was conducted to the satisfaction of this Directorate. However no public meeting was held. The EAP motivated that since I&AP's were very active in submitting issues and numerous stakeholder meetings were held, forming part of the broader scale planning of the area, a public meeting was not necessary. The PPP included, along with others, the following participants:

- Numerous Community Based Organisations, Non-Governmental Organisations and other relevant stakeholders received the Background Information Document ("BID"). These included the: Botanical Society of South Africa; Glenwood Community Association; Glenwood Conservancy Association; Glenwood House Independent School; George Riding Club; Kaaimans Corridor Conservancy; Kraaibosch Owners and Residents Association and the Wildlife and Environment Society of South Africa (WESSA).
- Key issues which arose during the public consultation process included:
 - Increased traffic volumes, congestion and safety concerns;
 - Municipal service infrastructure capacity and availability;
 - The need for forward planning for the area i.t.o. density, public infrastructure and open space;
 - Impact of the development on the social and economic environment;
 - The visual impact, sense of place and loss of tranquillity and natural character; and
 - Potential impact on the stream, steep slopes and natural wetland areas.

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Consultation with Authorities

Authorities who received a BID and were consulted upon during the processing and reviewing of this application included: CapeNature, Provincial Department of Agriculture; Department of Transport & Public Works, Department of Water Affairs & Forestry, District Roads Engineer, Eden District Municipality, George Municipality, Heritage Western Cape, Provincial Department of Health and South African National Roads Agency Limited.

- The Western Cape Education Department indicated that they could not purchase land from the property for a school site at commercial market related retail prices and would instead rely on Municipal land currently on lease until 2014 (See § J 5 above).
- George Municipality adopted the Kraaibosch / Glenwood Local Structure Plan with development guidelines for the Greater Kraaibosch Area.
- The District Roads Engineer (Department of Transport and Public Works) stated that the project proposal is satisfactorily in alignment with the Kraaibosch Spatial Development Plan and the Kraaibosch Roads Master Plan and that there is no objection to the proposed rezoning and departure.
- Heritage Western Cape stated that a Heritage Impact Assessment is not required.
- The Provincial Department of Agriculture stated that they have no issues with or alternatives to the proposed development.
- CapeNature raised concern over: the availability of water; and that provision must be made for ecological corridors; and that "NO-GO" areas (steep slopes and flood-lines of 1: 100) must not be developed.
- WESSA raised concern over: the availability of water; the Moddergrivier that must be rehabilitated; and that proposed residential densities are too high with minimal Open Space. WESSA stated their support for a George Open Space System whereby this development (and others) incorporates functional Open Space and green corridors.

The comments and recommendations provided by the relevant authorities have been considered in the review and evaluation of this application, and where relevant have been incorporated as conditions in to this ROD.

8) Infrastructure and Bulk Service Provision

Access Roads and Traffic

The Greater Kraaibosch Area is a significant growth area that will generate a considerable amount of traffic in the near future. All access roads and servitudes will be in accordance with the Kraaibosch Roads Master Plan prepared for the GKA, within the KG-LSP, by Vela VKE Consulting Engineers. According to the George Roads Master Plan the Knysna Road Class II Primary Arterial (N9) is the central axis on which residents gain access to the property. From thereon a proposed Class III District Distributor (4-lanes) will connect to Class IV Local Distributor Roads (2-lanes; with a 25 m road reserve) on the northern and western boundaries of the proposed development, and bisecting the southern area, to allow internal access to the

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property via Local Streets forming part of the internal road network infrastructure. The Kraaibosch Roads Master Plan was formulated with the vision of providing access to proposed developments in the GKA, with the establishment and incorporation of pedestrian footpaths and bicycle routes alongside the road network allowing access for recreational activities. The Kraaibosch Roads Master Plan layout will determine the amount of land to be ceded by the developer.

Water Supply

The George Municipality confirmed that the property is identified for a medium density development in the Water Master Plan and can be connected to the Municipal water pipeline network with an internal diameter of 0.2 m and average peak transference of 1200 litres/day. An allocated water right for the property is sufficient to meet the demand for water required for the proposed development.

Sewage-Infrastructure

The George Municipality confirmed that the property is identified for a medium density development in the Sewage Master Plan and can be connected to and serviced by the sewage pipeline installed by MVD Consulting Engineers. The sewage pipeline is positioned from Kraaibosch Farm No. 195, Portion 52, along the northern side of Modderrugrivier to a sewage pump station, west of the old Urban Sawmill.

Electricity

George Municipality appointed BDE Electrical Engineers to oversee the Electrical Master Plan for the area. The installation of the electrical network will be done according to Municipal standards.

Solid Waste

Solid waste is to be incorporated into the Municipal landfill site as is household waste. The development will mitigate the generation of waste by installing waste minimization techniques and implementing them.

Sustainable Resource Use

The Western Cape is already experiencing difficulty in supplying current and growing demand for non-renewable resources such as water and electrical energy. Measures to mitigate the consumption of non-renewable resources have been indicated in the condition § G 7.16 above.

9) Cumulative effects of the activity

The proposed development will increase the abstraction of water from available sources. The demand for electricity will be increased in an already under-capacitated supply potential from ESKOM. There will be an increase in solid waste generation shortening the lifespan of municipal landfill sites. The Local Authority has confirmed that sufficient capacity is available to provide the required services to the proposed development.

The development will provide housing for middle-income earning residents. The development will enable middle-income earners to own residential property in George.

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10) Motivation for the proposed development

The land has been designated as a residential development area for George, to provide a mixture of low and medium density residential erven, and alleviate development pressure from the western side of George where prime and valuable agricultural land exists.

There is also access from the property to existing transport routes, such as the N9 Knysna Road via a proposed Road Network that is subject to a separate application. The property is near existing and proposed developments that can be of service to the area, while the development itself can provide employment opportunities for neighbouring communities.

K. DURATION AND DATE OF EXPIRY:

This authorisation shall lapse if the activity does not commence within **two (2) years** of the date of issue of this authorisation.

L. APPEAL:

The applicant must, in writing, within 10 (ten) calendar days of receiving notice of the Department's decision –

- a. notify all registered interested and affected parties of the decision and the reasons for the decision; and –
- b. specify the date on which the authorisation was issued;
- c. inform all registered interested and affected parties of the appeal procedure provided for in Chapter 7 of the regulations; and
- d. advise all registered interested and affected parties that should they wish to appeal that they must lodge a notice of intention to appeal with the Minister, within 10 days of receiving notice of the Department's decision and, must submit their appeal within 30 days of the lodging of their notice of intention to appeal, by means of one of the following methods:

By post: Western Cape Ministry of Local Government,
Environmental Affairs and Development Planning
Private Bag X9186
CAPE TOWN
8000

By facsimile: (021) 483 4174; or

By hand: Attention: Mr Jaap de Villiers
1102 Utilitas Building
1 Dorp Street
CAPE TOWN
8001

- e. inform all registered interested and affected parties that a signed Appeal form obtainable from the Minister's office at tel (021) 483 3721 / 3195,

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Directorate: Land Management (Region 1)*

email jedevill@pgwc.gov.za or URL
<http://www.capecgateway.gov.za/eadp>; must accompany the appeal.

- f. inform all registered interested and affected parties that should they wish to appeal, the appellant must serve on the applicant a copy of the notice of intention to appeal as well as a notice indicating where and for what period the appeal submission will be available for inspection by the applicant.

If the appellant is not the applicant, the latter must be informed of the appeal within the appeal period referred to above and must provide the applicant with reasonable access to a full copy of the appeal, if requested.

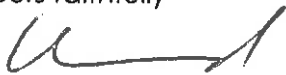
The prescribed Notice of Intent to Appeal Form and Appeal Form are obtainable from the Minister's office at tel. #: (021) 483 3721; email jedevill@pgwc.gov.za or via the URL <http://www.capecgateway.gov.za>.

If any condition imposed in terms of this authorisation is not being complied with, the authorisation may be withdrawn after 30 days written notice to the applicant in terms of Section 22(4). Failure to comply with any of these conditions is also an offence and may be dealt with in terms of Sections 29, 30 and 31 of the Environment Conservation Act of 1989 (Act No. 73 of 1989) as well as any other appropriate legal mechanisms.

Provincial Government, Local Authority or committees appointed in terms of the conditions of the application or any other public authority or organisation shall not be held responsible for any damages or losses suffered by the developer or his successor in title in any instance where construction or operation subsequent to construction be temporarily or permanently stopped for reasons of non-compliance by the developer with the conditions of authorisation as set out in this document or any other subsequent document emanating from these conditions of authorisation.

Your interest in the future of our environment is greatly appreciated.

Yours faithfully



MR. AYUB MOHAMED

**DIRECTOR: LAND MANAGEMENT (REGION 1)
DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING**

DATE OF DECISION: 04/11/2010
Copies To:

- (1) Mr. D van Rensburg (Sharples Environmental Services cc)
- (2) Mr. K Munro (SetPlan/Consulting Town & Regional Planners)
- (3) Mr. C Peterson (Planning & Housing/George Municipality)
- (4) Mr. R Loubser (George Municipality)
- (5) Mr. S Carstens (George Municipality)
- (6) Mr. M Lamour (DEA&DP/George)

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Fax: (044) 874 2423



**Western Cape
Government**

Environmental Affairs and
Development Planning

Development Management
(Region 3)

REFERENCE: EG12/2/1/-AG3-5720
ENQUIRIES: Francois Naudé
DATE OF ISSUE: 11 SEP 2017

The Director
Reigate Development Projects (Pty) Ltd.
PO Box 12486
Garden Route
GEORGE
6546

For Attention: Mr A. de Vos

Tel: 044 887 0455
Fax: 086 512 3729
E-mail: arno@kraaibosch.co.za

Dear Sir

**APPROVAL OF THE ENVIRONMENTAL MANAGEMENT PROGRAMME FOR THE PROPOSED
CHANGE IN LAND USE FROM AGRICULTURAL TO ANY OTHER LAND USE FOR THE
ESTABLISHMENT OF A RESIDENTIAL TOWNSHIP DEVELOPMENT ON PORTIONS 370 AND
371 (PREVIOUSLY PORTIONS 54 AND 55) OF THE FARM KRAAIBOSCH 195, GEORGE**

1. The abovementioned Environmental Management Programme ("EMPr") dated 17 August 2017 (ref. 36/RDP/370&371/7/17) and received by the Directorate: Development Management (Region 3) (hereinafter referred to as "this Directorate") on 17 August 2017, refers.
2. This letter serves as an acknowledgement of receipt of the abovementioned document by this Directorate.
3. By virtue of the powers conferred on it by the National Environmental Management Act, 1998 (Act No. 107 of 1998) and the Environmental Impact Assessment Regulations, 2014, the competent authority herewith **approves** the abovementioned environmental management programme (EMPr).
4. Please take note of the following requirements regarding the EMPr:
 - 4.1. All stipulations or specifications in the Environmental Management Programme ("EMPr") must be strictly implemented and adhered to by the holder and all construction personnel.

- 4.2. Any changes or amendments to the EMPr must comply with the provisions of Chapter 5 of the Environmental Impact Assessment Regulations, 2014 (GN R.982 of 4 December 2014).

The onus is on the holder of the Environmental Authorisation to ensure that such amendment/changes comply with the relevant regulations or subsequent notices issued in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998). You are advised to check the applicability of the relevant legislation prior to implementing any changes to the EMPr.

5. Compliance with the relevant conditions of the Environmental Authorisation:

- 5.1. Please be reminded that you must comply with all the relevant conditions of the Environmental Authorisation ("EA") prior to commencement of the proposed activity.

6. Please ensure compliance with the Environmental Authorisation and approved EMPr. Non-compliance with a condition of this Environmental Authorisation or EMPr may render the holder liable to criminal prosecution.

Note: A person is guilty of an offence in terms of Section 49A of the National Environmental Management Act, 1998 (Act no. 107 of 1998) ("NEMA") if that person fails to comply with or contravenes a condition of an environmental authorisation granted for a listed activity or an approved environmental management programme.

A person convicted of an offence in terms of the above is liable to a fine not exceeding R10 million or to imprisonment for a period not exceeding 10 years, or to both such fine or such imprisonment.

7. Kindly quote the abovementioned reference number in any future correspondence in respect of the above development
8. The Directorate reserves the right to revise initial comments and request further information from you based on the revised information received.

Yours faithfully



HEAD OF COMPONENT

ENVIRONMENTAL IMPACT MANAGEMENT SERVICES REGION 3

DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

Copied to: (1) Mr Steve Kleinhans (EAP)
(2) Ms Lindsey Mooiman (George Municipality)
(3) Mr Clinton Peterson (George Municipality)

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Fax: 086 529 9872
Fax: 086 645 7389