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NEAS REFERENCE NUMBER: WCP/EIA/0001513/2024
DATE OF ISSUE: 19 March 2025

NEW ENVIRONMENTAL AUTHORISATION

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014: THE PROPOSED KRAAIBOSCH PARK RESIDENTIAL DEVELOPMENT ON ERVEN 28368, 29144, 29246 AND 27668 (PREVIOUSLY PORTION 370), AND PORTION 371 OF THE FARM KRAAIBOSCH NO. 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 Competent Authority herewith –

- (a) **grants Environmental Authorisation** to the applicant to undertake the listed activities specified in section C below in respect of **the preferred alternative**, described in the Final Basic Assessment Report (Ref: GEO24/981/94, dated 11 November 2024) ("FBAR"), as prepared and submitted by the appointed environmental assessment practitioner ("EAP"), Ms. Cathy Avierinos (EAPASA No: 2019/1053) of HilLand Environmental (Pty) Ltd; and
- (b) **replaces** the Environmental Authorisation (Ref: EG12/2/1-AG3-5720/V1 issued on 4 November 2010), as amended, with this Environmental Authorisation (Ref: 16/3/3/1/D2/19/0028/24).

The applicant for this Environmental Authorisation is required to comply with the conditions set out in Section E below.

B. DETAILS OF THE APPLICANT FOR THIS ENVIRONMENTAL AUTHORISATION

The Managing Director
% Mr. Fred de Kock
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PO Box 12486
Garden Route Mall
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The abovementioned applicant is the holder of this Environmental Authorisation (hereinafter referred to as "**the Holder**").

C. LIST OF ACTIVITY/IES AUTHORISED

Listed Activities	Activity/Project Description
Environmental Impact Assessment Regulations Listing Notice 1 of 2014, Government Notice No. 983 of 4 December 2014 (as amended)	
Activity Number: 9 Activity Description: The development of infrastructure exceeding 1 000 metres in length for the bulk transportation of water or storm water— (i) with an internal diameter of 0,36 metres or more; or (ii) with a peak throughput of 120 litres per second or more; excluding where— (a) such infrastructure is for bulk transportation of water or storm water or storm water drainage inside a road reserve or railway line reserve; or (b) where such development will occur within an urban area.	The proposed stormwater management plan requires the installation of stormwater pipes with an internal diameter exceeding 0.36m and longer than 1 000m in length.
Activity Number: 10 Activity Description: The development and related operation of infrastructure exceeding 1 000 metres in length for the bulk transportation of sewage, effluent, process water, waste water, return water, industrial discharge or slimes— (i) with an internal diameter of 0,36 metres or more; or (ii) with a peak throughput of 120 litres per second or more; excluding where— (a) such infrastructure is for the bulk transportation of sewage, effluent, process water, waste water, return water, industrial discharge or slimes inside a road reserve or railway line reserve; or (b) where such development will occur within an urban area.	According to the applicant the sewage pipelines is within the flow threshold of the listed activities
Activity Number: 12 Activity Description: The development of—	The installation of services, construction of roads and the implementation of the stormwater management plan will require the

(i) dams or weirs, where the dam or weir, including infrastructure and water surface area, exceeds 100 square metres; or (ii) infrastructure or structures with a physical footprint of 100 square metres or more; where such development occurs— (a) within a watercourse; (b) in front of a development setback; or (c) if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse; excluding— (aa) the development of infrastructure or structures within existing ports or harbours that will not increase the development footprint of the port or harbour; (bb) where such development activities are related to the development of a port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies; (cc) activities listed in activity 14 in Listing Notice 2 of 2014 or activity 14 in Listing Notice 3 of 2014, in which case that activity applies; (dd) where such development occurs within an urban area; (ee) where such development occurs within existing roads, road reserves or railway line reserves; or (ff) the development of temporary infrastructure or structures where such infrastructure or structures will be removed within 6 weeks of the commencement of development and where indigenous vegetation will not be cleared.	construction of infrastructure within a watercourse as delineated by the aquatic specialist and within 32m of the delineated watercourse. The cumulative extent of the infrastructure exceeds 100m².
Activity Number: 19 Activity Description: The infilling or depositing of any material of more than 10 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 10 cubic metres from a watercourse; but excluding where such infilling, depositing, dredging, excavation, removal or moving— (a) will occur behind a development setback; (b) is for maintenance purposes undertaken in accordance with a maintenance management plan; (c) falls within the ambit of activity 21 in this Notice, in which case that activity applies;	According to the applicant, the implementation of the stormwater management plan will require the moving of soil within a watercourse delineated by the aquatic specialist.

(d) occurs within existing ports or harbours that will not increase the development footprint of the port or harbour; or (e) where such development is related to the development of a port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies.	
Activity Number: 27 Activity Description: The clearance of an area of 1 hectare or more, but less than 20 hectares of indigenous vegetation, except where such clearance of indigenous vegetation is required for— (i) the undertaking of a linear activity; or (ii) maintenance purposes undertaken in accordance with a maintenance management plan.	The proposed development (densification area) will require the clearance of approximately 19ha of indigenous vegetation as defined in the EIA Regulations, 2014. The clearance will be undertaken within the previously authorised development area.
Activity Number: 28 Activity Description: Residential, mixed, retail, commercial, industrial or institutional developments where such land was used for agriculture, game farming, equestrian purposes or afforestation on or after 01 April 1998 and where such development: (i) will occur inside an urban area, where the total land to be developed is bigger than 5 hectares; or (ii) will occur outside an urban area, where the total land to be developed is bigger than 1 hectare; excluding where such land has already been developed for residential, mixed, retail, commercial, industrial or institutional purposes.	The property was used for agricultural activities on or after 1 April 1998 and is regarded to fall outside the urban area. Furthermore, the proposed development (densification area) exceeds 1ha in extent.
Environmental Impact Assessment Regulations Listing Notice 3 of 2014, Government Notice No. 985 of 4 December 2014 (as amended)	
Activity Number: 4 Activity Description: The development of a road wider than 4 metres with a reserve less than 13,5 metres. i. Western Cape i. Areas zoned for use as public open space or equivalent zoning; ii. Areas outside urban areas; (aa) Areas containing indigenous vegetation; (bb) Areas on the estuary side of the development setback line or in an estuarine functional zone where no such setback line has been determined; or iii. Inside urban areas: (aa) Areas zoned for conservation use; or (bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority.	The proposed development includes the development of internal roads up to 5.5m with road reserve varying between 12m and 18m. The area earmarked for the proposed roads currently consists of indigenous vegetation as defined in the EIA Regulations, 2014.

Activity Number: 12 Activity Description: <i>The clearance of an area of 300 square metres or more of indigenous vegetation except where such clearance of indigenous vegetation is required for maintenance purposes undertaken in accordance with a maintenance management plan.</i> <i>i. Western Cape</i> <i>i. Within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA or prior to the publication of such a list, within an area that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004</i> <i>ii. Within critical biodiversity areas identified in bioregional plans;</i> <i>iii. Within the littoral active zone or 100 metres inland from high water mark of the sea or an estuarine functional zone, whichever distance is the greater, excluding where such removal will occur behind the development setback line on erven in urban areas;</i> <i>iv. On land, where, at the time of the coming into effect of this Notice or thereafter such land was zoned open space, conservation or had an equivalent zoning; or</i> <i>v. On land designated for protection or conservation purposes in an Environmental Management Framework adopted in the prescribed manner, or a Spatial Development Framework adopted by the MEC or Minister.</i>	The proposed development (densification area) will require the clearance of more than 300m² of indigenous vegetation of indigenous vegetation as defined in the EIA Regulations, 2014, within a Critically Endangered ecosystem (i.e. garden Route Granite Fynbos) and within an areas mapped as Critical Biodiversity Area. Furthermore, clearance of indigenous vegetation is also proposed in areas zoned or deemed to be zoned as open space or equivalent zoning.
Activity Number: 14 Activity Description: <i>The development of—</i> <i>(i) dams or weirs, where the dam or weir, including infrastructure and water surface area exceeds 10 square metres; or</i> <i>(ii) infrastructure or structures with a physical footprint of 10 square metres or more;</i> <i>where such development occurs—</i> <i>(a) within a watercourse;</i> <i>(b) in front of a development setback; or</i> <i>(c) if no development setback has been adopted, within 32 metres of a watercourse, measured from the edge of a watercourse;</i>	The proposed development includes that development of stormwater structures and infrastructure within the watercourse and within 32m of the edge of the watercourse in an area mapped as Critical Biodiversity Area. The cumulative development footprint exceeds 10m².

excluding the development of infrastructure or structures within existing ports or harbours that will not increase the development footprint of the port or harbour. i. Western Cape (i) Outside urban areas: (aa) A protected area identified in terms of NEMPAA, excluding conservancies; (bb) National Protected Area Expansion Strategy Focus areas; (cc) World Heritage Sites; (dd) Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority; (ee) Sites or areas listed in terms of an international convention; (ff) Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans; (gg) Core areas in biosphere reserves; or (hh) Areas on the estuary side of the development setback line or in an estuarine functional zone where no such setback line has been determined.	
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The abovementioned list is hereinafter referred to as “**the listed activities**”.

The Holder is herein authorised to undertake the following alternative that includes the listed activities as it relates to the development:

The Kraaibosch Park Residential Estate entails the development of a residential estate and associated structures and infrastructure on the Erven 28368, 29144, 29246 and 27668 (previously Portion 370), and Portion 371 of the Farm Kraaibosch No. 195 in George, consisting of:

- **Phase 1:** 40 x residential erven;
- **Phase 2:** 94 x residential housing erven and 1 x General Residential Erf (10 apartments)
 - Consolidation of erven 29177, 29178, 29199 and a portion of the internal road for frail care and assisted living;
- **Phase 3:** 26 x retirement resort erven and 28 x group housing erven;
- **Phase 4:** 74 x group housing erven at a density of 14.8 units/ha, and 1 x retirement resort consisting of a frail care facility (68 beds) and assisted living complex (40 x 2-bedroom units);
- **Phase 5:** 1 x future development (75 units) at a density of 30 units/ha;
- **Phase 6:** 1 x future development (44 units) at a density of 30 units/ha and private open space of approximately 3ha;
- Future development (104 units) at a density of 30 units/ha;
- Internal roads up to 5.5m wide; and
- Stormwater runoff management infrastructure.

The proposed development also includes the development of associated services structures and infrastructure. Stormwater management infrastructure will be developed and implemented in accordance with the Stormwater Management Plan (Drawing No: G5155BD-CE-202 (Rev. E), Date: 7 December 2023). The proposed development will be implemented approximate to the Site Development Plan (Plan No: Pr22/37 GEO27668Ph4Layout07) dated 31 July 2024, attached as Appendix B1 of the BAR. Copies of the Stormwater Management Plan and Site Development Plan has been attached to this environmental authorisation as Annexure 2A and 2B respectively.

D. SITE DESCRIPTION AND LOCATION

The proposed development will be located on Erven 28368, 29144, 29246 and 27668 (previously Portion 370), and Portion 371 of the Farm Kraaibosch No. 195, George. It is located north of the Kraaibosch Manor Residential Estate and adjacent (east) to Springfield residential estate on Portion 53 of the Farm Kraaibosch No. 195.

Coordinates of the proposed development:

Latitude (S)			Longitude (E)		
33°	58'	37.91"	22°	30'	30.08"

SG digit code:

Property	S21 Digit Code
Erf 27668 (previously Portion 370)	C02700020002766800000
Erf 28368	C02700020002836800000
Erf 29144	C02700020002914400000
Erf 29246	C02700020002914400000
Portion 371 of the Farm Kraaibosch No. 195	C02700000000019500371

Refer to Annexure 1 for the Locality Plan of this Environmental Authorisation.

The above is hereinafter referred to as "**the site**".

E. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER (EAP)

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EAPASA 2019/1053
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F. CONDITIONS OF AUTHORISATION

Scope and Validity Period of authorisation

- This Environmental Authorisation is granted for the period from date of issue until **20 March 2035** (validity period), during which period the Holder must ensure that the—
 - physical implementation of all the authorised listed activities is started with and concluded;
 - construction monitoring and reporting requirements are undertaken and submitted to the Competent Authority in time to allow said authority to process such documents timeously;

- (c) post construction rehabilitation and monitoring requirements is undertaken and completed; and
- (d) environmental auditing requirements are complied with; and that such auditing is finalised in time to allow the competent authority to be able to process the environmental audits timeously within the specified validity period.

Failing which, this Environmental Authorisation shall lapse, 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).

2. The Holder is authorised to undertake the listed activities specified in Section B above in respect of the preferred alternative described in the FBAR, dated 31 October 2024, on the site as described in Section D above.

This Environmental Authorisation is for the implementation of the **preferred alternative** which entails:

The Kraaibosch Park Residential Estate entails the development of a residential estate and associated structures and infrastructure on the Erven 28368, 29144, 29246 and 27668 (previously Portion 370), and Portion 371 of the Farm Kraaibosch No. 195 in George, consisting of:

- **Phase 1:** 40 x residential erven;
- **Phase 2:** 94 x residential housing erven and 1 x General Residential Erf (10 apartments)
 - Consolidation of erven 29177, 29178, 29199 and a portion of the internal road for frail care and assisted living;
- **Phase 3:** 26 x retirement resort erven and 28 x group housing erven;
- **Phase 4:** 74 x group housing erven at a density of 14.8 units/ha, and 1 x retirement resort consisting of a frail care facility (68 beds) and assisted living complex (40 x 2-bedroom units);
- **Phase 5:** 1 x future development (75 units) at a density of 30 units/ha;
- **Phase 6:** 1 x future development (44 units) at a density of 30 units/ha and private open space of approximately 3ha;
- Future development (104 units) at a density of 30 units/ha;
- Internal roads up to 5.5m wide; and
- Stormwater runoff management infrastructure.

The proposed development also includes the development of associated services structures and infrastructure. Stormwater management infrastructure will be developed and implemented in accordance with the Stormwater Management Plan (Drawing No: G5155BD-CE-202 (Rev. E), Date: 7 December 2023). The proposed development will be implemented approximate to the Site Development Plan (Plan No: Pr22/37 GEO27668Ph4Layout07) dated 31 July 2024, attached as Appendix B1 of the BAR. Copies of the Stormwater Management Plan and Site Development Plan has been attached to this environmental authorisation as Annexure 2A and 2B respectively.

3. This Environmental Authorisation may only be implemented in accordance with the approved Environmental Management Programme ("EMPr").
4. The Holder shall be responsible for ensuring 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.

5. Any changes to, or deviations from the scope of the alternative described in section C 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 information in order 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.

Notification and administration of appeal

6. The Holder must in writing, within 14 (fourteen) calendar days of the date of this decision–
 - 6.1. notify all registered Interested and Affected Parties ("I&APs") of –
 - 6.1.1. the decision reached on the application;
 - 6.1.2. the reasons for the decision as included in Annexure 3;
 - 6.1.3. the date of the decision; and
 - 6.1.4. the date when the decision was 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) detailed in Section G below;
 - 6.3. draw the attention of all registered I&APs to the manner in which they may access the decision;
 - 6.4. provide the registered I&APs with the:
 - 6.4.1. 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, of the Holder,
 - 6.4.6. 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 (as amended).
 - 6.5. The listed activities, including site preparation, must not commence within 20 (twenty) calendar days from the date the holder notifies the registered I&APs of this decision.
 - 6.6. In the event that an appeal is lodged with the Appeal Authority, the effect of this Environmental Authorisation is suspended until the appeal is decided *i.e.*, the listed activities, including site preparation, must not commence until the appeal is decided.

Written notice to the Competent Authority

7. Seven calendar days' notice, in writing, must be given to the Competent Authority before commencement of any activities pertaining to phases 4 – 6 on site.
 - 7.1. The notice must make clear reference to the site details and EIA Reference number given above.
 - 7.2. The notice must also include proof of compliance with the following conditions described herein:
Condition no.: 6 and 14
8. Seven calendar days' notice, in writing, must be given to the Competent Authority on completion of the construction activities.

9. The Holder must notify the competent authority if the non-operational phase (construction activities and rehabilitation measures) has been abandoned prior to completion thereof, or if the construction activities and rehabilitation process will be placed on hold for a period of six (6) months or longer.

Further to the above, the Holder must notify the competent authority in writing within—

- 9.1. 30-calendar days of the cessation of the activities on site; and
- 9.2. seven (7) calendar days prior to any activities physically continuing on the site again.

Management of activity/activities

10. The Environmental Management Programme ("EMPr") submitted as part of the application for Environmental Authorisation is herewith **approved**.
11. The requirements for the avoidance, management, mitigation, monitoring and reporting of the impacts of the activity on the environment, which have been identified in this Environmental Authorisation additional to those contained in the approved EMPr, must be implemented together with the EMPr.
12. The EMPr must be updated to incorporate all the conditions contained in this Environmental Authorisation and all those measures for the avoidance, management, mitigation, monitoring and reporting as identified in this Environmental Authorisation additional to those contained in the approved EMPr.

The updated EMPr must be re-submitted to the Competent Authority prior to commencement of the construction activities for phases 4 – 6, together with the appended Conservation Management Plan.

13. The approved EMPr (including the additional measures for the avoidance, management, mitigation, monitoring and reporting identified in the Environmental Authorisation) must be included in all contract documentation for all phases of implementation.

Monitoring

14. The Holder must appoint a suitably experienced environmental control officer ("ECO"), for the duration of the construction and rehabilitation phases of implementation contained herein.
15. The ECO must—
- 15.1. be appointed prior to commencement of any works (i.e., demarcation of the remaining natural area, relocation of bulbs; and disturbance, cutting and / or damage to protected trees);
 - 15.2. ensure compliance with the EMPr and the conditions contained herein;
 - 15.3. keep record of all activities on the site; problems identified; transgressions noted, and a task schedule of tasks undertaken by the ECO;
 - 15.4. remain employed until all development activities are concluded, and the post construction rehabilitation and monitoring requirements are finalised.
16. A copy of the Environmental Authorisation, EMPr, any independent assessments of financial provision for rehabilitation and environmental liability, closure plans, audit reports and compliance monitoring reports must be kept at the site of the authorised activities and be made available to anyone on request, and where the Holder has website, such documents must be made available on such publicly accessible website.

17. Access to the site (referred to in Section D) must be granted, and the environmental reports mentioned above 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.

Environmental Auditing

18. The frequency of auditing of compliance with the conditions of the environmental authorisation and of compliance with the EMPr, must adhere to the following programme:

- 18.1. Auditing during the non-operational phase (construction activities):

- 18.1.1. During the period which the activities have been commenced with on site, the Holder must ensure annual Environmental Audit Report(s) are undertaken and submitted to the Competent Authority within 30-days of either—

- (a) the environmental audit being completed, or
 - (b) the findings and recommendations of the environmental audit report, which had been subjected to a public participation process agreed to with the competent authority, has been completed.

- 18.1.2. A final Environmental Audit Report for the construction phase (non-operational component) must be submitted to the Competent Authority within **three (3) months** of completion of the post construction rehabilitation and monitoring requirements.

Note: Failure to complete the auditing requirements at least three months prior to expiry of the validity period of the environmental authorisation may result in the Holder not being able to comply with all the environmental auditing and reporting requirements.

19. The Environmental Audit Report, must –

- 19.1. be prepared and submitted to the Competent Authority, by an independent person with the relevant environmental auditing expertise. Such person may not be the ECO or EAP who conducted the EIA process;

- 19.2. provide verifiable findings, in a structured and systematic manner, on–

- 19.2.1. the level of compliance with the conditions of the environmental authorisation and the EMPr and whether this is sufficient or not; and

- 19.2.2. the ability of the measures contained in the EMPr to sufficiently provide for the avoidance, management and mitigation of environmental impacts associated with the undertaking of the activity.

- 19.3. identify and assess any new impacts and risks as a result of undertaking the activity;

- 19.4. evaluate the effectiveness of the EMPr;

- 19.5. identify shortcomings in the EMPr;

- 19.6. identify the need for any changes to the avoidance, management and mitigation measures provided for in the EMPr;

- 19.7. 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;

- 19.8. indicate the date on which the operational phase was commenced with and the progress of the rehabilitation;

19.9. include a photographic record of the site applicable to the audit; and

19.10. be informed by the ECO reports.

20. The Holder must, within 7 calendar days of the submission of the 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 on a publicly accessible website (if applicable).

Specific Conditions

21. The following requirements for the avoidance, management, mitigation, monitoring and reporting of the impacts of the activity on the environment must be implemented together with the EMP:

- 21.1. The following development setback boundaries must be established in respect of the proposed development:

21.1.1. A 30-metre development setback along the edge of the Modderkloof / Modderrug River which must be maintained free of construction activities; and

21.1.2. A 10-metre development setback around the wetlands identified in the FBAR by the aquatic specialist.

- 21.2. The area immediately south of the development abutting the Modderrug River must be managed as an open space area and must not be developed.

Further to the above—

21.2.1 No new buildings, bulk engineering services infrastructure, structures or infrastructure (including the stormwater management infrastructure proposed as part of the stormwater management plan e.g. swales) may be constructed / installed in this open space area within 30 metres from the edge Modderrug River, unless the necessary authorisation has been obtained.

21.2.2 A public walkway system must be established in the open space system, away from the riverbank to prevent erosion. The walkways must be able to accommodate wheelchairs, pedestrians and cyclists and be at least 2.0m in width, and must connect with the public walkway system on adjacent properties.

21.2.3 No fencing may cross the river, and the fencing must be restricted to the residential area.

21.2.4 The Holder must ensure that all alien invasive plant species will be removed from the open space area within the specified validity period.

21.2.5 A "Conservation Management Plan" (CMP) must be developed and implemented for the management of the Modderrug River open space with a conservation outcome during the validity period of this Environmental Authorisation.

Such CMP must address and / or incorporate the following—

- (a) No planting except for rehabilitation in terms of an approved management plan.
- (b) The corridor must remain linked to form a green belt with adjacent properties with open space areas.
- (c) No collection or damaging of fauna and flora, and

(d) Financial provisions for the management and upkeep of the conservation area.

Note: The CMP should be incorporated in the constitution of estate's Homeowners Association (HOA), and must be appended to the EMPr.

22. The Stormwater Management Plan (Drawing No: G5155BD-CE-202 (Rev. E), Date: 7 December 2023) drafted by Kantey and Templer Consulting Engineers must be implemented.
23. Should any heritage remains be exposed during excavations or any other actions on the site, these must immediately be reported to the Provincial Heritage Resources Authority of the Western Cape, Heritage Western Cape. Heritage remains uncovered or disturbed during earthworks must not be further disturbed until the necessary approval has been obtained from Heritage Western Cape. Heritage remains may only be disturbed by a suitably qualified heritage specialist working under a directive from the relevant Heritage Resources Authority.

Heritage remains include: meteorites, archaeological and/or paleontological remains (including fossil shells and trace fossils); 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 with heritage significance; rock art and rock engravings; shipwrecks; and/or graves or unmarked human burials including grave goods and/or associated burial material.

G. GENERAL MATTERS

1. Notwithstanding this Environmental Authorisation, the Holder must comply with any other statutory requirements that may be applicable when undertaking the listed activity.

Amendment of Environmental Authorisation and EMPr

2. If the Holder does not start with the listed activities and exceed the thresholds of the listed activities within the period referred to in Section C, this Environmental Authorisation shall lapse for those activities, and a new application for Environmental Authorisation must be submitted to the relevant Competent Authority.

If the Holder wishes to extend a validity period specified in the Environmental Authorisation, an application for amendment in this regard must be made to the relevant Competent Authority prior to the expiry date of such a period.

Note:

- (a) Failure to lodge an application for amendment prior to the expiry of the validity period of the Environmental Authorisation will result in the lapsing of the Environmental Authorisation.
 - (b) It is an offence in terms of Section 49A(1)(a) of NEMA for a person to commence with a listed activity if the competent authority has not granted an Environmental Authorisation for the undertaking of the activity.
3. The Holder is required to notify the Competent Authority where any detail with respect to the Environmental Authorisation must be amended, added, substituted, corrected, removed or updated.

In assessing whether to amend or correct the EA, the Competent Authority may request 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.

The onus is on the Holder to verify whether such changes to the environmental authorisation must be approved in writing by the relevant competent authority prior to the implementation thereof.

Note: An environmental authorisation may be amended or replaced without following a procedural requirement contained in the Regulations if the purpose is to correct an error and the correction does not change the rights and duties of any person materially

4. The manner and frequency for updating the EMPr is as follows:
 - (a) Any further amendments to the EMPr, other than those mentioned above, must be approved in writing by the relevant competent authority.
 - (b) An application for amendment to the EMPr must be submitted to the Competent Authority if any amendments are to be made to the impact management outcomes of the EMPr. Such amendment(s) may only be implemented once the amended EMPr has been approved by the competent authority.

The onus is however on the Holder to confirm the legislative process requirements for the above scenarios at that time.

5. Where an amendment to the impact management outcomes of an EMPr is required before an environmental audit is required in terms of the environmental authorisation, an EMPr may be amended on application by the Holder of the environmental authorisation.

Compliance with Environmental Authorisation and EMPr

6. Non-compliance with a condition of this environmental authorisation or EMPr is an offence in terms of Section 49A(1)(c) of the National Environmental Management Act, 1998 (Act no. 107 of 1998, as amended).
7. This Environmental Authorisation is subject to compliance with all the peremptory conditions (6 and 14). Failure to comply with all the peremptory conditions prior to the physical implementation of the activities (including site preparation) will render the entire EA null and void. Such physical activities shall be regarded to fall outside the scope of the Environmental Authorisation and shall be viewed as an offence in terms of Section 49A(1)(a) of NEMA.
8. In the event that the Environmental Authorisation should lapse, it is an offence in terms of Section 49A(1)(a) of NEMA for a person to commence with a listed activity, unless the competent authority has granted an Environmental Authorisation for the undertaking of the activity.
9. Offences in terms of the NEMA and the Environmental Impact Assessment Regulations, 2014, will render the offender liable for criminal prosecution.

H. 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;
 - 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; and
 - 1.3. Submit a copy of the appeal to the decision-maker (*i.e.*, the Competent Authority that issued the decision) at:

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, 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.
 - 2.3. Submit a copy of the appeal to the decision-maker (i.e., the Competent Authority that issued the decision) at:
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: <https://d7.westerncape.gov.za/eadp/resource-library/forms>.

I. 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

DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 3)

WESTERN CAPE GOVERNMENT: DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

DATE OF DECISION: **19 March 2025**

FOR OFFICIAL USE ONLY:

FIRST EA REFERENCE NUMBER:

Date of issue: EG12/2/1-AG3-5720

20 January 2009

EA ADDENDUM #1 REFERENCE NUMBER:

Date of issue: EG12/2/1-AG3-5720/V1

4 November 2010 (Re-Issue)

EA ADDENDUM #2 REFERENCE NUMBER:

NEAS REFERENCE: 16/3/3/5/D2/19/0009/16

Date of issue: WCP/EIA/AMEND/0000142/2016

9 May 2017

EA ADDENDUM #3 REFERENCE NUMBER:

NEAS REFERENCE: 16/3/3/5/D2/19/0009/22

Date of issue: WCP/EIA/AMEND/0000681/2022

14 December 2022

NEW (REPLACEMENT) EA REFERENCE NUMBER:

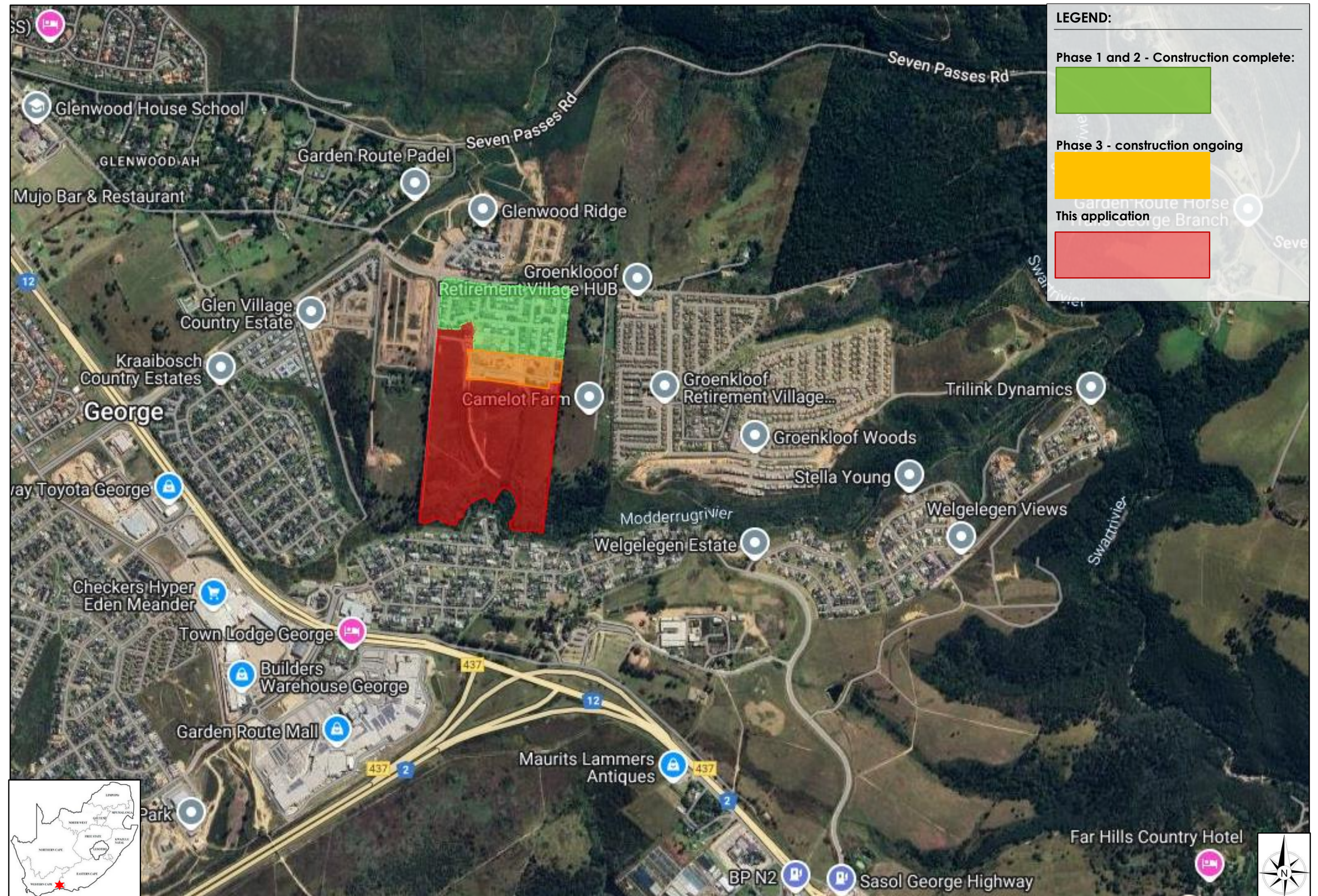
NEAS REFERENCE: 16/3/3/1/D2/19/0028/24

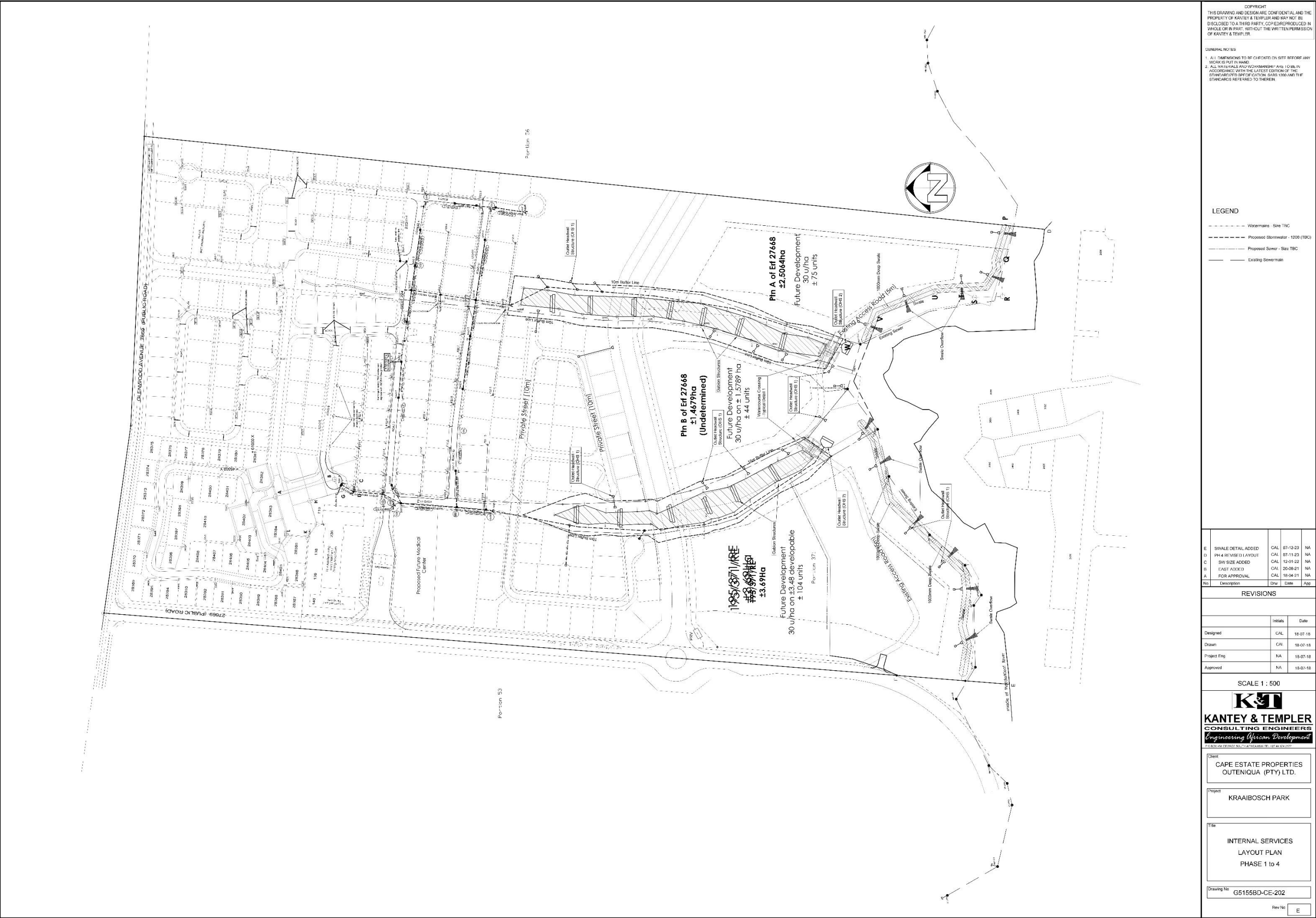
CASE OFFICER: WCP/EIA/0001513/2024

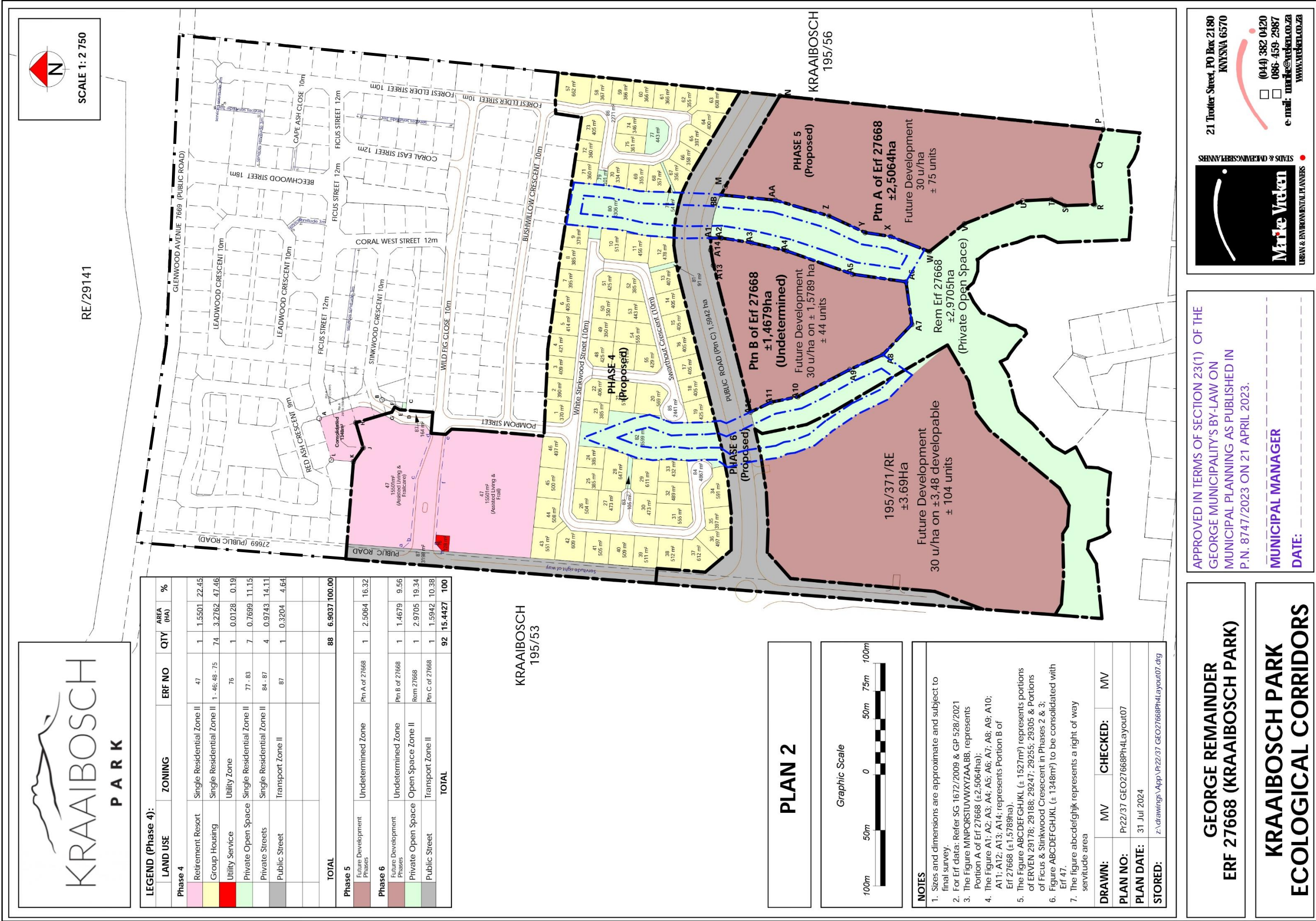
Date of issue: Mr Steve Kleinhans | Steve.Kleinhans@westerncape.gov.za

THIS AUTHORISATION

ANNEXURE 1: LOCALITY MAP (GOOGLE EARTH, 2025)







ANNEXURE 3: REASONS FOR THE DECISION

In reaching its decision, the Competent Authority considered, inter alia, the following:

- a) The information contained in the Application Form, received on 26 August 2024, the Basic Assessment Report (FBAR) and EMPr submitted together with the FBAR on 11 November 2024;
- b) Relevant information contained in the Departmental information base, including the Guidelines on Public Participation, Alternatives (dated March 2013);
- c) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the National Environmental Management Act, 1998 (Act No. 107 of 1998);
- d) The comments received from I&APs and responses to these, included in the FBAR submitted on 11 November 2024;
- e) The balancing of negative and positive impacts and proposed mitigation measures; and
- f) Appropriate information was made available in the report to understand the environmental and spatial context.
- g) A site inspection was not undertaken as the officials have sufficient knowledge of the site and surrounding areas.

All information presented to the Competent Authority was taken into account in the consideration of the application for Environmental Authorisation. A summary of the issues that were considered to be the most significant for the decision is set out below.

1. Other relevant legislative considerations

1.1 Issuing an environmental authorisation in terms of Regulation 25

The holder of the current environmental authorisation (Ref: EG12/2/1-AG3-5720) issued on 4 November 2010, as amended, proposes the increase the number of units (density) within the approved development footprint. The reason provided by the applicant is due to the increased demand for affordable housing as well as an increase in the density per hectare which has been encouraged by the George Municipality to minimise excessive urban sprawl. Further changes to the development layout are incorporation of the delineated wetlands within the development and the development of stormwater management structures within delineated wetlands within the development footprint. These structures include gabions, swales, stormwater outlet structures which is being developed in line with a stormwater management plan. This infrastructure on their own constitute listed or specified activity and required a new application subject to a Basic Assessment process that had to be followed as EIA Regulations Listing Notice 1 of 2014 Activities 12 and 19, and EIA Regulations Listing Notice 3 of 2014 Activities 4 and 12 are triggered by the change to the layout.

Regulation 25 of the EIA Regulations, 2014 provides the mechanisms for the relevant competent authority to issue an environmental authorisation. Sub-regulation 25(4) empowers the relevant competent authority to replace an existing valid environmental authorisation, indicating the extent of the replacement in the environmental authorisation, if the existing valid environmental authorisation is directly related to the application for environmental authorisation. In this regard, this application for environmental authorisation (Ref: 16/3/3/1/D2/19/0028/24) is directly related to the valid environmental authorisation (Ref: EG12/2/1-AG3-5720) issued on 4 November 2010.

In light of the above, the competent authority has deemed it appropriate to replace the existing valid environmental authorisation (Ref: EG12/2/1-AG3-5720) (as amended), in its entirety and issue a new environmental authorisation to the holder.

1.2 *The additional specified activity authorised in this Environmental Authorisation*

Activity number 14 of EIA Regulations Listing Notice 3 of 2014 (as amended) has been authorised in this environmental authorisation.

Reason — On 13 December 2024, the Provincial Minister of Local Government, Environmental Affairs and Development in the Western Cape adopted the Western Cape Biodiversity Spatial Plan (2023) under section 34(3)(c) of the Western Cape Biodiversity Act, 2021 (Act 6 of 2021). Therefore, activity number 14 of the EIA Regulations Listing Notice 3 of 2014 is triggered by the proposed development as the development site is situated within a Critical Biodiversity Area 2: Degraded.

In accordance with the transitional arrangements in Chapter 8 of the EIA Regulations, 2014, a principle is described to deal with situations where a component of the same listed activity was not previously identified but is identified in terms of section 24(2) of the NEMA prior to the pending application being decided. As such, the competent authority is advised to dispense of such an application and may authorise the activity identified in terms of section 24(2) as if it was applied for, on condition that all impacts of the newly identified activity and requirements of the EIA Regulations have also been considered and adequately assessed. Considering this principle, the competent authority acknowledges that the component of the listed activity [i.e., Activity 14(ii) in geographical area (i)(ff) of the Western Cape) was not identified at the time the application was received; however, it is satisfied that the impacts associated with the CBA have been assessed in the FBAR, and deems it appropriate to authorise the listed activity.

1.3 *Listed activities not authorised in this Environmental Authorisation:*

Activity number 24 of EIA Regulations Listing Notice 1 of 2014 (as amended):

Reason – The activity is similarly listed for the development of roads as authorised in the original environmental authorisation (Ref: EG12/2/1-AG3-5720) (as amended). However, the road associated with the proposed development does not exceed 1km in extent and is therefore excluded in terms of exclusion 24(cc) of the specific activity.

1.4 *National Water Act, Act 36 of 1998*

According to the information in the BAR a water use license, which covers Phase 4 of the proposed development, has already been issued for Erf 27688 and Portion 371 of the Farm Kraaibosch No. 195. However, the addition water uses triggered by Phase 5 requires a formal amendment to the license for the aforementioned properties.

In this regard, the WUL Application Summary Report has been included as Appendix L of BAR and distributed during the commenting period. In order to comply with the minimum public participation period required in terms of the NWA, the pre-application BAR was made available for review and comment for a period of 60 days. According to the correspondence from the relevant authority, i.e. the Breede-Olifants Catchment Management Agency ("BOCMA"), they have no objection to the proposed changes to the SDP and also acknowledged the receipt of the water use authorisation enquiry (Ref: WU35805) which is under consideration in terms of the Water Use License Application Regulations. As such, the decision-maker is satisfied that the applicant has adequately complied with the prescripts of the relevant legislation.

2. Public Participation

2.1 The public participation process included:

- 2.1.1 identification of and engagement with interested and affected parties (I&APs) including organs of state which have jurisdiction in respect of the activity to which the application relates;
- 2.1.2 fixing a notice board at the site on 26 April 2024 for the 60-day commenting period on WULA from 26 April to 1 July 2024 and the 30-day commenting period on the pre-application BAR from 31 May to 1 July 2024;
- 2.1.3 giving written notice to the owners and occupiers of land adjacent to the site and any alternative site where the listed activities are to be undertaken, the municipality and ward councillor, and the various organs of state having jurisdiction in respect of any aspect of the listed activities on 26 April 2024 and 31 May 2024 for regarding the WULA and availability of the pre-application BAR and on 6 September 2024 regarding the availability of the DBAR;
- 2.1.4 the placing of newspaper advertisements in the "George Herald" on 25 April 2025 for the availability of the pre-application BAR; and
- 2.1.5 making the pre-application BAR available to I&APs for public review and comment from 31 May to 1 July 2024, and the Draft Basic Assessment Report available to I&APs for public review and comment from 6 September to 7 October 2024. The reports were made available on the EAP's website at URL: <https://hilland.co.za/public-processes/kraaibosch-park/>.

All the comments and issues raised by the respective *Organs of State and Interested and Affected Parties (I&APs)* that were captured in the Basic Assessment Report were responded to by the EAP. The Competent Authority is satisfied with the responses provided by the EAP to the organs of state and I&APs.

3. Alternatives

Only a single layout alternative and the no-go alternative was considered. The motivation for not considering any other alternatives, including investigating alternative locations for the activity, was found to be acceptable.

3.1 Layout Alternatives

3.1.1 Layout Alternative 1 – preferred alternative: Herewith approved

According to the applicant Phases 1 and 2 have been completed and Phase 3 is nearing completion. According to the applicant the George Municipality encourages an increase in the density per hectare for development within the urban edge to minimise excessive urban sprawl. This has been brought about by the increase in demand for more affordable housing. The proposed densification of the remaining phases of the development is consistent with the vision of the George Municipality. Furthermore, the proposed change to the SDP incorporates the delineated wetlands and the development of stormwater management structures within delineated wetlands.

- **Phase 1:** 40 x residential erven;
- **Phase 2:** 94 x residential housing erven and 1 x General Residential Erf (10 x apartments)

- Consolidation of erven 29177, 29178, 29199 and a portion of the internal road for frail care and assisted living;
- **Phase 3:** 26 x retirement resort erven and 28 x group housing erven;
- **Phase 4:** 74 x group housing erven at a density of 14.8 units/ha, and 1 x retirement resort consisting of a frail care facility (68 beds) and assisted living complex (40 x 2-bedroom units);
- **Phase 5:** 1 x future development (75 units) at a density of 30 units/ha;
- **Phase 6:** 1 x future development (44 units) at a density of 30 units/ha and private open space of approximately 3ha;
- Future development (104 units) at a density of 30 units/ha;
- Internal roads up to 5.5m wide; and
- Stormwater runoff management infrastructure.

The proposed development also includes the development of associated services structures and infrastructure. Stormwater management infrastructure will be developed and implemented in accordance with the Stormwater Management Plan (Drawing No: G5155BD-CE-202 (Rev. E), Date: 7 December 2023). The proposed development will be implemented approximate to the Site Development Plan (Plan No: Pr22/37 GEO27668Ph4Layout07) dated 31 July 2024, attached as Appendix B1 of the BAR.

The following layout alternative was included in the report, but have been rejected by the applicant:

3.1.2 Layout Alternative 2

This alternative entails the development of the proposed development as described above. However, it includes an erf of approximately 9117m² for the purpose of developing 55 apartments. Due to the current market demand this has been changed to match the rest of the estate development. The remainder of the proposed as described for the preferred alternative remains the same.

This alternative was rejected due changing market demand for residential housing units.

3.2 No-Go Alternative

The “no-go” alternative entails the implementation of the current approved SDP which does not incorporate the delineated wetlands.

4. **Consideration of the relevance of the conditions of the original environmental authorisation**

In considering the replacement of the original environmental authorisation (Ref: EG12/2/1-AG3-5720) (as amended) and to bring the content of the new EA in line with the EIA Regulations, 2014, certain changes have been made to the conditions. Furthermore, certain conditions from the original EA (i.e. conditions 20, 24, 25 and 28) have been included under “General Matters” in the new EA as they are deemed to serve as general advice.

Other conditions of the original EA (i.e. conditions 13.1, 13.2 and 13.3) dealing with planning and density policies; roads master plans etc. were taken into consideration in the development of the SDP and complied with as part of the planning process of which the mandate lies with the local municipality. As such these conditions need no longer be included in the EA. Conditions 13.4 and 13.5 of the original EA were in part replaced and captured in Condition 20 of the new EA. The aspects addressed in Conditions 9.1, 9.2 and 9.3 of the original EA, have been included in the new EA in

Condition 20. Similarly, Condition 15 of the original EA that has been captured in Condition 21 of the new EA.

A number of conditions in the original EA were removed in their entirety, namely Conditions 4, 11, 12, 14, 18, and 21 as no material changes will occur that will affect the rights and responsibilities of the holder of the EA or the I&APs. As no operational aspects have been defined in the new EA, it is deemed appropriate to remove Condition 3. As the development will not encroach on the buffer identified in the original EA, Condition 5.1 was deemed not to be applicable. Condition 5.2 was not deemed applicable anymore and thus removed. Condition 13.6 and 16 was removed as the architectural guidelines developed by the holder took the visual impacts into consideration when developing the architectural guidelines for the development and this adequately addresses the visual impacts.

5. Impact Assessment and Mitigation Measures

5.1 Activity need and desirability

The holder of the current application commenced lawfully with the proposed development in line with an approved SDP. However, due to the change in the market demand for housing, the George Municipality encourages the increase in the density per hectare within the urban edge to minimise excessive urban sprawl. According to the applicant the proposed changes to the SDP as outlined in the application for environmental authorisation is consistent with the vision of the George Municipality.

5.2 Aquatic Biodiversity aspects

A description of the aquatic biodiversity issues and risks that were identified during the environmental impact assessment process, as well as an assessment of the significance of each issue and risk, cumulative impacts of the proposed development and levels of acceptable change have been considered.

In this regard, Freshwater Assessment was undertaken to inform the BAR. The results of the assessment confirmed the presence of two wetlands within the development footprint. The wetlands are characteristic of unchanneled valley-bottom wetlands with their input likely from overland flow from valley side slopes and interflow from adjacent side-slopes. These wetlands were delineated by means of soil samples and considering the Present Ecological State ("PES") thereof, which was determined to be Category C/D – Moderately to largely modified in respect of KBS1 and Category D/E – Largely to Seriously Modified in respect of KBS2. These modifications from the natural reference are largely due to invasion of alien plant species, erosion and vegetation clearance. Furthermore, the Ecological Importance and Sensitivity ("EIS") for both wetlands have been determined to be Moderate. Based on the findings of the PES and EIS a 10m buffer around the wetlands are recommended which has been incorporated within the proposed development plan.

The Freshwater Assessment also considered the Stormwater Management Plan, and the proposed structures and infrastructure associated with the plan. According to the assessment the impacts on these structures on the wetlands are considered to be LOW risk.

In light of the above, the decision-maker is satisfied that the applicant has adequately considered to findings of the Freshwater Assessment and have incorporated the recommendations of the assessment in the BAR and EMPr.

5.3 Terrestrial Biodiversity aspects

A description of the biodiversity issues and risks that were identified during the environmental impact assessment process, as well as an assessment of the significance of each issue and risk,

cumulative impacts of the proposed development and levels of acceptable change have been considered.

In this regard a Terrestrial Biodiversity Compliance Statement was compiled to inform the BAR. The findings of the assessment indicates that the vegetation on the site has been transformed. Furthermore, consideration has also been given to the fact that the applicant has an existing valid environmental authorisation for the development of the site. The current proposal will be undertaken within the same development footprint.

The development footprint adheres to the restrictions imposed by the existing valid environmental authorisation in terms of the buffer area from the Modderrug River, which will be rehabilitated and managed as an open space. Furthermore, the proposed development footprint adheres to the recommendations of the aquatic assessment which recommends a 10m buffer from the edge of the delineated wetland.

5.4 *Traffic impact*

A description of the traffic related issues and risks have been included in the BAR. In this regard, the BAR was informed by a Traffic Impact Assessment ("TIA") which assessed the traffic impact of the proposed development.

According to the TIA the proposed development is expected to generate 284 vehicle trips during the AM peak hour and 289 vehicle trips during the PM peak hour. The proposed development will be serviced by the Kraaibosch Roads Masterplan for which environmental authorisation has been obtained. It is understood that only the section of Road 5 of the Masterplan located the property will form part of this development, and this section will be less than 1 kilometre in length. The remainder of Road 5 of the Masterplan is excluded from this development proposal. Of concern is that environmental authorisation has yet to be obtained for the section of Road 5 which crosses the Modderrug River between Kraaibosch Manor and Welgelegen Estate. This limits the access opportunities to the site.

However, it is understood that development area subject to this application will gain access from the future Road 3. According to the George Municipality the Kraaibosch Road model encompasses the development of Road 3 in three phases to improve connectivity with surrounding developments, where the first phase links Road 2 (Glenwood Drive) with the main access points of Kraaibosch Park and Springfield Estate. The subsequent phase, extending up to Road 5, will be implemented as necessary to ensure access for additional developments along the road. The final phase will include the Modderrug River crossing and the connection to the Kraaibosch circle. According to the George Municipality the first phase of the Road 3 construction has been completed, and it is estimated that construction for the last two phases will be completed over the next two years, subject to the development rate within the Kraaibosch model.

5.5 *Availability of municipal services*

According to the information provided by the applicant, the George Municipality confirms that the proposed development was taken into consideration in the current water and sanitation master plans as part of the Kraaibosch development area and that sufficient (network and treatment) capacity is available to accommodate the proposed development.

5.6 *Other impacts*

No other significant visual dust, noise and odour impacts have been identified.

6. Scope and Validity of the Environmental Authorisation

This environmental authorisation does not define specific operational aspects. The environmental authorisation's validity period has been granted for a period of ca. ten (10) years, during which period the construction activities must commence and be concluded, including the post-construction rehabilitation and monitoring and submission of the final environmental audit reports for the construction phase. In light of the proposed implementation programme, the monitoring and post-construction rehabilitation can be adequately incorporated in the construction phase.

Where the activity has been commenced with, the EIA Regulations, 2014 allow that (upon application) the period for which the environmental authorisation is granted may be extended for a further period of 5-years.

7. National Environmental Management Act Principles

The National Environmental Management Principles (set out in section 2 of the NEMA, which apply to the actions of all organs of state, serve as guidelines by reference to which any organ of state must exercise any function when taking any decision, and which must guide the interpretation, administration and implementation of any other law concerned with the protection or management of the environment), *inter alia*, provides for:

- the effects of decisions on all aspects of the environment to be taken into account;
- the consideration, assessment and evaluation of the social, economic and environmental impacts of activities (disadvantages and benefits), and for decisions to be appropriate in the light of such consideration and assessment;
- the co-ordination and harmonisation of policies, legislation and actions relating to the environment;
- Environmental management must place people and their needs at the forefront of its concern, and serve their physical, psychological, developmental, cultural and social interests equitably; and
- the selection of the best practicable environmental option.

8. Conclusion

In view of the above, the NEMA principles, compliance with the conditions stipulated in this Environmental Authorisation, and compliance with an approved EMPr, the Competent Authority is satisfied that, except for the activity that has been refused, the proposed listed activities, will not conflict with the general objectives of integrated environmental management stipulated in Chapter 5 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) and that any potentially detrimental environmental impacts resulting from the listed activities can be mitigated to acceptable levels.

----- END -----