



24G APPLICATION FORM & CHECKLIST

for

GEORGE VILLAGE RIDGE

on

**ERVEN 21028 & 21029, GEORGE and
PORTION OF LOCH LOMOND
AVENUE, also KNOWN AS ERF 28930
(KING GEORGE PARK, GEORGE)**

In terms of the

National Environmental Management Act (Act No.
107 of 1998, as amended) & 2014 Environmental
Impact Regulations

**Prepared for Applicant: Power Construction
(Pty) Ltd**

Date: 4 April 2022

Author of Report: Louise-Mari van Zyl

Author Email: louise@cape-eaprac.co.za

Report Reference: GEO691/03

Department Reference: 14/2/4/1/D2/20/0036/21

Case Officer: Shafeeq Mallick

Cape EAPrac

Cape Environmental Assessment Practitioners

Tel: +27 44 874 0365

Fax: +27 44 874 0432

PO Box 2070, George 6530

17 Progress Street, George

www.cape-eaprac.co.za



APPOINTED ENVIRONMENTAL ASSESSMENT PRACTITIONER:

***Cape EAPrac* Environmental Assessment Practitioners**

PO Box 2070

George

6530

Tel: 044-874 0365

Fax: 044-874 0432

Report written & compiled by: **Ms Melissa Mackay** (BTech & ND Nature Conservation), who has fifteen years' experience as an environmental practitioner.

Registrations: **Louise-Mari van Zyl** (MA Geography & Environmental Science [US]; Registered Environmental Assessment Practitioner with the Environmental Assessment Practitioners of South Africa, EAPSA, Registration Number **2019/1444**. Ms van Zyl has over nineteen years' experience as an environmental practitioner.

PURPOSE OF THIS REPORT:

Application for 24G Environmental Authorisation

APPLICANT:

Power Construction (Pty) Ltd

CAPE EAPRAC REFERENCE NO:

GEO691/03

SUBMISSION DATE

04 April 2022

24G APPLICATION FORM & CHECKLIST

in terms of the
National Environmental Management Act, 1998 (Act No. 107 of 1998), as amended &
Environmental Impact Regulations 2014

George Village Ridge

**ERVEN 21028 AND 21029, GEORGE AND PORTION OF LOCH LOMOND AVENUE, ALSO KNOWN AS
ERF 28930, KING GEORGE PARK (GEORGE MUNICIPAL AREA)**

Submitted for:

Stakeholder Review & Comment

- This report is the property of the Author/Company, who may publish it, in whole, provided that:
- Written approval is obtained from the Author and that *Cape EAPrac* is acknowledged in the publication;
- *Cape EAPrac* is indemnified against any claim for damages that may result from any publication of specifications, recommendations or statements that is not administered or controlled by *Cape EAPrac*;
- The contents of this report, including specialist/consultant reports, may not be used for purposes of sale or publicity or advertisement without the prior written approval of *Cape EAPrac*;
- *Cape EAPrac* accepts no responsibility by the Applicant/Client for failure to follow or comply with the recommended programme, specifications or recommendations contained in this report;
- *Cape EAPrac* accepts no responsibility for deviation or non-compliance of any specifications or recommendations made by specialists or consultants whose input/reports are used to inform this report; and
- All figures, plates and diagrams are copyrighted and may not be reproduced by any means, in any form, in part or whole without prior written approved from *Cape EAPrac*.

Report Issued by:

Cape Environmental Assessment Practitioners

Tel: 044 874 0365
Fax: 044 874 0432
Web: www.cape-eaprac.co.za

PO Box 2070
17 Progress Street
George 6530

ORDER OF REPORT

24G Application Form

Appendix A	:	Location & Topographical Plans
Appendix B	:	Site Plans (approved 2020 and proposed 2022)
Appendix C	:	Flood lines map
Appendix D	:	Site Photographs
Appendix E	:	Biodiversity Overlays
Appendix F	:	Approvals
Annexure F1	:	2020 Planning approval
Annexure F2	:	Heritage Western Cape Decision
Appendix G	:	Public Participation
Annexure G1	:	Adverts & Site Notices
Annexure G2	:	Provisional stakeholder register (POPIA)
Annexure G3	:	Stakeholder Notifications
Appendix H	:	Specialist & Technical Reports
Annexure H1	:	Water Use License application with aquatic specialist report Aquatic Assessment, Amphibian Assessment, Geohydrological Report, Risk matrix, Flood line
Annexure H2	:	Botanical assessment
Annexure H3	:	Planning Report
Annexure H4	:	Civil Engineering
Annexure H5	:	Stormwater Management Plan
Appendix I	:	Environmental Management Programme (EMPr)
Appendix J	:	Compliance / Enforcement History
Appendix M	:	Other Information
Annexure M1	:	Stewardship Guidelines & Adopt-a-Spot article
Annexure M2	:	EAP Company Profile & CV
Annexure M3	:	Screening Tool

TABLE OF CONTENTS

PART 1.....	4
SECTION A: BACKGROUND INFORMATION	4
1. APPLICANT PROFILE INDEX.....	4
2. APPLICATION HISTORY	9
SECTION B: ACTIVITY INFORMATION	10
3. ACTIVITIES APPLIED FOR	10
3.1 APPLICABLE EIA LISTED ACTIVITIES	10
3.2 APPLICABLE WASTE MANAGEMENT ACTIVITIES	12
3.3 ACTIVITIES LISTED SIMILARLY IN TERMS OF THE EIA REGULATIONS	12
4. ACTIVITY DESCRIPTION	13
5. PHYSICAL SIZE OF THE ACTIVITY	15
6. SITE ACCESS	15
7. SITE PHOTOGRAPHS.....	15
8. APPLICABLE LEGISLATION, POLICIES AND/OR GUIDELINES.	16
9. APPLICATIONS IN TERMS OF NEMA AND SPECIFIC ENVIRONMENTAL MANAGEMENT ACTS (“SEMAS”)	17
10. APPLICATIONS IN TERMS OF OTHER LEGISLATION	19
SECTION C: DESCRIPTION OF RECEIVING ENVIRONMENT	20
1. THE GEOLOGICAL FORMATIONS UNDERLYING THE SITE	20
2. GRADIENT OF THE SITE	20
3. LOCATION IN LANDSCAPE	20
4. GROUNDWATER, SOIL AND GEOLOGICAL STABILITY OF THE SITE	21
4.1 GROUNDWATER, SOIL AND GEOLOGICAL STABILITY OF THE SITE (PRE-COMMENCEMENT).....	21
4.2 GROUNDWATER, SOIL AND GEOLOGICAL STABILITY OF THE SITE (POST-COMMENCEMENT).....	21
5. SURFACE WATER	21
5.1 SURFACE WATER (PRE-COMMENCEMENT).....	21
5.2 SURFACE WATER (POST-COMMENCEMENT)	21

6.	VEGETATION AND/OR GROUNDCOVER.....	22
6.1	VEGETATION AND/OR GROUNDCOVER (PRE-COMMENCEMENT).....	22
6.2	VEGETATION AND/OR GROUNDCOVER (POST-COMMENCEMENT)	25
6.3	VEGETATION / GROUNDCOVER MANAGEMENT.....	26
7.	LAND USE OF THE SITE (PRE-COMMENCEMENT).....	26
8.	LAND USE CHARACTER OF SURROUNDING AREA (PRE-COMMENCEMENT).....	27
9.	LAND USE CHARACTER OF SURROUNDING AREA (POST-COMMENCEMENT).....	27
10.	SOCIO-ECONOMIC CONTEXT	27
10.1	SOCIO-ECONOMIC CONTEXT (PRE-COMMENCEMENT).....	27
10.2	SOCIO-ECONOMIC CONTEXT (POST-COMMENCEMENT).....	28
11.	HISTORICAL AND CULTURAL ASPECTS.....	28
12.	COASTAL ASPECTS (SEAFRONT/SEA ENVIRONMENT)	30
13.	REGIONAL PLANNING CONTEXT	30
SECTION D: NEED AND DESIRABILITY		31
SECTION E: ALTERNATIVES		39
SECTION F: IMPACT ASSESSMENT, MANAGEMENT, MITIGATION AND MONITORING MEASURES		42
1.	DEVELOPMENT IMPACTS	42
2.	WASTE AND EMISSIONS	43
3.	WATER USE	44
4.	POWER SUPPLY	44
5.	ENERGY EFFICIENCY	45
6.	DESCRIPTION AND ASSESSMENT OF THE SIGNIFICANCE OF IMPACTS PRIOR TO AND AFTER MITIGATION.....	46
7.	SPECIALIST INPUTS/STUDIES AND RECOMMENDATIONS	60
8.	IMPACT ASSESSMENT SUMMARY	61
SECTION G: ASSESSMENT METHODOLOGIES AND CRITERIA, GAPS IN KNOWLEDGE, UNDERLYING ASSUMPTIONS AND UNCERTAINTIES.....		63
SECTION H: RECOMMENDATIONS OF THE EAP		65

SECTION I: REPRESENTATIONS – RESPONSE TO AN INCIDENT OR EMERGENCY SITUATION.....	65
SECTION J: PUBLIC PARTICIPATION	66
1. PUBLIC PARTICIPATION PROCESS TO BE FOLLOWED	66
1.1 THE PUBLIC PARTICIPATION PROCESS IN TERMS OF THE SECTION 24G FINE REGULATIONS, 2017	66
1.2 THE PUBLIC PARTICIPATION PROCESS IN TERMS OF NEMA EIA REGULATIONS, 2014	67
1.3 REPRESENTATIONS REGARDING DEVIATION FROM PUBLIC PARTICIPATION REQUIREMENTS IN TERMS OF THE EIA REGULATIONS, 2014	68
1.4 LIST OF STATE DEPARTMENTS	68
PART 2 – ANNEXURE A TO THE SECTION 24G APPLICATION FORM.....	69
SECTION A: DIRECTIVES.....	69
SECTION B: DEFERRAL OF THE APPLICATION	70
SECTION C: QUANTUM OF THE SECTION 24G FINE.....	71
SECTION D: PRELIMINARY ADVERTISEMENT	74
PART 3 - APPENDICES & DECLARATIONS	75
1. APPENDICES.....	75
2. DECLARATIONS	77
2.1 THE APPLICANT	77
2.2 THE INDEPENDENT ENVIRONMENTAL ASSESSMENT PRACTITIONER (“EAP”).....	78
PART 4 – WASTE MANAGEMENT	79

FIGURES

Figure 1: Site location in Die Bult/King George residential area of George.....	7
Figure 2: Google image showing earthworks with platforms and internal road works.	14
Figure 3: Wetland areas indicated on aerial dated prior to commencement of earthworks.	18
Figure 4: Extract from Geotechnical Report for study site (Source: Outeniqua Lab 2021).	20

Figure 5: Photo of the Knysna Leaf Folding Frog (Source: Dr Ferdi de Lange).	24
--	----



IMPORTANT: Kindly ensure that this checklist is completed and attached to the NEMA SECTION 24G Application.

Please indicate by ticking the following below to serve as confirmation that the required information has been included in the application.

No.	Application Requirements	Please tick for confirmation
1.	Requirements of Preliminary Advertisement (pre-application public participation requirements including register of all I&APs) – Appendix G (Note: Failure to meet the Regulation 8 will result in rejection of the application)	✓
2.	Application form has been completed and attached, which includes among others:	
	2.1. A list of all listed activities and/or waste management activities that was triggered when the development activity was commenced with.	✓
	2.2. A list of all similarly listed activities in terms of the current EIA regulations (if applicable).	
	2.3. A description of the receiving environment before commences of the activity(ies).	✓
	2.4. A description of the receiving environment after commences of the activity(ies).	✓
	2.5. All appendices and annexures:	✓
	2.5.1. Locality map	✓
	2.5.2. Site plans or/and Layout plan	✓
	2.5.3. Building plans (if applicable)	
	2.5.4. Colour photographs	✓
	2.5.5. Biodiversity overlay map	✓
	2.5.6. Permit(s) / license(s) from any other organ of state including service letters from the municipality	✓
	2.5.7. Public participation information: including a copy of the register of interested and affected parties, the comments and responses report, proof of notices, advertisements, land owner consent and any other public participation information	✓
	2.5.8. Environmental Management Programme	✓
	2.5.9. Certified copy of Identity Document of Applicant	With Final
	2.5.10. Certified copy of the title deed (or title deeds in the case of linear activities)	
	2.6. Signed declaration forms.	With Final



COMPLETENESS CHECKLIST

3.	Are any specialist assessments required: e.g. Botanical, Hydro-geological, soil, socio-economic?	YES	NO
	3.1. If yes, has the specialist assessment report been attached to the application?	✓	
4.	An assessment of the impacts of the activity or activities in terms of the following categories:		
	• Socio-economic	✓	
	• Biodiversity	✓	
	• Sense of place &/or Heritage/ Cultural	✓	
	• Any pollution or environmental degradation which has been, is being, is being or may be caused		
5.	A methodology of how the investigation into the impacts associated with the unlawful activity was undertaken.	✓	
6.	Completed and attached representations of Annexure A, Section A (Directives) in terms of the S24G Fine Regulations: Information/ Representation submitted in terms of any Directives the Minister/ decision maker may issue in terms of the National Environmental Management Act (Act 107 of 1998) (NEMA) s24G(1)(b)(i)-(viii).	✓	
7.	Completed and attached representations in terms of Annexure A, Section B (Deferral) of the S24G Fine Regulations.	✓	
8.	Completed and attached representations in terms of Annexure A, Section C, Part 1 (Fine Quantum based on the assessment as specified above (4).	✓	
	Confirmation that Annexure A, Section C, Part 1 has been completed by an environmental assessment practitioner (EAP)	✓	
9.	Compliance history of the applicant:		
	9.1. Completed Annexure A, Section C, Part 2 and 3; namely:	✓	
	9.1.1. Whether or not administrative enforcement notices, including pre -notices where appropriate, have previously been issued to the applicant in respect of a contravention of section 24F(1) of the NEMA and/or section 20(b) of the National Environmental Management: Waste Act (Act 59 of 2008) (NEM: WA).	✓	
	9.1.2. Whether or not the applicant has previously been convicted in respect of a contravention of section 24F(1) of the Act and /or section 20(b) of the NEM: WA;	✓	
	9.1.3. Whether or not the applicant has previously submitted a section 24G application in respect of an activity or activities which commenced prior to the activity or activities that are the subject of the current application; and	✓	
	9.1.4. Whether the applicant is a firm or a natural person. (see Section 24G Fine Regulations for definition of "firm")	✓	
	9.2. Provided information or whether or not any of the directors of the applicant firm are, or were, at the relevant time, directors of a firm to whom the above (9.1.1. - 9.1.3.) applies;	✓	
	9.3. Advise on whether an applicant who is a natural person is, or was, at the relevant time a director of a firm to whom the above (9.1.1.- 9.1.3.) may apply.	✓	
10.	Consultation with relevant State departments in terms of section 24O(2) & 24O(3) of the NEMA.	✓	
	10.1 Proof of Consultation with relevant State departments, including, <i>inter alia</i> , notices, adverts etc.	✓	
	10.2 Copies of comments and responses included in the application.	In Final	
	10.2 Comments and Response report attached to the application.	In Final	
11.	Public Participation Process undertaken in terms of Chapter 6 of the Environmental Impact Assessment Regulations, 2014 ("EIA Regulations, 2014") (GN No. R.326 of 7 April 2017) (if conducted/undertaken)	In Final	

BETTER TOGETHER.

Section 24G Application Form for the consequences of unlawful commencement of listed activity/ies in terms of the:

- **National Environmental Management Act, 1998 (Act No. 107 of 1998), ("NEMA");**
- ~~**National Environmental Management: Waste Act, 2008 (Act 59 of 2008) ("NEM: WA")**~~

April 2018

Form Number S24GAF/04/2018

Kindly note that:

1. This application must be submitted where a person has commenced with a listed or specified activity without an environmental authorisation in contravention of section 24F(1) of NEMA (i.e. where the person commenced with an activity listed or specified in terms of section 24(2) (a) or (b) of NEMA - the activities contained in the EIA Listing Notices) or has commenced, undertaken or conducted a waste management activity without a waste management licence in terms of section 20 (b) of the NEM:WA.
2. This **Application Form** must be completed for all section 24G applications, by an independent Environmental Assessment Practitioner ("EAP").
3. This Application Form is current as of 01 April 2018. It is the responsibility of the Applicant/EAP to ascertain whether subsequent versions of the Application Form have been published or produced by the competent authority. Note that this Application Form replaces all the previous versions. This updated Application Form must be used for all new applications submitted from 01 April 2018.

4. The contents of this Application Form includes the following:

PART 1 -

Section A: Background Information

Section B: Activity Information

Section C: Description of Receiving Environment

Section D: Need and Desirability

Section E: Alternatives

Section F: Impact Assessment, Management, Mitigation and Monitoring Measures

Section G: Assessment Methodologies and Criteria, Gaps in Knowledge, underlying Assumptions and Uncertainties

Section H: Recommendations of the EAP

Section I: Representations - Response to an Incident or Emergency Situation

Section J: Public Participation Process

PART 2 -

ANNEXURE A of Fine Regulations

Section A: Directives

Section B: Deferral of the Application

Section C: Quantum of the section 24G fine

Section D: Preliminary advertisement

PART 3 -

Appendices and Declarations

PART 4 -

~~ANNEXURE B: Waste Management Activity Supporting Information (if relevant)~~



5. An independent EAP must be appointed to complete the required sections (in terms of NEMA and its Regulations) of the Application Form on behalf of the applicant; the declaration of independence must be completed by the independent EAP and submitted with this Application Form. If a specialist report is required, the specialist will also be required to complete the declaration of independence.
6. Two hard copies (including the original) and one electronic copy (CD/DVD/Flash drive) of this application form must be submitted.
7. The required information must be typed within the spaces provided. The sizes of the spaces provided are not necessarily indicative of the amount of information to be provided. The space provided extend as each space is filled with typing. **A legible font type and size must be used when completing the form.** A digital copy of the Application Form is available on the Department's website <https://www.westerncape.gov.za/eadp/>
8. The use of "not applicable" in the Application Form must be done with circumspection.
- 9. No faxed or e-mailed application forms will be accepted.**
10. Unless protected by law, all information contained in and attached to this application will become public information on receipt by the competent authority. Please note that, unless exemption has been granted in terms of the National Exemption Regulations published under GN R994 in GG 38303 of 8 December 2014, any Interested and Affected Party should be provided with the information contained in and attached to this Application Form as well as any subsequent information submitted.
11. This Application Form must be submitted to the Department at the postal address given below or by delivery thereof to the Registry Office of the Department.

PROCESS TO BE FOLLOWED:

- a) **Prior to submission of an Application Form**, the applicant is required to undertake a **pre-application public participation process** in terms of Regulation 8 of the Regulations relating to the procedure to be followed and criteria to be considered when determining an appropriate fine in terms of section 24G published in the Government Gazette on 20 July 2017, Gazette No 40994, No. R. 698 ("Section 24G Fine Regulations").
- b) Together with the submission of a section 24G Application Form, the form **must include Proof of compliance of with Regulation 8** of the Section 24G Fine Regulations, including, but not limited to, proof of the pre-application advertisement in a local newspaper and register of I&APs.
- c) The Department will acknowledge receipt of the application (within 14 days) and provide the Applicant / EAP with the relevant application reference number to be used in all future correspondence and the application public participation processes.
- d) Upon receipt of the application, the MEC/Competent Authority may direct the applicant in terms of section 24G(1)(i-viii) of the NEMA.
- e) In terms of the provisions of section 24G of NEMA, the applicant must pay an administrative fine up to a maximum of R5 million before the MEC/Competent Authority decides on the application.
- f) The applicant **must within 14 days** of receipt of the determination of the quantum of the fine, ensure that all registered interested and affected parties are notified of the determination of the quantum of the fine, including the reasons and provided with access to the determination.
- g) The administrative fine **must be paid within the time period stipulated** in the determination. Failure to pay the fine within the specified period, will result in the lapse of the application and any partial amounts paid in will not be refunded.
- h) **Proof of payment of the fine must be submitted to the Department.** Upon payment of the administrative fine, the MEC/Competent Authority may-
 - refuse to issue an environmental authorisation; or
 - issue an environmental authorisation to such person to continue, conduct or undertake the activity subject to such conditions as may be deemed necessary, which environmental authorisation shall only take effect from the date on which it has been issued; or
 - direct the applicant to provide further information or take further steps prior to making a decision provided for above;
 - together with the above decision the MEC/Competent Authority may direct a person to rehabilitate the environment within such time and subject to such conditions as may deem necessary or take any other steps necessary under the circumstances.

PLEASE NOTE THE FOLLOWING:

1. Failure to comply with a directive may result in the institution of appropriate legal action as is deemed necessary and as provided for in the legislation.
 2. The submission of an application or the granting of an environmental authorisation shall in no way derogate from—
 - (a) the environmental management inspector's or the South African Police Services' authority to investigate any transgression in terms of NEMA or any specific environmental management Act;
 - (b) the National Prosecuting Authority's legal authority to institute any criminal prosecution.
 3. If, at any stage after the submission of an application it comes to the attention of the Minister, Minister for mineral resources or MEC that the applicant is under criminal investigation for the contravention of or failure to comply with section 24F(1) or section 20(b) of the *National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008)*, the Minister, Minister for mineral resources or MEC may defer a decision to issue an environmental authorisation until such time that the investigation is concluded and—
 - (a) the National Prosecuting Authority has decided not to institute prosecution in respect of such contravention or failure;
 - (b) the applicant concerned is acquitted or found not guilty after prosecution in respect of such contravention or failure has been instituted; or
 - (c) the applicant concerned has been convicted by a court of law of an offence in respect of such contravention or failure and the applicant has in respect of the conviction exhausted all the recognised legal proceedings pertaining to appeal or review.
 4. A person is guilty of an offence if that person:
 - Prior to submission of a section 24G application:
 - o fails, in terms of Regulation 8(1), to place a preliminary advertisement in a local newspaper in circulation in the area in which the activity was, or activities were, commenced and on the applicant's website, if any or
 - o fails, in terms of Regulation 8(2), to comply with the advertisement requirements set out in Annexure A, section D or
 - o fails, in terms of Regulation 8(3), to open and maintain a register of interested and affected parties)); or
 - o fails, in terms of Regulation 8(4), to attach to the application form the register of interested and affected parties, which must be included in the report, or form part of the information submitted in terms of section 24G(1) of NEMA.
 - Provides incorrect, false or misleading information in any form, including in any document submitted to a competent authority in terms of the Section 24G Fine Regulations or omits information that may have an influence on the outcome of a recommendation of the fine committee or determination of the competent authority.
 5. A person convicted of an offence in terms of these Regulations is liable to a fine not exceeding R5 million or to imprisonment for a period not exceeding 5 years, and in the case of a second or subsequent conviction to a fine not exceeding R10 million or to imprisonment for a period not exceeding 10 years, and in both instances to both such fine and such imprisonment.
-

DEPARTMENTAL DETAILS

Department of Environmental Affairs
and Development Planning,
Directorate: Environmental
Governance
Attention: Sub-directorate:
Rectification
Private Bag X9086
Cape Town, 8000

Registry Office
1st Floor Utilitas Building
1 Dorp Street, Cape Town

Queries should be directed to the
Sub-directorate: Rectification at:
Tel: (021) 483-5827 Fax: (021) 483-
4033

View the Department's website on
<http://www.westerncape.gov.za/eadp> for
the latest version of the documents

DEPARTMENTAL REFERENCE NUMBER(S) (for official use)

File Reference number (S24G)	
Administrative Fine Reference	

DEPARTMENTAL REFERENCE NUMBER(S) (to be completed by the EAP)

File Reference number (Enforcement), if applicable	14/2/4/1/D2/20/0036/21
File reference number (EIA), if applicable:	14/2/4/1/D2/20/0036/21
File reference number (Waste), if applicable:	
File reference number (Other (specify)):	

PART 1**PROJECT TITLE**

George Village Ridge

RELEVANT REGION IN WHICH THE ACTIVITY COMMENCED

Cross out the appropriate box "☒" in which region the unlawful activity/ies has commenced.

REGION 1 City of Cape Town and West Coast District	REGION 2 Cape Winelands District and Overberg District	REGION 3 Central Karoo District and Eden District
		✓

SECTION A: BACKGROUND INFORMATION**1. APPLICANT PROFILE INDEX**

Cross out the appropriate box "☒".

1.1	The applicant is a Natural Person (individual)					
1.2	The applicant is a Firm (i.e. any body incorporated by, or established in terms of, any law as well as any partnership, trust, parastatal or organ of state)					✓
1.2.1	If a firm, please tick the relevant box below:					
	Body Corporate	Partnership	Trust	Parastatal	Organ of State	

✓	Directors of a Company	Members of a Board	Other, please specify	
---	---------------------------	-----------------------	-----------------------------	--

Applicant's details (duplicate this section where there is more than one applicant)																					
Applicant Name:	Power Construction (Pty) Ltd (hereafter referred to as Power Group)																				
RSA Identity Number/ Passport Number of Applicant, if natural person:	61091450570821																				
Name of Firm (if applicable):	Power Construction (Pty) Ltd (hereafter referred to as Power Group)																				
Firm Registration Number:	2006/035328/07																				
Contact Person at the Firm:	Mr Stefan Bothma																				
List of all (as applicable at the relevant time):	Please insert the names and RSA ID numbers of the relevant persons below – (In the list below, delete the firms that are not applicable to this application)																				
<ul style="list-style-type: none"> • Directors of a company; or • Members of the board; or • Executive committee or other managing body of a corporate body or parastatal; or • Members of close corporation; or • Partners of a partnership; or • Trustees of a trust 	<table border="1"> <tr> <th colspan="2">The following person/s is responsible for acting on behalf of the Applicant:</th> </tr> <tr> <td>NAME OF REPRESENTATIVE</td> <td>STEFAN BOTHMA</td> </tr> <tr> <td>REPRESENTATIVE ID NUMBER</td> <td>61091450570821</td> </tr> <tr> <td>APPLICANT COMPANY REG. NO.</td> <td>2006/035328/07</td> </tr> <tr> <td>POSTAL ADDRESS</td> <td>PO Box 129, Blackheath, 7580</td> </tr> <tr> <td>TELEPHONE</td> <td>021-907 1300</td> </tr> <tr> <td>FACSIMILE</td> <td></td> </tr> <tr> <td>EMAIL</td> <td>sbothma@powergrp.co.za</td> </tr> <tr> <td>CELLULAR PHONE</td> <td>083 570 7950</td> </tr> </table>			The following person/s is responsible for acting on behalf of the Applicant:		NAME OF REPRESENTATIVE	STEFAN BOTHMA	REPRESENTATIVE ID NUMBER	61091450570821	APPLICANT COMPANY REG. NO.	2006/035328/07	POSTAL ADDRESS	PO Box 129, Blackheath, 7580	TELEPHONE	021-907 1300	FACSIMILE		EMAIL	sbothma@powergrp.co.za	CELLULAR PHONE	083 570 7950
The following person/s is responsible for acting on behalf of the Applicant:																					
NAME OF REPRESENTATIVE	STEFAN BOTHMA																				
REPRESENTATIVE ID NUMBER	61091450570821																				
APPLICANT COMPANY REG. NO.	2006/035328/07																				
POSTAL ADDRESS	PO Box 129, Blackheath, 7580																				
TELEPHONE	021-907 1300																				
FACSIMILE																					
EMAIL	sbothma@powergrp.co.za																				
CELLULAR PHONE	083 570 7950																				
Postal address:	PO Box 129, Blackheath																				
	Cape Town	Postal code:	7580																		
Telephone:	021-907 1300	Cell:	083 570 7950																		
E-mail:	sbothma@powergrp.co.za	Fax:	()																		
Project Consultant																					
Contact person:																					
Postal address:																					
		Postal code:																			
Telephone:		Cell:																			

E-mail:		Fax:	
Name of the Environmental Assessment Practitioner ("EAP") responsible for the application:	Cape Environmental Assessment Practitioners (Cape EAPrac)		
Company name (if any):	Ms Louise-Mari van Zyl		
Postal address:	P.O. Box 2070		
	George	Postal code:	6530
Telephone:	(044) 874 0365	Cell:	071 603 4132
E-mail:	louise@cape-eaprac.co.za	Fax:	(044) 874 0432
EAP Qualifications	MA Geography and Environmental Science		
EAP Registrations/Associations	Director is a Registered Environmental Assessment Practitioner with the Environmental Assessment Practitioners of South Africa, EAPSA, Registration Number 2019/1444 .		
Name of the Landowner:	Same as Applicant		
Name of the contact person for the land owner (if other):			
Postal address:			
		Postal code:	
Telephone:		Cell:	
E-mail:		Fax:	
Person in control of land:	As Above		
Contact person:			
Postal address:			
		Postal code:	
Telephone:	()	Cell:	
E-mail:		Fax:	()

Please note:

In instances where there is more than one landowner, please attach a list of landowners with their contact details to the back of this form.

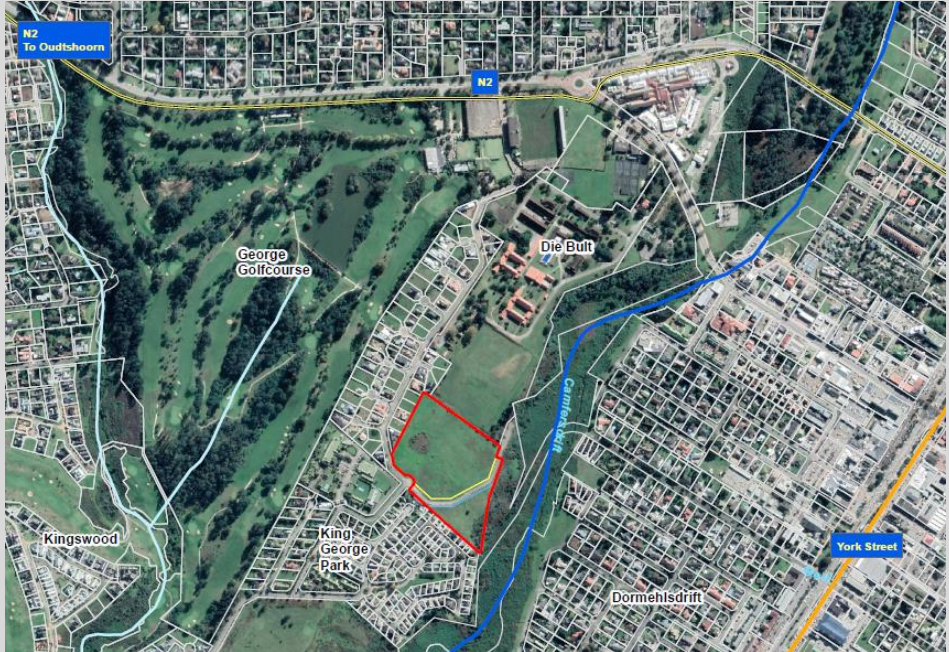
A certified copy of the applicant's (if natural person), alternatively a director's (as defined), Identity Document must be attached to the application.

A certified copy of the title deed of the property/s on which the unlawful listed activity/ies has commenced must be attached to the application.

Municipality in whose area of jurisdiction the activity falls:	George Municipality		
Contact person, if known:	Mr Clinton Peterson (Town Planner)		
Postal address:	PO Box 19		
	George	Postal code:	6530
Telephone	044 801 9111	Cell:	
E-mail:	cpetersen@george.gov.za	Fax:	086 529 9933

Please note:

In instances where there is more than one Municipality involved, please attach a list of Municipalities with their respective contact details to the form.

Property location(s):	<p>The study site is location within the greater Die Bult, directly north of King George residential area. It is located East of the George Golf Club, south of the George Sports Arena and Heatherlands High School (generally referred to as Die Bult School) with the Camphersdrift river system bordering on the Eastern boundary of the site.</p>  <p>Figure 1: Site location in Die Bult/King George residential area of George.</p>
Farm/Erf name(s) & number(s) including portion(s)	Erf 21028 and 21029 (consolidated into a single property Erf 28930 in 2020).
Property size(s) (m ²)	4.5ha combined
Development footprint size(s) (m ²)	The total property has been transformed through earthworks in 2021.

SG21 Digit code(s)	C02700020002102800000 (21028)
	C02700020002102900000 (21029)

Property central point:

Point	Latitude (S)	Longitude (E)
1	33° 56' 46.44" South	22° 04' 29.12" East

Please note that these co-ordinates are not surveyed.

Street address:	Loch Lomandry Avenue		
Magisterial District or Town:	George Municipal district		
Closest City/Town:	George	Distance	0
Zoning of Property:	Single Residential, General Residential, Business, Open Space, Community zone and Transport zone (as per rezoning approval issued 2020).		

Please note:

In instances where there is more than one zoning applicable, please attach a list or map of the properties indicating their respective zoning to the Application Form.

Was the property rezoned after commencement of activities?		YES	NO
If yes, what was the previous zoning?			
Group Housing			
Is a rezoning application required?		YES	NO
Is a consent use application required?		YES	NO
Locality map:	<p>A locality map must be attached to the Application Form as an appendix. The scale of the locality map must be at least 1:50 000. For linear activities of more than 25 kilometres, a smaller scale e.g. 1:250 000 can be used. The scale must be indicated on the map. The map must indicate the following:</p> <ul style="list-style-type: none"> • an accurate indication of the project site position as well as the positions of the alternative sites, if any; • road names or numbers of all the major roads as well as the roads that provide access to the site(s) • a north arrow; • a legend; • the prevailing wind direction; and • GPS co-ordinates (Indicate the position of the proposed activity using the latitude and longitude of the centre point of the site for each alternative site. The co-ordinates should be in degrees and decimal minutes. The minutes should have at least three decimals to ensure adequate accuracy. The projection that must be used in all cases is the WGS-84 spheroid in a national or local projection) 		
Landowner(s) Consent:	<p>If the applicant is not the owner or person in control of the land on which the activity has been undertaken, he/she must obtain written consent from all landowners or persons in control of the land (of the site and all alternative sites). This must be attached to this document as Appendix G. Such consent must indicate whether or not the owner or person in control of the land would support approval of the application and that the land need not be rehabilitated.</p> <p>Note: The consent of the landowner or person in control of the land is not required for: a) linear activities; b) an activity directly related to prospecting or exploration of a mineral and petroleum resource or extraction and primary processing of a mineral resource; or c) strategic integrated projects ("SIPs") as contemplated in the <i>Infrastructure Development Act, 2014 (Act No. 23 of 2014)</i>.</p>		

2. APPLICATION HISTORY

(Cross out the appropriate box "X" and provide a description where required).

Has any national, provincial or local authority considered any development applications on the property previously?	YES	NO
If so, please give a brief description of the type and/or nature of the application/s as well as a reference number, if applicable: (In instances where there was more than one application, please attach a list of these applications)		
<p>The following applications were submitted to the local and provincial authorities on behalf of Power Construction (Pty) Ltd, Power Group, prior to any work commencing on site:</p> <ul style="list-style-type: none"> • Rezoning application to George Municipality, approved October 2019. Appeal decision approved in September 2020 for of 99 single residential erven, 86 General residential III erven(town housing), 3 Business Zone III erven, a crèche, a cell phone mast and a number of public open space erven and public streets. • Clarification Application submitted to the Provincial Department of Environmental Affairs & Development Planning (DEA&DP) on 14 March 2018 to which the Department confirmed that no 'listed activities' were applicable in terms of the National Environmental Management Act (NEMA) and that no prior Environmental Authorisation (EA) was required. 		
Which authority considered the application:		
<p>George Municipality</p> <p>Provincial Department of Environmental Affairs & Development Planning, George office</p>		
Has <u>any</u> one of the previous application/s on the property been approved or refused? If so provide a list of the successful and unsuccessful application/s and the reasons for decision(s).	YES	NO
<ul style="list-style-type: none"> • Rezoning application to George Municipality, approved October 2019. Appeal decision approved in September 2020 for of 99 single residential erven, 86 General residential III erven(town housing), 3 Business Zone III erven, a crèche, a cell phone mast and a number of public open space erven and public streets. • Clarification Application submitted to the Provincial Department of Environmental Affairs & Development Planning (DEA&DP) on 14 March 2018 to which the Department confirmed that no 'listed activities' were applicable in terms of the National Environmental Management Act (NEMA) and that no prior Environmental Authorisation (EA) was required. 		
Provide detail on the period of validity of decision and expiry dates of the above applications/ permits etc.		
Planning approval valid for five (5) years.		

SECTION B: ACTIVITY INFORMATION

3. ACTIVITIES APPLIED FOR

I hereby apply in terms of section 24G of the National Environmental Management Act (Act 107 of 1998) for the regularisation of the unlawful commencement or continuation of the listed or waste management activities as specified in Section B:1 below.

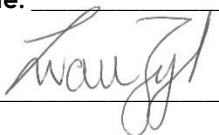
Applicant (Full names): Mr Stefan Bothma

Signature: Signature for final report

Place: _____

Date: _____

EAP (Full names): Ms Louise van Zyl

Signature: 

Place: George

Date: 4 April 2022

All listed activities associated with the development must be indicated below.

3.1 Applicable EIA listed activities

ECA EIA Contraventions: between 08 September 1997 and end of 09 May 2002			
Activities commenced with on or after 08 September 1997 and before end 09 May 2002: EIA regulations promulgated in terms of the ECA, Act 73 of 1989			
Government Notice No. ("GN") R1182 Activity No(s):	Describe the relevant listed activity/ies in writing as per GN No. 1182 of 1997	Describe the portion of the development as per the project description that relates to the applicable listed activity.	State the date of commencement of each activity
ECA EIA Contraventions: between 10 May 2002 and end of 02 July 2006			
Activities unlawfully commenced with on or after 10 May 2002 and before end 02 July 2006: EIA regulations promulgated in terms of the ECA, Act 73 of 1989,			
NEMA EIA Contraventions: between 03 July 2006 and end of 01 August 2010			
Activities unlawfully commenced with on or after 03 July 2006 and before end 01 August 2010: EIA regulations promulgated in terms of the NEMA			
GN R386 Activity No(s): (Listing Notice 1 of 2006)	Describe the relevant listed activity/ies in writing as per GN No. R. 386 of 2006 ("NEMA 2006 Basic Assessment listed activity/ies")	Describe the portion of the development as per the project description that relates to the applicable listed activity.	State the date of commencement of each activity
Government Notice No. R387 Activity No(s): (Listing Notice 2 of 2006)	Describe the relevant listed activity/ies in writing as per GN No. R. 387 of 2006 ("NEMA 2006 Scoping/EIA listed activity/ies")	Describe the portion of the development as per the project description that relates to the applicable listed activity.	State the date of commencement of each activity
NEMA EIA Contraventions: between 02 August 2010 and end of 07 December 2014			
Activities unlawfully commenced with on or after 02 August 2010 and before end 07 December 2014: EIA regulations promulgated in terms of the NEMA, Act 107 of 1998,			

GN No. R. 544 Activity No(s): (Listing Notice 1 of 2010)	Describe the relevant listed activity(ies) in writing as per GN No. R. 544 of 2010 ("NEMA 2010 Basic Assessment listed activity/ies")	Describe the portion of the development as per the project description that relates to the applicable listed activity.	State the date of commencement of each activity
GN No. R. 545 Activity No(s): (Listing Notice 2 of 2010)	Describe the relevant listed activity/ies in writing as per GN No. R. 545 of 2010. (NEMA 2010 Scoping/EIA listed activity/ies")	Describe the portion of the development as per the project description that relates to the applicable listed activity.	State the date of commencement of each activity
GN No. R. 546 Activity No(s): (Listing Notice 3 of 2010)	Describe the relevant listed Activity(ies) in writing as per GN No. R. 546 of 2010	Describe the portion of the development as per the project description that relates to the applicable listed activity.	State the date of commencement of each activity
NEMA EIA Contraventions: on or after 08 December 2014			
Activities unlawfully commenced with on or after 08 December 2014: EIA regulations promulgated in terms of the NEMA, Act 107 of 1998,			
GN No. R. 327 Activity No(s): (Listing Notice 1 of 2014)	Describe the relevant listed activity(ies) in writing as per GN No. R. 327 of 2014 ("NEMA 2014 Basic Assessment listed activity/ies")	Describe the portion of the development as per the project description that relates to the applicable listed activity.	State the date of commencement of each activity
19	Infilling of a watercourse by more than 10 cubic metres.	On-site wetland and riparian area along Camphersdrift system.	2020
GN No. R. 325 Activity No(s): (Listing Notice 2 of 2014)	Describe the relevant listed activity(ies) in writing as per GN No. R. 325 of 2014 ("NEMA 2014 Scoping/EIA listed activity/ies")	Describe the portion of the development as per the project description that relates to the applicable listed activity.	State the date of commencement of each activity
GN No. R. 324 Activity No(s): (Listing Notice 3 of 2014)	Describe the relevant listed activity(ies) in writing as per GN No. R. 324 of 2014	Describe the portion of the development as per the project description that relates to the applicable listed activity.	State the date of commencement of each activity
12(i) (ii)	i. Western Cape 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	The property falls into areas that were identified in the WCBSP 2017 as being part of a terrestrial Critical Biodiversity Area.	2020

	Biodiversity Assessment 2004; ii. Within critical biodiversity areas identified in bioregional plans.		

Please ensure that you have provided the similarly listed activities if the listed activities were commenced before the period the EIA Regulations came into effect, i.e. before 08 December 2014.

3.2—Applicable Waste Management Activities

List the relevant waste management activity/ies applied for:

Waste Management Activity Contraventions: On or after 03 July 2007 up to end of 28 November 2013			
Activities unlawfully commenced with in terms of GNR 718 of 03 July 2009 under the National Environmental Management Waste Act, Act 59 of 2008			
GN No. 718— Category A Activity No(s):	Describe the relevant <u>Category A</u> waste management activity/ies in writing.	Describe the portion of the development as per the project description that relates to the applicable waste activity.	State the date of commencement of each activity
GN No. 718— Category B Activity No(s):	Describe the relevant <u>Category B</u> waste management activity/ies in writing.	Describe the portion of the development as per the project description that relates to the applicable waste activity.	State the date of commencement of each activity

Waste Management Activity Contraventions: On or after 29 November 2013			
Activities unlawfully commenced with in terms of GNR 921 of 29 November 2013 under the National Environmental Management Waste Act, Act 59 of 2008,			
GN No. 921— Category A Activity No(s):	Describe the relevant <u>Category A</u> waste management activity/ies in writing.	Describe the portion of the development as per the project description that relates to the applicable waste activity.	State the date of commencement of each activity
GN No. 921— Category B Activity No(s):	Describe the relevant <u>Category B</u> waste management activity/ies in writing.	Describe the portion of the development as per the project description that relates to the applicable waste activity.	State the date of commencement of each activity

Please note:

The National Department of Environmental Affairs is the competent authority for activities regarded as hazardous waste. Such activities must be indicated as hazardous waste in the abovementioned lists.

Only those activities listed above shall be considered for authorisation. The onus is on the applicant to ensure that all applicable listed activities are included in the application. If a specific listed activity is not included in an Environmental Authorisation, an application for amendment or a new application for Environmental Authorisation will have to be submitted.

3.3—Activities listed similarly in terms of the EIA Regulations

Kindly indicate the listed activities in terms of the EIA Regulations that is listed similar to the unlawfully commenced activities. The descriptions provided below must clearly state why the activity/development is still similarly listed in terms of the EIA Regulations, 2014.

The similarly listed activities in terms of the EIA Regulations promulgated in terms of the NEMA, Act 107 of 1998,		
GN No. R. 327 Activity No(s): (Listing Notice 1 of 2014)	Describe the relevant listed activity(ies) in writing as per GN No. R.327 of 2014 ("NEMA 2014 Basic Assessment listed activity/ies")	Describe the portion of the development as per the project description that relates to the applicable listed activity.
GN No. R. 325 Activity No(s): (Listing Notice 2 of 2014)	Describe the relevant listed activity(ies) in writing as per GN No. R.325 of 2014 ("NEMA 2014 Scoping/EIA listed activity/ies")	Describe the portion of the development as per the project description that relates to the applicable listed activity.
GN No. R. 324 Activity No(s): (Listing Notice 3 of 2014)	Describe the relevant listed activity(ies) in writing as per GN No. R.324 of 2014	Describe the portion of the development as per the project description that relates to the applicable listed activity.

Please note:

Where approvals for the activity have been obtained in terms of any other legislation (e.g. National Water Act, Act 36 of 1998), certified copies of such approvals must be attached to this form.

4. ACTIVITY DESCRIPTION

(Cross out the appropriate box "☒" and provide a description where required).

Is/are the activity(ies) complete or is/are the activity(ies) still to be completed?	COMPLETED	INCOMPLETE
(a) Is/was the project a new development or an upgrade of an existing development? Also indicate the date (e.g. 2 August 2010) when the activity commenced <u>as well as</u> the original date of commencement if the application is an upgrade.	NEW	UPGRADE
<p>The study site forms part of the greater Die Bult development previously approved for Group Housing development as primary rights.</p> <p>A planned increase in density necessitated a change in zoning and a consequential change from the primary rights, to allow for single residential, business and group housing.</p>		
<p>(b) Clearly describe the activity and associated infrastructure commenced with, indicating what has been completed and what still has to be completed.</p> <p>Earthworks commenced across the entire site with benches/platforms having been created for placement of some erven. Areas for erven have been compacted. Access road works commenced with excavation, compacting and layer works. Installation of some internal services.</p>		



Figure 2: Google image showing earthworks with platforms and internal road works.







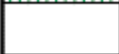
(c) Please provide details of all components of the activity and attach diagrams (e.g. architectural drawings or perspectives, engineering drawings, process flow charts etc.).		
Buildings	YES	NO
Provide brief description:		
No buildings have been erected yet.		
Single residential, group housing, business, cell phone tower as a clock tower.		
Infrastructure (e.g. roads, power and water supply/ storage)	YES	NO
Provide brief description:		
Internal roads network on the property – to be completed.		
Internal services (water, sewer, electricity, stormwater) to be connected to the existing Municipal network – to be completed.		
Processing activities (e.g. manufacturing, storage, distribution)	YES	NO
Provide brief description:		
Storage facilities for raw materials and products (e.g. volume and substances to be stored)		
Provide brief description	YES	NO
Storage and treatment facilities for solid waste and effluent generated by the project		
Provide brief description	YES	NO

(d) Other activities (e.g. water abstraction activities, crop planting activities)	YES	NO
Provide brief description		

5. PHYSICAL SIZE OF THE ACTIVITY

Indicate the physical spatial size of the activity as well as associated infrastructure (footprints):	±3.14ha
Indicate the area that has been transformed / cleared to allow for the activity as well as associated infrastructure	±3.90ha
Total area:	±4.52ha

Table 1: Land use summary for proposed development of George Village Ridge.

Legend					
Zoning		ERF Nos	No, erven	Area m²	%
	Single Residential Zone I	AS INDICATED ON PLAN I	95	16 513	36.53
	General Residential Zone III		60	4 035	8.93
	Business Zone III		3	304	0.67
	Utility Zone (Cell Phone Tower)		1	69	0.15
	Open Space Zone I		8	6 175	13.66
	Open Space Zone III (conservation area-frogs)		2	7 598	16.80
	Transport Zone II		1	10 517	23.26
TOTAL				45 210	100

6. SITE ACCESS

Was there an existing access road?	YES	NO
If NO, what was the distance over which the new access road was built? Please indicate the length and width of the new road.	(Length)	
	(width)	
Describe the type of access road constructed:		

Please Note:

Indicate the position of the access road on the site plan (See Section 5 below)

7. SITE PHOTOGRAPHS

Colour photographs of the site and its surroundings (taken of the site and from the site), both before (if available) and after the activity commenced, with a description of each photograph, must be attached to this application. The vantage points from which the photographs were taken must be indicated on the site plan, or locality plan as applicable. If available, please also provide past and recent aerial photographs. It should be supplemented with additional photographs of relevant features on the site. Date and source of photographs must be included. Photographs must be attached as an **appendix** to this form.

Please note:

Should the relevant photographs not be included in the application, the application may be deemed insufficient and further information in this regard will be requested.

8. APPLICABLE LEGISLATION, POLICIES AND/OR GUIDELINES

Please list all legislation, policies and/or guidelines that were or are relevant to this activity.

LEGISLATION	ADMINISTERING AUTHORITY	TYPE Permit/ license/ authorisation/comment	DATE (if already obtained):
National Environmental Management Act (NEMA, Act 107 of 1998)	DEA&DP	Environmental Authorisation	Pending
National Environmental Management Laws Amendment Act (Act 25 of 2014)	DEA&DP	Public participation as part of the Environmental Authorisation	Pending
National Environmental Management: Biodiversity Act (Act 10 of 2004)	DEA&DP	None	None
National Heritage Resources Act (Act 25 of 1999)	Heritage Western Cape	Notice of Intent to Develop (NID)	Authorised
National Water Act (Act 36 of 1998)	Department of Water & Sanitation via BGCMA	Water Use License	Pending
National Forest Act (Act 84 of 1998)	Department of Forestry	None	None
Conservation of Agricultural Resources Act (CARA)	Department of Agriculture	None	None

POLICY/ GUIDELINES	ADMINISTERING AUTHORITY
National Environmental Management Act (Act 107 of 1998 as amended)	DEA&DP Section 24G Rectification Assessment being undertaken for the unregulated activities that took place without prior environmental authorisation
National Environmental Management Laws Amendment Act (Act 25 of 2014)	DEA&DP

	The public participation requirements must form part of the Basic Assessment process.
Guideline for the review of specialist input into the EIA process (June 2005)	DEA&DP Several specialist studies has been undertaken for the proposal.
Guideline for involving biodiversity specialists in the EIA process (June 2005)	DEA&DP Several specialist studies has been undertaken for the proposal.
Guideline for environmental management plans (June 2005)	DEA&DP This guideline was consulted in the drafting of the EMPr.
Guideline on Alternatives (March 2013)	DEA&DP The consideration of alternatives is mandatory, however given that this application is for the rectification of an unlawful activity which obtained Municipal and Heritage approvals prior to commencement, the preferred alternative to be considered is the No Go Alternative which entails Group Housing development.
Guideline on Need & Desirability (March 2013)	DEA&DP This guideline was consulted along with the relevant IDP and SDP documentation to determine the need for the development.
Guideline on Public Participation (March 2013)	DEA&DP The consultation process was undertaken in terms of these guidelines and the legislated requirements for PPP.

9. APPLICATIONS IN TERMS OF NEMA AND SPECIFIC ENVIRONMENTAL MANAGEMENT ACTS ("SEMAS")

If not specifically applied for in terms of this application, does the development require an application for a waste management license in terms of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008)?	YES	NO
---	-----	----

If yes, has an application been submitted to the licensing authority?	YES	NO
Does the proposed project require an application for a water use license in terms of the National Water Act, 1998 (Act No. 36 of 1998)?	YES	NO

According to the aquatic investigation the development was undertaken over and in proximity to on-site wetland and Camphersdrift wetland system, inclusive of earthworks, development of roads and infrastructure.



Figure 3: Wetland areas indicated on aerial dated prior to commencement of earthworks.

If yes, has an application been submitted to the licensing authority?	YES	NO
If no, please provide evidence of existing water use rights (if applicable) with this application form.		
Does the proposed project require an application for an atmospheric emissions license in terms of the National Environmental Management: Air Quality Act, 2004 (Act No. 39 of 2004)?	YES	NO
If yes, has an application been submitted to the licensing authority?	YES	NO

Does the proposed project require an application in terms of the National Environmental Management: Integrated Coastal Management Act ("NEM: ICMA")?	YES	NO
If yes, has an application been submitted to the relevant competent authority?	YES	NO
If yes, provide more details of the application submitted/to be submitted in terms of the NEM: ICMA		

10. APPLICATIONS IN TERMS OF OTHER LEGISLATION

Is any permission, licence or other approval required in terms of any other legislation? (Please tick)	YES	NO
--	-----	-----------

If yes, please complete the table below:

Type of approval required (List the applicable legislation & approval required):	Name of the authority responsible for administering the applicable legislation	Application submitted (Yes / No)	Status of application (e.g. pending/ granted/ refused)

SECTION C: DESCRIPTION OF RECEIVING ENVIRONMENT

Site/Area Description

For linear activities (pipelines, etc.) as well as activities that cover very large sites, it may be necessary to complete copies of this section for each part of the site that has a significantly different environment. In such cases please complete copies of Section C and indicate the area which is covered by each copy No. on the site plan.

Section C Copy No. (e.g. 1, 2, or 3):

1. THE GEOLOGICAL FORMATIONS UNDERLYING THE SITE

(Tick the appropriate box)

GRANITE	<input checked="" type="checkbox"/>	QUARTZITE	<input type="checkbox"/>
SHALE	<input type="checkbox"/>	DOLOMITE	<input type="checkbox"/>
SANDSTONE	<input type="checkbox"/>	DOLERITE	<input type="checkbox"/>
OTHER (specify)	See below		



Figure 4: Extract from Geotechnical Report for study site (Source: Outeniqua Lab 2021).

2. GRADIENT OF THE SITE

Indicate the general gradient of the site(s) (cross out the appropriate box).

Flat	Flatter than 1:10	1:10 – 1:5	Steeper than 1:5
------	-------------------	------------	------------------

3. LOCATION IN LANDSCAPE

Indicate the landform(s) that best describes the site (cross out ("X") the appropriate boxes).

Ridgeline	Plateau	Side-slope-of hill/mountain	Closed valley	Open valley	Plain	Undulating plain/low hills	Dune	Sea-front	Other
-----------	---------	-----------------------------	---------------	-------------	-------	----------------------------	------	-----------	-------

If other, please describe

The general slope of the site is gentle to moderate towards the Camphersdrift System.

4. GROUNDWATER, SOIL AND GEOLOGICAL STABILITY OF THE SITE

4.1 Groundwater, Soil and Geological stability of the site (PRE-COMMENCEMENT)

Is the site(s) located on or near any of the following (cross out ("X") the appropriate boxes)?

Shallow water table (less than 1.5m deep)	YES	NO	UNSURE
Seasonally wet soils (often close to water bodies)	YES	NO	UNSURE
Unstable rocky slopes or steep slopes with loose soil	YES	NO	UNSURE
Dispersive soils (soils that dissolve in water)	YES	NO	UNSURE
Soils with high clay content	YES	NO	UNSURE
Any other unstable soil or geological feature	YES	NO	UNSURE
An area sensitive to erosion	YES	NO	UNSURE

4.2 Groundwater, Soil and Geological stability of the site (POST-COMMENCEMENT)

Shallow water table (less than 1.5m deep)	YES	NO	UNSURE
Seasonally wet soils (often close to water bodies)	YES	NO	UNSURE
Unstable rocky slopes or steep slopes with loose soil	YES	NO	UNSURE
Dispersive soils (soils that dissolve in water)	YES	NO	UNSURE
Soils with high clay content	YES	NO	UNSURE
Any other unstable soil or geological feature	YES	NO	UNSURE
An area sensitive to erosion	YES	NO	UNSURE

5. SURFACE WATER

5.1 SURFACE WATER (PRE-COMMENCEMENT)

Indicate the surface water present on and or adjacent to the site and alternative sites (cross out ("X") the appropriate boxes)?

Perennial River	YES	NO	UNSURE
Non-Perennial River	YES	NO	UNSURE
Permanent Wetland	YES	NO	UNSURE
Seasonal Wetland	YES	NO	UNSURE
Artificial Wetland	YES	NO	UNSURE
Estuarine / Lagoonal wetland	YES	NO	UNSURE

5.2 SURFACE WATER (POST-COMMENCEMENT)

Indicate the surface water present on and or adjacent to the site and alternative sites (cross out ("X") the appropriate boxes)?

Perennial River	YES	NO	UNSURE
-----------------	------------	----	--------

Non-Perennial River	YES	NO	UNSURE
Permanent Wetland	YES	NO	UNSURE
Seasonal Wetland	YES	NO	UNSURE
Artificial Wetland	YES	NO	UNSURE
Estuarine / Lagoonal wetland	YES	NO	UNSURE

6. VEGETATION AND/OR GROUNDCOVER


Please note: The Department may request specialist input/studies depending on the nature of the biodiversity occurring on the site and potential impact(s) of the activity/ies. To assist with the identification of the biodiversity occurring on site and the ecosystem status consult <http://bgis.sanbi.org.za> or BGIShelp@sanbi.org.za. Information is also available on compact disc ("cd") from the Biodiversity-GIS Unit, Ph (021) 799 8738. This information may be updated from time to time and it is the applicant/ EAP's responsibility to ensure that the latest version is used. A map of the relevant biodiversity information (including an indication of the habitat conditions as per (b) below) and must be provided as an overlay map to the property/site plan as an **appendix** to this form.

6.1 Vegetation AND/OR GROUNDCOVER (Pre-commencement)

Cross out ("X") the block **and** describe (where applicable) the vegetation types / groundcover present on the site before commencement of the activity.

Indigenous Vegetation – good condition		Indigenous Vegetation with scattered aliens	✓	Indigenous Vegetation with heavy alien infestation	
Describe the vegetation type above:		Describe the vegetation type above: The affected national vegetation type is indicated as Garden Route Granite Fynbos (status = Critically Endangered) and the eastern portion of the affected area indicated as a Critical Biodiversity Area. According to Dr Jan Vlok however most of the terrestrial vegetation on the property was altered over years due to continuous mowing.		Describe the vegetation type above:	
Provide ecosystem status for above:		Provide ecosystem status for above: Garden Route Granite Fynbos (CE)		Provide Ecosystem status for above:	
Indigenous Vegetation in an ecological corridor or along a soil boundary / interface		Veld dominated by alien species		Distinctive soil conditions (e.g. Sand over shale, quartz patches, limestone, alluvial deposits, termitaria etc.) – describe	
Bare soil		Building or other structure		Sport field	
Other (describe below)		Cultivated land		Paved surface	

(a) Highlight the applicable pre-commencement biodiversity planning categories of all areas on site and indicate the reason(s) provided in the biodiversity plan for the selection of the specific area as part of the specific category.

Systematic Biodiversity Planning Category				If CBA or ESA, indicate the reason(s) for its selection in biodiversity plan
Critical Biodiversity Area (CBA)	Ecological Support Area (ESA)	Other Natural Area (ONA)	No Natural Area Remaining (NNR)	Partial CBA indicated aligned with the aquatic system of Camphersdrift.
				

(b) Highlight and describe the habitat condition on site.

Habitat Condition	Percentage of habitat condition class (adding up to 100%)	Description and additional Comments and Observations (including additional insight into condition, e.g. poor land management practises, presence of quarries, grazing/harvesting regimes etc).
Natural	±35%	Approximately 35% of the property contained natural, indigenous vegetation of which most were grass species, however the lower lying area closest to the Camphersdrift System contained intact fynbos.
Near Natural (includes areas with low to moderate level of alien invasive plants)		
Degraded (includes areas heavily invaded by alien plants)	%	
Transformed (includes cultivation, dams, urban, plantation, roads, etc)	75%	Approximately 75% of the property was transformed through continuous mowing as is required for vacant properties within the urban edge.

(c) Complete the table to indicate:

- (i) the type of vegetation, including its ecosystem status, that was previously present on the site; and
- (ii) whether an aquatic ecosystem was previously present on site.

Terrestrial Ecosystems		Aquatic Ecosystems							
Ecosystem threat status as per the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004)	Critical	Wetland (including rivers, depressions, channelled and un-channelled wetlands, flats, seeps pans, and artificial wetlands)	Estuary				Coastline		
	Endangered								
	Vulnerable								
	Least Threatened								
		YES	NO	UNSURE	YES	NO	YES	NO	

(d) Please provide a description of the vegetation type and/or aquatic ecosystem present on site, including any important biodiversity features/information identified on site (e.g. threatened species and special habitats)

Despite the disturbance and presence of alien grasses on the greatest portion of the site, some of the natural vegetation did recovered following the earthworks, with some trees such as *Gymnosporia buxifolia* and ferns such as *Pteridium aquilinum*, resprouting – especially along the riparian buffer closest to the Camphersdrift System.

In this area especially many seedlings of early pioneer plants such as *Helichrysum petiolare*, *Phyllopodium bracteatum*, *Nemesia elata*, *Senecio ilicifolia* and *Selago corymbosa* are establishing under active rehabilitation. One of these species, *Nemesia elata*, is a threatened species with a current formal status of Vulnerable.

No threatened plant species were found in the wetland, however the Knysna Leaf Folding Frog (Endangered) was found in the on-site wetland as a species of special concern. Approximately eight (8) other amphibian species were also identified which further elevate the conservation significance of the on-site wetland especially as a breeding habitat.



Figure 5: Photo of the Knysna Leaf Folding Frog (Source: Dr Ferdi de Lange).

6.2 Vegetation AND/OR GROUNDCOVER (Post-commencement)

Cross out ("X") the block **and** describe (where required) the vegetation types / groundcover present on the site after commencement of the activity.

Indigenous Vegetation - good condition		Indigenous Vegetation with scattered aliens		Indigenous Vegetation with heavy alien infestation	
Describe the vegetation type above:	Describe the vegetation type above: Total removal of groundcover. Emergency mitigation measures included sowing of wild oats to prevent unnecessary erosion and dust pollution whilst the site remains under investigation. Kikuyu and Rye grass, along with pioneer fynbos species established since construction activities stopped in August 2020.			Describe the vegetation type above:	
Provide ecosystem status for above:	Provide ecosystem status for above:			Provide Ecosystem status for above:	
Indigenous Vegetation in an ecological corridor or along a soil boundary / interface	Veld dominated by alien species			Distinctive soil conditions (e.g. Sand over shale, quartz patches, limestone, alluvial deposits, termitaria etc.)—describe	
Bare soil	Building or other structure			Sport field	
Other (describe below)	Cultivated land			Paved surface	

(a) Highlight and describe the post-construction habitat condition on site.

Habitat Condition	Percentage of habitat condition class (adding up to 100%)	Description and additional Comments and Observations (including additional insight into condition, e.g. poor land management practises, presence of quarries, grazing/harvesting regimes etc).
Natural	±30%	Approximately 30% of the property will retain natural, indigenous vegetation. This will occur within the on-site wetland as well as the riparian habitat along Camphersdrift as permanent open space conservation areas.
Near Natural (includes areas with low to moderate level of alien invasive plants)		
Degraded (includes areas heavily invaded by alien plants)		
Transformed (includes cultivation, dams, urban, plantation, roads, etc)	70%	The majority of the site is proposed for development (houses, streets, service areas).

(b) How have the vegetation and/or aquatic ecosystem(s) present on site (including any important biodiversity features identified on site (e.g. threatened species and special habitats)) been affected by the commencement of the listed activity(ies)?

Due to emergency rehabilitation measures implemented by the Applicant, with input and guidance from the botanist and aquatic specialist following the outcome of the pre-compliances issued, recovery of the on-site wetland and riparian buffer along Camphersdrift System has been good. Measures were put in place to prevent erosion (although the November 2021 floods did result in damages along the steep slopes under rehabilitation) and re-establish groundcover. Demarcation of the on-site wetland and riparian buffer along the Camphersdrift System, along with measures taken to prevent unwanted siltation (of the on-site wetland and Camphersdrift System) ensured fast recovery and restoration of these areas identified as sensitive by the specialists.

According to the Aquatic Specialist the on-site wetland's restoration is unexpected to the point where it is indeed improved in terms of size and habitat since the earthworks created a larger, shallower habitat. As a result an additional 19m buffer was established around the on-site wetland to ensure that the greater (improved) habitat will remain protected and will be avoided should development continue.

6.3 Vegetation / Groundcover Management

(a) Describe any mitigation/management measures that were adopted and the adequacy of these:

Following consultation with the specialist team and further engagement with the Department of Water Affairs (BGCMA), the Applicant ceased all activities on the site in August 2021.

The Applicant initiated an emergency rehabilitation plan (copy attached to the WULA application). Seeding of fast growing annual grasses to avoid erosion and dust pollution.

Erosion control measures were implemented by installation of coffer dams, sandbags, silt fences and placing of haybales along erosion gulley's that formed on the property.

Appointment of an environmental control officer (ECO) to monitor the site whilst the environmental investigation process is underway.

7. LAND USE OF THE SITE (PRE-COMMENCEMENT)

Please note: The Department may request specialist input/studies depending on the nature of the land use character of the area and potential impact(s) of the activity/ies.

Transformed area	Low-density residential	Medium-density residential	High-density residential	Informal residential
Retail	Commercial & warehousing	Light industrial	Medium industrial	Heavy industrial
Power station	Office/consulting room	Military or police base/station/compound	Casino/entertainment complex	Tourism & Hospitality facility
Open cast mine	Underground mine	Spoil heap or slimes dam	Quarry, sand or borrow pit	Dam or reservoir
Hospital/medical centre	School	Tertiary education facility	Church	Old age home
Sewage treatment plant	Train station or shunting yard	Railway line	Major road (4 lanes or more)	Airport
Harbour	Sport facilities	Golf course	Polo fields	Filling station
Landfill or waste treatment site	Plantation	Agriculture	River, stream or wetland	Nature conservation area

Mountain, koppie or ridge	Museum	Historical building	Graveyard	Archaeological site
Other land uses (describe):				

(a) Please provide a description.

The property formed part of the greater Die Bult subdivisional area with zoning rights for Group Housing. The site was mowed to maintain vegetation on the property before construction commenced.

The on-site wetland was present prior to construction activities.

8. LAND USE CHARACTER OF SURROUNDING AREA (PRE-COMMENCEMENT)

Cross out ("X") the block that reflects the past land uses and/or prominent features that occur/red within +/- 500m radius of the site and neighbouring properties if these are located beyond 500m of the site. **Please note:** The Department may request specialist input/studies depending on the nature of the land use character of the area and impact(s) of the activity/ies.

Untransformed area	Low density residential	Medium density residential	High density residential	Informal residential
Retail	Commercial & warehousing	Light industrial	Medium industrial	Heavy industrial
Power station	Office/consulting room	Military or police base/station/compound	Casino/entertainment complex	Tourism & Hospitality facility
Open-cast mine	Underground mine	Spoil heap or slimes dam	Quarry, sand or borrow pit	Dam or reservoir
Hospital/medical centre	School	Tertiary education facility	Church	Old age home
Sewage treatment plant	Train station or shunting yard	Railway line	Major road (4 lanes or more)	Airport
Harbour	Sport facilities	Golf course	Polo fields	Filling station
Landfill or waste treatment site	Plantation	Agriculture	River, stream or wetland	Nature conservation area
Mountain, koppie or ridge	Museum	Historical building	Graveyard	Archaeological site
Other land uses (describe):				

9. LAND USE CHARACTER OF SURROUNDING AREA (POST-COMMENCEMENT)

Cross out ("X") the block that reflects the current land uses and/or prominent features that occur(s) within +/- 500m radius of the site and neighbouring properties if these are located beyond 500m of the site. **Please note:** The Department may request specialist input/studies depending on the nature of the land use character of the area and impact(s) of the activity/ies.

There is no change to the land use character of the surrounding area.

10. SOCIO-ECONOMIC CONTEXT

10.1 SOCIO-ECONOMIC CONTEXT (PRE-COMMENCEMENT)

Describe the pre-commencement social and economic characteristics of the community in order to provide baseline information.

According to the updated Integrated Development Plan (IDP, 2020) the population of George was calculated at 218 318 people in 2020, making it the most populated municipal area in the

Garden Route District (GRD). This total is expected to grow to 228 999 by 2024, equating to an average annual growth rate of 1.2 per cent.

With a total of 56 474 households in the George municipal area, 82.7 per cent had access to formal housing. The Municipality's Housing Department – partnerships with the Western Cape Provincial Government and National Housing authorities to collaborate on delivery and funding for subsidised housing projects and development of restructuring zones aimed at spearheading spatial transformation. Most notably the sector of service providers i.e. nurses, clerks, police and educators find it challenging to find affordable housing in George.

The IDP specifically promotes the efficient use of existing assets and maximisation of development opportunities associated with them, existing infrastructure within the urban edge of George must be used to leverage more intensive forms of integrated urban development, specifically economic and housing backlogs.

George is experiencing an influx in people relocating to the Southern Cape with the highest growth in the age group above 65.

The study area falls within Ward 3 with a mixture of working families with school going aged children and older residents. It is considered a medium-high income residential area. The presence of the sports centre, Heatherpark School and Protea Hotel gives this area an integrated character compared to residential areas.

Ward 3 is serviced by the Go George public transport system as part of the so-called 'City Loop' route that connects with various other link routes already established.

The area, also known as Die Bult, is an established township and the study site forms part of the original subdivisional approvals allowing for Group Housing (higher density) amidst the otherwise Single Residential properties.

10.2 SOCIO-ECONOMIC CONTEXT (POST-COMMENCEMENT)

Describe the post commencement social and economic characteristics of the community in order to determine any change. Where differences between pre- and post-commencement exist, state which are as a result of the activity(ies) for which rectification is being applied for.

The socio-economic context post commencement remains much the same as that stated above, although the activity does provide a greater range of affordable housing opportunities ranging from single residential to group housing. The original planning application raised concern about potential negative impact on property values, as well as safety and security, however the Appeals Authority considered both the potential positive and potential negative impacts associated with the anticipated change in demographics and determined it to be of an acceptable level considering that Group Housing (as the primary rights already in place for the property) is also aimed at more affordable housing opportunities compared to single residential housing in the same area.

The project is aligned with the IDP provisions of ensuring more integrated development with a focus on affordability to the public service sector wanting to invest in property close to schools/hospitals and places of work. Improved accessibility through the existing public transport system of Go George, is something that was not yet fully functional at the time of the original development application.

11. HISTORICAL AND CULTURAL ASPECTS

(a) Please be advised that every application for Environmental Authorisation including an application for a Waste Management Licence, must include, where applicable the investigation, assessment and evaluation of the impact of any proposed listed or specified activity on any national estate referred to in section 3(2) of the National Heritage Resources Act, 1999 (Act No. 25 of 1999), excluding the national estate contemplated in section 3(2)(i)(vi) and (vii) of that Act.

Please be further advised that if section 38 of the National Heritage Resources Act, 1999 (Act No. 25 of 1999), is applicable to your application, then you are requested to furnish this Department with written comment from Heritage Western Cape as part of your public participation process. Section 38 of the Act states as follows: "38. (1) Subject to the provisions of subsections (7), (8) and (9), any person who intends to undertake a development categorised as-

- (a) the construction of a road, wall, power line, pipeline, canal or other similar form of linear development or barrier exceeding 300m in length;
- (b) the construction of a bridge or similar structure exceeding 50m in length;
- (c) any development or other activity which will change the character of a site-
 - (i) exceeding 5 000 m² in extent; or
 - (ii) involving three or more existing erven or subdivisions thereof; or
 - (iii) involving three or more erven or divisions thereof which have been consolidated within the past five years; or
 - (iv) the costs of which will exceed a sum set in terms of regulations by SAHRA or a provincial heritage resources authority;
- (d) the re-zoning of a site exceeding 10 000 m² in extent; or
- (e) any other category of development provided for in regulations by SAHRA or a provincial heritage resources authority, must at the very earliest stages of initiating such a development, notify the responsible heritage resources authority and furnish it with details regarding the location, nature and extent of the proposed development."

(b) The impact on any national estate referred to in section 3(2), excluding the national estate contemplated in section 3(2)(i) (vi) and (vii), of the National Heritage Resources Act, 1999 (Act No. 25 of 1999), must also be investigated, assessed and evaluated. Section 3(2) states as follows: "3(2) Without limiting the generality of subsection (1), the national estate may include—

- (a) places, buildings, structures and equipment of cultural significance;
- (b) places to which oral traditions are attached or which are associated with living heritage;
- (c) historical settlements and townscapes;
- (d) landscapes and natural features of cultural significance;
- (e) geological sites of scientific or cultural importance;
- (f) archaeological and palaeontological sites;
- (g) graves and burial grounds, including—
 - (i) ancestral graves;
 - (ii) royal graves and graves of traditional leaders;
 - (iii) graves of victims of conflict;
 - (iv) graves of individuals designated by the Minister by notice in the Gazette;
 - (v) historical graves and cemeteries; and
- (vi) other human remains which are not covered in terms of the Human Tissue Act, 1983 (Act No. 65 of 1983);
- (h) sites of significance relating to the history of slavery in South Africa;
- (i) movable objects, including—
 - (i) objects recovered from the soil or waters of South Africa, including archaeological and palaeontological objects and material, meteorites and rare geological specimens;
 - (ii) objects to which oral traditions are attached or which are associated with living heritage;
 - (iii) ethnographic art and objects;
 - (iv) military objects;
 - (v) objects of decorative or fine art;
 - (vi) objects of scientific or technological interest; and
 - (vii) books, records, documents, photographic positives and negatives, graphic, film or video material or sound recordings, excluding those that are public records as defined in section 1(xiv) of the National Archives of South Africa Act, 1996 (Act No. 43 of 1996)."

Is section 38 of the National Heritage Resources Act, 1999, applicable to the development?		YES	NO
		UNCERTAIN	
If YES, explain:	<p>Section 38(8) of the National Heritage Resources Act, No 25 of 1999 (NHRA) considers the potential impact of an activity on known/present heritage features (which may include archaeology/palaeontology).</p> <p>An application was submitted to the Heritage Western Cape along with the Planning Application and HWC issued an approval which they subsequently confirmed to still be effective. A copy of the HWC decision in which it was confirmed that no further studies are required, is included with this S24G assessment.</p>		
Did/does the development impact on any national estate referred to in section 3(2) of the National Heritage Resources Act, 1999?		YES	NO
		UNCERTAIN	
If YES, explain:			
Was any building or structure older than 60 years affected in any way?	YES	NO	UNCERTAIN

If YES, explain:

Please Note:

If uncertain, the Department may request that specialist input be provided. If, yes, a copy of the Notice of Intent submitted to Heritage Western Cape must be submitted with this form.

12. COASTAL ASPECTS (SEAFRONT/SEA ENVIRONMENT)

(a) Is the site(s) located within any of the following areas? (highlight the appropriate boxes).
If the site or alternative site is closer than 100m to such an area, please provide the approximate distance in (m).

AREA	YES	NO	UN SUR E	If "YES": Distance to nearest area (m)
An area within 100m of the high water mark of the sea	YES	NO	UNSURE	
An area within 100m of the high water mark of an estuary/lagoon	YES	NO	UNSURE	
An area within the littoral active zone	YES	NO	UNSURE	
An area in the coastal public property	YES	NO	UNSURE	
Major anthropogenic structures	YES	NO	UNSURE	
An area within a Coastal Protection Zone	YES	NO	UNSURE	
An area seaward of the coastal management line	YES	NO	UNSURE	
An area within the high risk zone (20 years)	YES	NO	UNSURE	
An area within the medium risk zone (50 years)	YES	NO	UNSURE	
An area within the low risk zone (100 years)	YES	NO	UNSURE	
An area below the 5m contour	YES	NO	UNSURE	
An area within 1km from the high water mark of the sea	YES	NO	UNSURE	
A rocky beach	YES	NO	UNSURE	
A sandy beach	YES	NO	UNSURE	

(b) If any of the answers to the above is "YES" or "UNSURE", specialist input may be requested by the Department. (The 1:50 000 scale Regional Geotechnical Maps prepared by Geological Survey may also be used).

13. REGIONAL PLANNING CONTEXT

Is the activity permitted in terms of the property's existing land use rights?	YES	NO	Please explain
<p>The property was zoned Group Housing before the planning application to Single Residential / Group Housing / Business / Open Space was approved in 2020.</p> <p>The development is therefore permitted in terms of the existing land use with the exception of an amendment to accommodate the on-site wetland and riparian setback from the Camphersdrift System.</p> <p>FormaPlan will submit the necessary amendment application to the George Municipality once the environmental process(es) are complete.</p>			
Will the activity be in line with the following?			
Provincial Spatial Development Framework (PSDF)	YES	NO	Please explain
<p>The PSDF supports the continuation and development of vacant land within the urban edge.</p> <p>It furthermore promotes integrated development and optimisation of municipal services.</p>			
Urban edge / Edge of Built environment for the area	YES	NO	Please explain
The study site falls within the urban edge/area of George.			
Integrated Development Plan of the Local Municipality	YES	NO	Please explain

The 2020 IDP for George Municipality promotes integrated development of a sustainable nature, with a focus on addressing the housing shortage of the sector for nurses, police, government employees, and teachers. The IDP further supports optimisation of vacant land within the urban edge, as well as making use of existing, available resources such as municipal infrastructure and concentrating affordable housing along public transport routes.			
Spatial Development Framework of the Local Municipality	YES	NO	Please explain
The SDF for George acknowledge the site as having existing primary rights as part of the greater subdivisional area of Ward 3.			
The approved layout does not adhere to the principles of environmental management as per the SDP, however it is submitted that the revised site development plan takes into account this principle by excluding the sensitive aquatic features and buffering the greater open space (Camphersdrift System).			
Approved Structure Plan of the Municipality	YES	NO	Please explain
Same as above.			
An Environmental Management Framework (EMF) adopted by the Department	YES	NO	Please explain
Not applicable.			
Any other Plans	YES	NO	Please explain

SECTION D: NEED AND DESIRABILITY

Please Note: Before completing this section, first consult this Department's *Guideline on Need and Desirability* (March 2013) available on the Department's website (<http://www.capegateway.gov.za/eadp>).

1. Was the activity permitted in terms of the property's land use rights at the time of commencement?	YES	NO	Please explain
The Municipality approved the development in terms of the applicable spatial planning legislation dealing with land use rights.			
2. Was the activity in line with the following?			
(a) Provincial Spatial Development Framework (PSDF)	YES	NO	Please explain
Refer to Section 13: Regional Planning in this report.			
(b) Urban edge / Edge of Built environment for the area	YES	NO	Please explain
Refer to Section 13: Regional Planning in this report.			
© Integrated Development Plan and Spatial Development Framework of the Local Municipality (e.g. would the approval of this application have compromised the integrity of the existing approved and credible municipal IDP and SDF?).	YES	NO	Please explain
Refer to Section 13: Regional Planning in this report.			
(d) Approved Structure Plan of the Municipality	YES	NO	Please explain
Refer to Section 13: Regional Planning in this report.			
(e) An Environmental Management Framework (EMF) adopted by the Department (e.g. Would the approval of this application have compromised the integrity of	YES	NO	Please explain

the existing environmental management priorities for the area and if so, can it be justified in terms of sustainability considerations?)			
Not applicable.			
(f) Any other Plans (e.g. Guide Plan)	YES	NO	Please explain

3. Was the land use (associated with the activity for which rectification is sought) considered within the timeframe intended by the existing approved Spatial Development Framework (SDF) agreed to by the relevant environmental authority (i.e. was the development in line with the projects and programmes identified as priorities within the relevant IDP)?	YES	NO	Please explain
The land use is all in support of the SDP with the exception of complying with environmental principles to avoid detrimental impacts on ecological corridors/sensitive environmental features.			

4. Should development, or if applicable, expansion of the town/area concerned in terms of this land use (associated with the activity being applied for) have occurred here when activities commenced?	YES	NO	Please explain
The study site is earmarked for township development, in particular group housing as part of the greater subdivisinal area for Die Bult. Subsequent rezoning to allow for a combination of single residential and group housing (with open space, services and business rights) is deemed to be in line still with the township character of Group Housing.			

5. Did the community/area need the activity and the associated land use concerned (was it a societal priority)? (This refers to the strategic as well as local level (e.g. development is a national priority, but within a specific local context it could be inappropriate.)	YES	NO	Please explain
<p>In terms of creating housing opportunities for a segment of society that otherwise would not be able to afford housing in this location, the proposed development is deemed necessary. The site was selected for this purpose on the basis of it being in proximity to the George State Hospital, accessible and affordable schools, sporting facilities, accessibility in terms of services and road infrastructure, and proximity to the CBD where many of the target market works.</p> <p>Residents from the area and other concerned stakeholders previously raised concern however about these aspects being sufficient in motivation for the proposed land use in the location and the potential for impacting negatively on property values, the character of the area and sense-of-place. These matters were considered in the local government decision-making, as well as through an appeal process and it was found that the strategic benefit outweighs the local context concerns.</p> <p>Much of the concern raised previously also referred to the need to protect the sensitive features associated with the site i.e. on-site wetland and Camphersdrift System. These were set aside in the local government and appeal processes. However subsequent investigations and provincial intervention on environmental and water use rights, confirmed that these features were indeed important and should be protected. The original approves site development plan was subsequently amended and the land use is deemed more appropriate when avoiding these features.</p>			

6. Were the necessary services with adequate capacity available (at the time of commencement), or was additional capacity created to cater for the development? (Confirmation by the relevant Municipality in this regard must be attached to the Application Form / additional information as an appendix , where applicable.)	YES	NO	Please explain
Development was approved with municipal services in supply.			

7. Is/was this development provided for in the infrastructure planning of the municipality, and if not what was/will the implication be on the	YES	NO	Please explain
--	-----	----	----------------

infrastructure planning of the municipality (priority and placement of services and opportunity costs)? (Comment by the relevant Municipality in this regard must be attached to the Application Form / additional information as an appendix , where applicable.)			
Development was approved with municipal services in supply and in aligned with infrastructure planning.			

8. Was this project part of a national programme to address an issue of national concern or importance?	YES	NO	Please explain
Integrated development and affordable housing in strategic locations is a general planning principle that is communicated through the PSDF, local SDF and IDP. Similarly these objectives are found in various national policies also, however this project in particular was not listed on a national programme.			

9. Did location factors favour this land use (associated with the activity applied for) at this place? (This relates to the contextualisation of the land use on this site within its broader context.)	YES	NO	Please explain
<p>The site is part of an approved Subdivisional Area and was earmarked for Group Housing and located within the urban edge of George.</p> <p>The site is in proximity to school(s), hospital(s), sport facilities, existing public transport, places of employment and the CBD.</p>			

10. How did/does the activity or the land use associated with the activity applied for, impact on sensitive natural and cultural areas (built and rural/natural environment)?	YES	NO	Please explain
<p>Development of the site resulted in the temporary transformation of an on-site wetland and riparian habitat along the Camphersdrift System.</p> <p>Where the development to go ahead without the applicable environmental interventions, the loss of the wetland habitat would have been considered environmentally unacceptable. The loss of riparian habitat (encroachment into the Camphersdrift System) would have resulted in potential negative cumulative impacts (the rest of the subdivisional area of King George Park already extends into this riparian area).</p>			

11. How did/does the development impact on people's health and wellbeing (e.g. in terms of noise, odours, visual character and sense of place, etc.)?	YES	NO	Please explain
<p>The character of the area will be affected with the introduction of a medium-high density development when compared to the existing low-medium density single residential development.</p> <p>However it is noted that the site was earmarked for Group Housing which in itself is deemed a medium-high density development.</p> <p>As such the character of the area will not be affected significantly.</p> <p>The sense-of-place may well be affected with the introduction of more affordable housing opportunities, however provision was made for architectural design to ensure that although the development is aimed at a more affordable market, it would not detract from the surrounding areas or represent a low income development.</p>			

12. Did/does the proposed activity or the land use associated with the activity applied for, result in unacceptable opportunity costs?	YES	NO	Please explain
--	-----	----	----------------

The development as was authorised in 2020 would have resulted in unacceptable environmental opportunity costs with the loss of a highly conservation worthy on-site wetland with frog species of special concern.

The revised layout however (as presented in this S24G and the WULA application) avoids this wetland, with an added buffer, and it contains a further ecological setback from the Camphersdrift System that (if developed) also would have resulted in unwanted environmental opportunity costs.

13. What were the cumulative impacts (positive and negative) of the land use associated with the activity applied for?	YES	NO	Please explain
<p>Positive:</p> <ul style="list-style-type: none"> Improved access to affordable housing in an area that is located in proximity to community and health amenities, as well as places of employment; Temporary employment opportunities during construction. <p>Negative:</p> <ul style="list-style-type: none"> Potential implications on the conservation areas should long-term management and maintenance of such areas not realise as recommended; Change in sense-of-place with change in demographics for the immediate area. 			

14. Is/was the development the best practicable environmental option for this land/site?	YES	NO	Please explain
<p>The land use is in line with the zoning and spatial development plan for the area. Housing is deemed a best practical environmental option on condition that the recommended conservation areas be protected and not be developed or compromised.</p>			

15. What are/were the benefits to society in general and to the local communities?	Please explain
Social integration by means of enabling potential buyers who otherwise would not be able to afford property in the current location, to reside and work within closer distances to amenities.	

16. Any other need and desirability considerations related to the activity?	Please explain
Although the S24G and WULA processes apply mostly to the direct environmental impacts associated with the loss/impact on sensitive habitats, indirect aspects that also relate to need and desirability, such as character, sense-of-place, traffic, safety and security are matters that must be considered to ensure a holistic decision-making process. These matters were also considered and addressed previously as part of the local government decision-making and appeal processes.	

17. Please describe how the general objectives of Integrated Environmental Management as set out in section 23 of NEMA were taken into account:
<p>(1) <i>The purpose of this Chapter is to promote the application of appropriate environmental management tools in order to ensure the integrated environmental management of activities,</i></p> <p>(2) <i>The general objective of integrated environmental management is to:</i></p> <p>(a) <i>promote the integration of the principles of environmental management set out in section 2 into the making of all decisions which may have a significant effect on the environment:</i></p> <p>(b) <i>identify, predict and evaluate the actual and potential impact on the environment, socio-economic conditions and cultural heritage, the risks and consequences and alternatives and</i></p>

options for mitigation of activities, with a view to minimizing negative impacts, maximizing benefits and promoting compliance with the principles of environmental management set out in section 2;

This report follows the edicts to identify, predict and evaluate the actual and potential impacts associated with this development. The specialist studies have provided mitigations for minimising negative impacts where they have been identified.

(c) ensure that the effects of activities on the environment receive adequate consideration before actions are taken in connection with them;

This has been done by means of specialist investigations to determine baseline and predict the impacts associated with the proposal. The implementable management actions have been identified as having the least negative impacts, avoidance of sensitive areas and making use of existing disturbed areas.

(d) ensure adequate and appropriate opportunity for public participation in decisions that may affect the environment;

This process follows the requirements of the 2014 EIA Regulations and the NEMA Amendment Laws Act (Act 25 of 2014) for conducting a Public Participation Process. The decision-making authority may request additional stakeholder engagement throughout the process.

(e) ensure the consideration of environmental attributes in management and

An Environmental Management Programme (EMPr) has been included to ensure that the ongoing clearing of invasive alien vegetation and management of the natural areas of the development in the future is managed in line with environmental requirements and Best Practise Principles.

(f) decision-making which may have a significant effect on the environment; and identify and employ the modes of environmental management best suited to ensuring that a particular activity is pursued in accordance with the principles of environmental management set out in section 2.

This process is being undertaken in terms of Section 2 of NEMA.

(3) The Director-General must coordinate the activities of organs of state referred to in section 24(1) and assist them in giving effect to the objectives of this section and such assistance may include training, the publication of manuals and guidelines and the co-ordination of procedures.

All relevant guidelines and procedures have been used to produce this document and provide relevant information in order for sufficient co-governance to be implemented.

18. Please describe how the **principles of environmental management** as set out in section 2 of NEMA were taken into account:

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.

The development is aimed at integrated development with affordable housing provided in an otherwise unaffordable market/area that has the spatial benefit of being in close proximity to various amenities necessary to ensure such a development being sustainable in nature.

Development must be socially, environmentally and economically sustainable.

Providing affordable housing in locations that are separated from amenities put additional pressure on families that otherwise find it challenging to afford private transport or housing in residential areas

that are located conveniently close to the same amenities. Spatial integration relies heavily on ensuring that future owners/residents can in fact afford to reside in the area i.e. easy and affordable to get to and from their places of work, easy and affordable to enrol their children in schools, easy and affordable to access medical facilities, easy and affordable to access public transport. Affordable housing is not only about the cost of the housing unit, it is equally about the cost of living once the property has been secured to make is both socially and economically sustainable.

In addition, the conservation areas which have been excluded from the development footprint ensures that the overall environmental impact is not deemed unacceptable. Long-term monitoring will be key to ensuring that these areas can function sustainably.

Sustainable development requires the consideration of all relevant factors including the following:

- *That the disturbance of ecosystems and loss of biological diversity are avoided, or, where they cannot be altogether avoided, are minimised and remedied;*

The unfortunate disturbance of the on-site wetland and riparian habitat has been rectified through demarcation, restoration and rehabilitation that is deemed to be very successful. The potential loss of biodiversity has been minimised and remedied and continued degradation has been avoided by amending the site development plan.

- *that pollution and degradation of the environment are avoided, or, where they cannot be altogether avoided, are minimised and remedied;*

Land and soil degradation are minimised due to the rehabilitation and restoration of sensitive features on the site.

- *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;*

The development on this property will not disturb cultural heritage.

- *that waste is avoided, or where it cannot be altogether avoided, minimised and re-used or recycled where possible and otherwise disposed of in a responsible manner;*

Waste management must be ensured throughout construction and Municipal waste removal services are in place for Ward 3 already.

- *that the use and exploitation of non-renewable natural resources is responsible and equitable, and takes into account the consequences of the depletion of the resource;*

The development will not result in exploitation of non-renewable resources.

- *that the development, use and exploitation of renewable resources and the ecosystems of which they are part do not exceed the level beyond which their integrity is jeopardised;*

The development will not result in exploitation of renewable resources.

- *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*

The specialist studies and the impact predictions for the development are based on current knowledge and expertise.

- *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.*

Restoration of sensitive areas on the site have been successful and continuous monitoring during construction will ensure that potential negative impacts can be mitigated and managed.

Environmental management must be integrated. Acknowledging that all elements of the environment are linked and interrelated, and it must take into account the effects of decisions on all aspects of the environment and all people in the environment by pursuing the selection of the best practicable environmental option.

The preferred alternative has taken into account social, economic and environmental aspects considering the land use proposal, zoning and environmental requirements. The outcome of the public participation process will help determine whether there are any other aspects that may be deemed important to inform decision-making.

Environmental justice must be pursued so that adverse environmental impacts shall not be distributed in such a manner as to unfairly discriminate against any person, particularly vulnerable and disadvantaged persons.

The outcome of the S24G process will result in an Administrative Fine as part of the course of environmental justice for unregulated activities commencing prior to obtaining all of the necessary approvals.

Equitable access to environmental resources, benefits and services to meet basic human needs and ensure human well-being must be pursued and special measures may be taken to ensure access thereto by categories of persons disadvantaged by unfair discrimination.

The development of the property will not lead to discrimination of any persons. The outcome of the public participation process will help determine if there are any persons who have not been considered, or who's inputs have not been considered fairly.

Responsibility for the environmental health and safety consequences of a policy, programme, project, product, process, service or activity exists throughout its life cycle.

The consideration for the environment must be practised by the applicant for the duration of the life span of the development. This will be achieved by means of an EMPr covering construction, operation and decommissioning. This includes the ongoing management of the sensitive environmental features and protection of water resources.

The participation of all interested and affected parties in environmental governance must be promoted, and all people must have the opportunity to develop the understanding, skills and capacity necessary for achieving equitable and effective participation, and participation by vulnerable and disadvantaged persons must be ensured.

This process meets the requirements for participation by interested and affected parties.

Decisions must take into account the interests, needs and values of all interested and affected parties, and this includes recognizing all forms of knowledge, including traditional and ordinary knowledge.

The DEA&DP will take into account the inputs from all interested and affected parties obtained during this process.

Community wellbeing and empowerment must be promoted through environmental education, the raising of environmental awareness, the sharing of knowledge and experience and other appropriate means.

The sharing of the information obtained during this investigation, as well as the input from interested and affected parties is aimed at ensuring that all relevant parties have access to all information and are able to improve their awareness of the impacts associated with this development.

The social, economic and environmental impacts of activities, including disadvantages and benefits, must be considered, assessed and evaluated and decisions must be appropriate in the light of such consideration and assessment.

This 24G Application has been developed to ensure that all relevant information can be considered, assessed and evaluated in order for DEA&DP to make their decision.

The right of workers to refuse work that is harmful to human health or the environment and to be informed of dangers must be respected and protected.

The Occupational Health & Safety Act is applicable to construction and operation of the facility.

Decisions must be taken in an open and transparent manner, and access to information must be provided in accordance with the law.

All public correspondence with and information provided to the competent authority is available as part of the S24G process. The decision by DEA&DP will consider all relevant information and the reasons for any decision will be communicated to all registered interested and affected parties.

There must be intergovernmental co-ordination and harmonisation of policies, legislation and actions relating to the environment.

Inclusion of all relevant state departments and organs of state encourages intergovernmental strategies.

Actual or potential conflicts of interest between organs of state should be resolved through conflict resolution procedures.

Applicable should there be any conflict between organs of state.

Global and international responsibilities relating to the environment must be discharged in the national interest.

Protection of the wetland habitat to conserve the frog species of special concern is noted as an important conservation outcome.

The environment is held in public trust for the people, the beneficial use of environmental resources must serve the public interest and the environment must be protected as the people's common heritage.

Access to Camphersdrift will not be compromised by this proposed development as it will not be a gated development. Public access to this ecological corridor which is part of the greater public open space system of George will therefore continue to be of beneficial use to the public.

The costs of remedying pollution, environmental degradation and consequent adverse health effects and of preventing, controlling or multiplier pollution, environmental damage or adverse health effects must be paid for by those responsible for harming the environment.

The holders of any authorisation will be required to comply with conditions to ensure that the environment is not adversely affected. Penalties associated with contraventions of these conditions will be applicable through Administrative Fines.

The vital role of women and youth in environment management and development must be recognised and their full participation therein must be promoted.

This must be ensured as part of the employment contracts associated with both construction and operation of the development.

Sensitive, vulnerable, highly dynamic or stressed ecosystems, such as coastal shores, estuaries, wetlands and similar systems require specific attention in management and planning procedures, especially where they are subject to significant human resource usage and development pressure.

Wetlands are under severe pressure, especially in urban and agricultural areas where development pressure often results in compromising standards or failure to ensure long-term conservation outcomes. Consultation with the George Municipality regarding their Adopt-a-Spot initiative (specifically geared to help ensure long-term maintenance and management of open space areas in the Municipal District), as well as CapeNature regarding the possibility of a formal Stewardship Agreement or Conservation Area declaration are ongoing. A formal presentation to this end will be made to CapeNature during May 2022 and the outcome thereof will inform the decision on how best to ensure effective, long-term conservation of the sensitive features of this site. A copy of the recently published article by the George Municipality on the Adopt-a-Spot initiative, as well as information about Stewardship Agreements are included with this S24G report for information.

SECTION E: ALTERNATIVES

Please Note: Before completing this section, first consult this Department's *Guideline on Alternatives* (March 2013) available on the Department's website (<http://www.capegateway.gov.za/eadp>).

"Alternatives", in relation to an activity, means different means of meeting the general purposes and requirements of the activity, which may include alternatives to –

- (a) the property on which, or location where, it is to undertake the activity/the activity was undertaken;
- (b) the type of activity to be undertaken;
- (c) the design or layout of the activity;
- (d) the technology to be used in the activity;
- (e) the operational aspects of the activity; and
- (f) the option of not implementing the activity.

The NEMA prescribes that the procedures for the investigation, assessment and communication of the (potential) consequences or impacts of activities on the environment must, *inter alia*, with respect to every application for environmental authorisation –

- ensure that the general objectives of integrated environmental management laid down in NEMA and the National Environmental Management Principles set out in NEMA are taken into account; and (where applicable)
- include an investigation of the potential consequences or impacts of the alternatives to the activity on the environment and assessment of the significance of those potential consequences or impacts, including the option of not implementing the activity.

The general objective of integrated environmental management is, *inter alia*, to "identify, predict and evaluate the actual and potential impact on the environment, socio-economic conditions and cultural heritage, the risks and consequences and alternatives and options for mitigation of activities, with a view to minimising negative impacts, maximising benefits, and promoting compliance with the principles of environmental management" set out in NEMA.

1. In the sections below, please provide a description of any considered alternatives and alternatives that were found to be feasible and reasonable.

Please note:

- Detailed written proof of the investigation of alternatives must be provided. If no reasonable or feasible alternative exists, a motivation must be provided.
- Alternatives considered for a Section 24G application are used to determine if the development was the best practicable alternative (environmentally, socially and economically) for the site or property.
- In respect of a section 24 application, the option of not implementing the activity ("no-go"), includes the option of ceasing the activity, not implementing continuation of the activity, refusal of the commenced activity and complete rehabilitation of the affected site.

(a) Property and location/site alternatives to avoid negative impacts, mitigate unavoidable negative impacts and maximise positive impacts, or detailed motivation if no reasonable or feasible alternatives exist:

The site is earmarked for development and has been approved as such by the local authority in 2020.

For the purpose of this S24G investigation no site alternatives have been investigated.

(b) Activity alternatives to avoid negative impacts, mitigate unavoidable negative impacts and maximise positive impacts, or detailed motivation if no reasonable or feasible alternatives exist:

The site is earmarked for development and has been approved as such by the local authority in 2020.

For the purpose of this S24G investigation no activity alternatives were considered other than residential development which is deemed in line with the zoning and SDP.

(c) Design or layout alternatives to avoid negative impacts, mitigate unavoidable negative impacts and maximise positive impacts, or detailed motivation if no reasonable or feasible alternatives exist:

The original approved layout (2020) is deemed to be the No-Go alternative and status quo. The preferred alternative presented in this S24G report is the result of the outcome of the investigation with specialist input to avoid the sensitive features altogether.

(d) Technology alternatives (e.g. to reduce resource demand and resource use efficiency) to avoid negative impacts, mitigate unavoidable negative impacts and maximise positive impacts or detailed motivation if no reasonable or feasible alternatives exist:

Water resource conservation measures must be implemented with the preferred alternative.
Energy conservation measures must be implemented with the preferred alternative.

(e) Operational alternatives to avoid negative impacts, mitigate unavoidable negative impacts and maximise positive impacts, or detailed motivation if no reasonable or feasible alternatives exist:

Because the development is not going to be a gated community with Body Corporate or Home Owners Association, the option of having such an organisation take responsibility for maintenance and management of the conservation areas is not a feasible alternative. Thus the alternative of ensuring compliance with the Adopt-a-Spot initiative by the George Municipality, or alternatively a Stewardship Agreement with CapeNature is being considered as potentially feasible.

(f) The option of ceasing the activity (the refusal of the activity(ies) and/or rehabilitation of the site):

The property is zoned for residential development. Refusing environmental authorisation will not result in the site not being developed. A different type of development will then be considered for the site which is most likely (given the site's location and proximity to amenities) going to be of a residential nature. Construction has ceased temporarily until the outstanding authorisation are in place.

(g) Any other alternatives to avoid negative impacts, mitigate unavoidable negative impacts and maximise positive impacts, or detailed motivation if no reasonable or feasible alternatives exist:

None. The outcome of the public participation process will however help identify any other reasonable or feasible alternatives that may need consideration.

(h) Please provide a summary of the alternatives investigated and the outcomes of such investigation:

Please note: If no feasible and reasonable alternatives exist, the description and proof of the investigation of alternatives, together with motivation of why no feasible or reasonable alternatives exist, must be provided.

The following Alternatives are being proposed:

Alternative 1 (Preferred):

- 95 Single residential erven
- 60 General residential erven (town housing)
- 3 Business one III erven
- A creche
- Cell phone mast/clock tower
- Public open space
- Conservation Areas
- Public Streets

This development layout avoids the on-site wetland.

Provision is made for a ten (10) metre wide ecological corridor (with bridge crossing) linking the on-site wetland with the Camphersdrift System.

Setback applicable to the Camphersdrift System to prevent erven encroaching into the Camphersdrift riparian habitat.

No Go Alternative as approved 2020:

- 99 Single residential erven
- 86 General residential erven (town housing)
- 3 Business zone III erven
- A creche
- Cell phone mast/clock tower
- Public open spaces
- Public Streets

This development will result in the complete loss of the on-site wetland.

This layout will result in encroachment into the Camphersdrift System with loss of habitat along the riparian corridor.

SECTION F: IMPACT ASSESSMENT, MANAGEMENT, MITIGATION AND MONITORING MEASURES

Please note, the impacts identified below refer to general impacts commonly associated with development activities. The list below is not exhaustive and may need to be supplemented. Where required, please append the information on any additional impacts to this application.

Please note: The information in this section must be duplicated for all the feasible and reasonable alternatives (where relevant).

1. DEVELOPMENT IMPACTS

PLEASE DESCRIBE THE MANNER IN WHICH THE DEVELOPMENT HAS IMPACTED ON THE FOLLOWING ASPECTS:

(a) Geographical and physical aspects:

Earth works.

(b) Biological aspects:

Has the development impacted on critical biodiversity areas (CBAs) or ecological support areas (ESAs)?	YES	NO
If yes, please describe:		
<p>The clearing of vegetation has taken place on areas identified in the WCBSP as CBA 1: Terrestrial and CBA 2: Terrestrial, with a CBA 1: Aquatic indicating wetlands and riparian habitat.</p> <p>According to the botanical specialist the site was deemed of medium sensitivity for the most part, with highly sensitive on-site wetland (2014). The subsequent investigation confirmed that the condition of the majority of the site deteriorated substantially from the original investigation, having gone from medium and high respectively, to low and high.</p> <p>The aquatic and amphibian specialists confirms that the riparian habitat along Camphersdrift System is sensitive. Likewise the on-site wetland is deemed to be highly sensitive and worthy of continued conservation and protection. These features however have been subject to rehabilitation measures and have responded positively to the lack of further disturbance.</p>		
Has the development impacted on terrestrial vegetation, or aquatic ecosystems (wetlands, estuaries or the coastline)?	YES	NO
If yes, please describe:		
<p>The development impacted on the clearance of the following vegetation types:</p> <ul style="list-style-type: none"> Garden Route Shale Fynbos (FFh9) - VU (2011), VU (2018) <p>On-site wetland and riparian habitat along Camphersdrift System.</p>		
Has the development impacted on any populations of threatened plant or animal species, and/or on any habitat that may contain a unique signature of plant or animal species?	YES	NO
If yes, please describe:		
<p>Yes. The botanist confirmed the presence of botanical specialist of special concern and the amphibian specialist confirmed the presence of a frog species of special concern.</p>		
Please describe the manner in which any other biological aspects were impacted:		
<p>Riparian habitat was bulldozed. Wetland was bulldozed. Earthworks resulted in the removal of topsoil, loss of vegetation and habitat.</p>		

(c) Socio-Economic aspects:

What was the capital value of the activity on completion?	R Unknown	
What is the (expected) yearly income or contribution to the economy that is/will be generated by or as a result of the activity?	R Unknown	
Has/will the activity have contributed to service infrastructure?	YES	NO
How many new employment opportunities were/will be created in the construction phase of the activity?	Unknown	
What was the value of the employment opportunities during the construction phase?	R Unknown	
What percentage of this accrued to previously disadvantaged individuals?	Unknown %	
How was this ensured and monitored (please explain):		
The Applicant must ensure that records are kept of employees to record appointment of previously disadvantaged individuals in terms of the Labour Law requirements.		
How many permanent new employment opportunities were/will be created during the operational phase of the activity?	Unknown	
What is the current/expected value of the employment opportunities during the first 10 years?	R Unknown	
What percentage of this accrued/will accrue to previously disadvantaged individuals?	Unknown %	
How was/will this be ensured and monitored (please explain):		
The Applicant must ensure that records are kept of employees to record appointment of previously disadvantaged individuals in terms of the Labour Law requirements.		
Any other information related to the manner in which the socio-economic aspects was/will be impacted:		

(d) Cultural and historic aspects:

Heritage Western Cape as the mandated authority on cultural heritage confirmed that no further studies are required and issued approval in terms of the National Heritage Resources Act.

2. WASTE AND EMISSIONS

(a) Waste (including effluent) management

Did the activity produce waste (including rubble) during the construction phase?	YES	NO
If yes, indicate the types of waste (actual type of waste, e.g. oil, and whether hazardous or not) and estimated quantity per type?	m ³	
Soil has been removed during earthworks.		
Construction rubble will be generated during construction phase.		
Does the activity produce waste during its operational phase?	YES	NO
If yes, indicate the types of waste (actual type of waste, e.g. oil, and whether hazardous or not) and estimated quantity per type?	Unknown	
Waste generated from residential occupancy will be collected by the Municipality.		
Where and how was/will the waste be treated / disposed of (describe)?		
Household waste is disposed of at the George Municipal Landfill.		
Has the municipality or relevant authority confirmed that sufficient capacity exists for treating / disposing of the waste (to be) generated by this activity(ies)? If yes, provide written confirmation from Municipality or relevant authority	YES	NO
Does/will the activity produce waste that is/will be treated and/or disposed of at another facility other than into a municipal waste stream?	YES	NO

If yes, has this facility confirmed that sufficient capacity exists for treating / disposing of the waste (to be) generated by this activity(ies)? Provide written confirmation from the facility and provide the following particulars of the facility:		YES	NO
Does the facility have an operating license? (If yes, please attach a copy of the license.)		YES	NO
Facility name:			
Contact person:			
Postal address:			
		Postal code:	
Telephone:		Cell:	
E-mail:		Fax:	

Describe the measures that were/will be taken to reduce, reuse or recycle waste:

An Integrated Waste Management system must be implemented as part of construction phase. The George Municipality must ensure that household waste is collected and disposed of at the George Municipal landfill site.

(b) Emissions into the atmosphere

Does/will the activity produce emissions that will be disposed of into the atmosphere?	YES	NO
If yes, does it require approval in terms of relevant legislation?	YES	NO
Describe the emissions in terms of type and concentration and how it is/will be treated/mitigated:		

3. WATER USE

Please indicate the source(s) of water for the activity by ticking the appropriate boxes)

Municipal	Water board	Groundwater	River, Stream, Dam or Lake	Other	The activity did/does/will not use water
------------------	-------------	-------------	----------------------------	-------	--

If water was extracted from a groundwater source, river, stream, dam, lake or any other natural feature, please indicate the volume that was extracted per month:

--

Please provide proof of assurance of water supply (e.g. Letter of confirmation from municipality / water user associations, yield of borehole)

Did/does the activity require a water use permit / license from DWA?

YES NO

If yes, please submit a certified copy of the water use permit/license or submit the necessary application to Department of Water Affairs and attach proof thereof to this application, whichever is applicable.

Describe the measures that were/ will be taken to reduce water demand, and measures to reuse or recycle water:

- Install dual flush toilets
- Install low flow shower heads
- Provide for rainwater harvesting tanks where possible

4. POWER SUPPLY

Please indicate the source of power supply e.g. Municipality / Eskom / Renewable energy source

Municipal

If power supply is not available, where will power be sourced from?

--

5. ENERGY EFFICIENCY

Describe the design measures, if any, that have been taken to ensure that the activity is energy efficient:

- Install energy efficient lights in the homes
- Install energy efficient or solar lights for street lights
- Install heat pumps or solar geysers instead of conventional geysers

Describe how alternative energy sources have been taken into account or been built into the design of the activity, if any:

See above.

6. DESCRIPTION AND ASSESSMENT OF THE SIGNIFICANCE OF IMPACTS PRIOR TO AND AFTER MITIGATION

Please note:

- While sections are provided for impacts on certain aspects of the environment and certain impacts, the sections should also be copied and completed for all other impacts.
- Mitigation measures that were implemented and mitigation measures that are to be implemented should be clearly distinguished.

Impacts are grouped into **planning, design & construction**, **operation**, **decommissioning** and **any other impacts**. The tables have been colour coded for ease of reference.

(a) Impacts that resulted from the planning, design and construction phases (briefly describe and compare the impacts (as appropriate), significance rating of impacts, proposed mitigation and significance rating of impacts after mitigation that occurred as a result of the planning, design and construction phases.

Impacts on geographical and physical aspects:	Alternative 1 (Preferred)	No Go Option
Nature of impact:		
Extent and duration of impact:	Local, Ongoing	Local, Ongoing
Probability of occurrence:	Certain	Certain
Degree to which the impact can be reversed:	High	Low
Degree to which the impact may cause irreplaceable loss of resources:	Medium	Medium
Cumulative impact prior to mitigation:	Low	High
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	Moderate (-)	Moderate (-)
Degree to which the impact can be mitigated:	High	Low
Proposed mitigation:	Develop operating rules which reduce fragmentation of the watercourse. I.e. Manage the release of flows that consider ecological requirements downstream.	Implementation of the preferred layout happened through commencement with no specific environmental constraints and conditions. Other than

		consultation with the George Municipality and DEADP through the planning process (which is deemed Best Practice and confirms Duty of Care by the Applicant), specific environmental aspects (to planning stages) were limited.
Cumulative impact post mitigation:	Medium	Medium
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	Low (-)	Moderate (-)

Impact on biological aspects:	Alternative 1 (Preferred)	No Go Option
Nature of impact:	Removal of vegetation during construction	Removal of vegetation during construction
Extent and duration of impact:	Complete	Complete
Probability of occurrence:	Certain	Certain
Degree to which the impact can be reversed:	High (restoration and rehabilitation)	Low
Degree to which the impact may cause irreplaceable loss of resources:	Low	Medium
Cumulative impact prior to mitigation:	Medium	Medium
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	Moderate (-)	High (-)
Degree to which the impact can be mitigated:	High	Low
Proposed mitigation:	<ul style="list-style-type: none"> Riparian corridor to be conserved. Wetland to be protected with buffer. 	<ul style="list-style-type: none"> No mitigation was provided for the No-Go as the sensitive features would have been developed.
Cumulative impact post mitigation:	Medium-Low	High

Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	Moderate (-)	High (-)
--	--------------	----------

Impacts on socio-economic aspects:	Alternative 1 (Preferred)	No Go Option
Nature of impact:	Creation of business and employment and opportunities during construction.	Same
Extent and duration of impact:	Local – Regional, Short term	Same
Probability of occurrence:	Highly probable	Same
Degree to which the impact can be reversed:	N/A	N/A
Degree to which the impact may cause irreplaceable loss of resources:	N/A	N/A
Cumulative impact prior to mitigation:	Local employment will benefit.	Same
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	Moderate (positive)	Same
Degree to which the impact can be mitigated:	Medium	Same
Proposed mitigation:	Local contractors and workers must be appointed to undertake the work. This represents the enhancement measures that would typically be recommended for construction related activities without environmental authorisation conditions or WULA specifications. Records must be kept for ECO or DEADP to consider if necessary.	None
Cumulative impact post mitigation:	Employment opportunities to local communities and workers for short term construction.	Same
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	Moderate (positive)	Moderate - Low

Impacts on cultural-historical aspects:	Alternative 1 (Preferred)	No Go Option
Nature of impact:	None	None
Extent and duration of impact:	None	None
Probability of occurrence:	None	None
Degree to which the impact can be reversed:	None	None
Degree to which the impact may cause irreplaceable loss of resources:	None	None
Cumulative impact prior to mitigation:	None	None
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	None	None
Degree to which the impact can be mitigated:	None	None
Proposed mitigation:	None	None
Cumulative impact post mitigation:	None	None
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	None	None

Noise impacts:	Alternative 1 (Preferred)	No Go Option
Nature of impact:	Noise impacts related to construction work	Same
Extent and duration of impact:	Site specific, Short Term	Same
Probability of occurrence:	Highly probable	Same
Degree to which the impact can be reversed:	None	None

Cumulative impact prior to mitigation:	Low	Low
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	Medium	Medium
Degree to which the impact can be mitigated:	Low	Low
Proposed mitigation:	Restrict working hours to weekdays and Saturdays till 13h00. No work on Sundays or public holidays.	Same
Cumulative impact post mitigation:	Low	Low
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	Low	Low

(b) **Impacts that result from the operational phase** (briefly describe and compare impacts (as appropriate), significance rating of impacts, proposed mitigation and significance rating of impacts after mitigation that are likely to occur as a result of the operational phase.

Impacts on geographical and physical aspects:	Alternative 1 (Preferred)	No Go Option
Nature of impact:		
Extent and duration of impact:	Local, Ongoing	Local, Ongoing
Probability of occurrence:	Certain	Certain
Degree to which the impact can be reversed:	Medium	Medium
Degree to which the impact may cause irreplaceable loss of resources:	Medium	Medium
Cumulative impact prior to mitigation:	Medium	Medium
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	Moderate (-)	Moderate (-)
Degree to which the impact can be mitigated:	Medium	Medium

Cumulative impact post mitigation:	Low	Low
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	Minor (-)	Minor (-)

Impacts on biological aspects:	Alternative 1 (Preferred)	No Go Option
Nature of impact:	Loss of habitat	Loss of habitat
Extent and duration of impact:	Local, Medium Term	Local, Medium Term
Probability of occurrence:	Low	High
Degree to which the impact can be reversed:	High	Low
Degree to which the impact may cause irreplaceable loss of resources:	Low	High
Cumulative impact prior to mitigation:	Low	High
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	Low(-)	High(-)
Degree to which the impact can be mitigated:	High	Low
Proposed mitigation:	<ul style="list-style-type: none"> • Avoid on-site wetland • No encroachment into the wetland buffer area • Wetland must remain fenced and demarcated • Wetland must be managed long-term • Monitoring must be conducted 	<ul style="list-style-type: none"> • No mitigation measures were recommended to preserve the wetland
Cumulative impact post mitigation:	Low	High
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	Low (-)	High (-)

Impacts on the amphibians	Alternative 1 (Preferred)	No Go Option
Nature of impact:	Loss of suitable breeding habitat	Loss of suitable breeding habitat
Extent and duration of impact:	Local	Local – long term
Probability of occurrence:	Low	Highly probable
Degree to which the impact can be reversed:	High	Very low
Degree to which the impact may cause irreplaceable loss of resources:	Low	Very high
Cumulative impact prior to mitigation:	High	Very high
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	High (-)	High (-)
Degree to which the impact can be mitigated:	Very high	Very low
Proposed mitigation:	<ul style="list-style-type: none"> • Avoid on-site wetland and riparian habitat setback • Fence the on-site wetland with buffer area to avoid domestic animals and people entering the conservation area • Ensure good quality water entering the system i.e. avoid runoff from entering the wetland • Monitor the habitat 	None
Cumulative impact post mitigation:	Medium (+)	High (-)
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	Medium (+0)	High (-)

Impacts on the socio-economic aspects:	Alternative 1 (Preferred)	No Go Option
Nature of impact:	Change in sense-of-place	Change in sense-of-place

Extent and duration of impact:	Local, Long term	Local, Long term
Probability of occurrence:	Medium-Low	Medium-Low
Degree to which the impact can be reversed:	Low	Low
Degree to which the impact may cause irreplaceable loss of resources:	Low	Low
Cumulative impact prior to mitigation:	Low	Low
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	Low	Low
Degree to which the impact can be mitigated:	Moderate	Moderate
Proposed mitigation:	Ensure implementation of the architectural design	Ensure implementation of the architectural design
Cumulative impact post mitigation:	Low	Low
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	Low (-)	Low (-)

Impacts on the cultural-historical aspects:	Alternative 1 (Preferred)	No Go Option
Nature of impact:	None	None
Extent and duration of impact:	None	None
Probability of occurrence:	None	None
Degree to which the impact can be reversed:	None	None
Degree to which the impact may cause irreplaceable loss of resources:	None	None
Cumulative impact prior to mitigation:	None	None

Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	None	None
Degree to which the impact can be mitigated:	None	None
Proposed mitigation:	None	None
Cumulative impact post mitigation:	None	None
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	None	None

Noise impacts:	Alternative 1 (Preferred)	No Go Option
Nature of impact:	None	None
Extent and duration of impact:	None	None
Probability of occurrence:	None	None
Degree to which the impact can be reversed:	None	None
Degree to which the impact may cause irreplaceable loss of resources:	None	None
Cumulative impact prior to mitigation:	None	None
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	None	None
Degree to which the impact can be mitigated:	None	None
Proposed mitigation:	None	None
Cumulative impact post mitigation:	None	None
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	None	None

(c) Impacts that may result from the **decommissioning and closure phase** (briefly describe and compare the potential impacts (as appropriate), significance rating of impacts, proposed mitigation and significance rating of impacts after mitigation that are likely to occur as a result of the decommissioning and closure phase.

Farming, and in particular crop farming is a long term projected use of the property. Thus in terms of decommissioning, it is not possible to foresee the closure of the facility in the near future. The requirements for closure must comply with any legislative mechanisms in place at the time of closure as a minimum.

Potential impacts on the geographical and physical aspects:	Alternative 1 (Preferred)	No Go Option
Nature of impact:	None	None
Extent and duration of impact:	None	None
Probability of occurrence:	None	None
Degree to which the impact can be reversed:	None	None
Degree to which the impact may cause irreplaceable loss of resources:	None	None
Cumulative impact prior to mitigation:	None	None
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	None	None
Degree to which the impact can be mitigated:	None	None
Proposed mitigation:	None	None
Cumulative impact post mitigation:	None	None
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	None	None

Potential impact on biological aspects:	Alternative 1 (Preferred)	No Go Option
---	---------------------------	--------------

Nature of impact:	None	None
Extent and duration of impact:	None	None
Probability of occurrence:	None	None
Degree to which the impact can be reversed:	None	None
Degree to which the impact may cause irreplaceable loss of resources:	None	None
Cumulative impact prior to mitigation:	None	None
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	None	None
Degree to which the impact can be mitigated:	None	None
Proposed mitigation:	None	None
Cumulative impact post mitigation:	None	None
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	None	None

Potential impacts on the socio-economic aspects:	Alternative 1 (Preferred)	No Go Option
Nature of impact:	None	None
Extent and duration of impact:	None	None
Probability of occurrence:	None	None
Degree to which the impact can be reversed:	None	None
Degree to which the impact may cause irreplaceable loss of resources:	None	None

Cumulative impact prior to mitigation:	None	None
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	None	None
Degree to which the impact can be mitigated:	None	None
Proposed mitigation:	None	None
Cumulative impact post mitigation:	None	None
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	None	None

Potential impacts on the cultural-historical aspects:	Alternative 1 (Preferred)	No Go Option
Nature of impact:	None	None
Extent and duration of impact:	None	None
Probability of occurrence:	None	None
Degree to which the impact can be reversed:	None	None
Degree to which the impact may cause irreplaceable loss of resources:	None	None
Cumulative impact prior to mitigation:	None	None
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	None	None
Degree to which the impact can be mitigated:	None	None
Proposed mitigation:	None	None
Cumulative impact post mitigation:	None	None

Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	None	None
--	------	------

Potential noise impacts:	Alternative 1 (Preferred)	No Go Option
Nature of impact:	None	None
Extent and duration of impact:	None	None
Probability of occurrence:	None	None
Degree to which the impact can be reversed:	None	None
Degree to which the impact may cause irreplaceable loss of resources:	None	None
Cumulative impact prior to mitigation:	None	None
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	None	None
Degree to which the impact can be mitigated:	None	None
Proposed mitigation:	None	None
Cumulative impact post mitigation:	None	None
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	None	None

(d) Any other impacts:

Potential impact: Cumulative Impacts	Alternative 1 (Preferred)	No Go Option
Nature of impact:	Increased traffic and services use	Increased traffic and services use
Extent and duration of impact:	Long-term	Same

Probability of occurrence:	High	Same
Degree to which the impact can be reversed:	Low	Low
Degree to which the impact may cause irreplaceable loss of resources:	Low	Low
Cumulative impact prior to mitigation:	Medium	Medium
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	Medium	Medium
Degree to which the impact can be mitigated:	Medium	Medium
Proposed mitigation:	<ul style="list-style-type: none"> • Ensure that public transport i.e. Go George Bus service continues to service the area. • Upgrade of intersection with Langenhoven Street as part of roads master planning. • Apply resource conservation measures. 	<ul style="list-style-type: none"> • Ensure that public transport i.e. Go George Bus service continues to service the area. • Upgrade of intersection with Langenhoven Street as part of roads master planning. • Apply resource conservation measures.
Cumulative impact post mitigation:	Low	Low
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	Low	Low

Please note: If any of the above information is not available, specialist input may be requested.

7. SPECIALIST INPUTS/STUDIES AND RECOMMENDATIONS

Please note: Specialist inputs/studies that will be undertaken as part of this application. These specialist inputs/studies must take into account the Department's relevant Guidelines on the Involvement of Specialists in EIA Processes available on the Department's website (<http://www.capegateway.gov.za/eadp>). A summary of all the specialist inputs/studies must be provided with the additional information.

Specialist inputs/studies and recommendations:

The following specialist studies were undertaken and recommendations provided:

Aquatic Assessment:

Confluent Consulting conducted an aquatic specialist assessment to inform the assessment and layout. They also provided a Risk Matrix and initial emergency rehabilitation measures. They are also responsible for facilitating the legally required Water Use License.

Details of their assessment and mitigation measures can be viewed as this report (refer to appendices). A short summary is provided below:

- Site layout to avoid the on-site wetland (preferred alternative complies)
- Avoid the 19m buffer that has been delineated around the wetland (preferred alternative complies)
- Adhere to the setback provided along the Camphersdrift System (preferred alternative complies)
- Ensure long-term management of these conservation areas (outcome of Stewardship Agreement presentation in May 2022 to inform long-term management requirements, alternatively the Applicant must engage with the George Municipality to participate in the Adopt-a-Spot initiative)

Botanical:

Dr Jan Vlok conducted an initial investigation in 2014 and a follow-up assessment of the site in 2021 as part of the S24G. Refer to this report for more details on his findings and recommendations. A short summary is provided below:

- Avoid the riparian buffer along Camphersdrift (referred alternative complies)
- Rehabilitate and restore the buffer to natural fynbos habitat (preferred alternative complies)
- Rehabilitate and avoid the on-site wetland (preferred alternative complies)
- Ensure long-term management of the open space areas set aside for conservation (outcome of Stewardship Agreement presentation in May 2022 to inform long-term management requirements, alternatively the Applicant must engage with the George Municipality to participate in the Adopt-a-Spot initiative)

Amphibian:

Dr Ferdi de Lange conducted an amphibian assessment to inform the aquatic assessment and layout. Please refer to a full copy of his report for details on his assessment.

A short summary is provided below:

- On-site wetland must be avoided and protected (preferred layout complies)
- Fence the outer edge of the wetland buffer with a fence that will prevent domestic animals and people from entering and causing damage to the habitat (preferred layout complies)
- Implement an ecological corridor to link the on-site wetland with the Camphersdrift System and ensure that amphibian movement along this corridor will not be compromised (preferred layout complies with a 10m wide corridor and bridge over this corridor)
- Rehabilitate the riparian buffer and wetland (preferred layout complies)

- Ensure long-term management of the open space areas set aside for conservation (outcome of Stewardship Agreement presentation in May 2022 to inform long-term management requirements, alternatively the Applicant must engage with the George Municipality to participate in the Adopt-a-Spot initiative)

8. IMPACT ASSESSMENT SUMMARY

Briefly describe the impacts (as appropriate), significance rating of impacts, mitigation and significance rating of impacts of the activity. This must include an assessment of the significance of all impacts.

Impacts	Significance rating of impacts after mitigation (Low, Medium, Medium-High, High, Very High):
Construction	
Clearance of vegetation	Medium (negative)
Loss of habitat	Medium (negative)
Creation of business and employment and opportunities Local contractors and workers were appointed to undertake the work. This represents the enhancement measures that would typically be recommended for construction related activities.	Moderate (positive)
Noise, dust, traffic related impacts associated with construction related activities. Construction related activities can impact negatively on adjacent landowners and road users. The typical impacts include noise, dust and traffic related impacts. Based on the findings of the SIA the majority of the impacts were confined to the site and did not impact on adjacent landowners or other road users. Given the nature of the activities, the volume of construction related traffic along the DR1630 and OP6824 was likely to have been low and limited to a short period of time (3-4 months).	Low
Cultural - Historical	None
Noise The farmlands are isolated and farming noise is unlikely to bother anyone.	Low
Operation	
Cultural – Historical	None
Noise	None

9. SUMMARY OF THE CONSEQUENCES OF/ IMPACTS OF THE UNLAWFULLY COMMENCED ACTIVITY/IES

Please provide a detailed summary of the consequences/impacts of commencement of the activity/ies on the environment.

The following summaries from the specialist studies are provided:

Aquatic:

- The temporary loss of habitat at the on-site wetland and along the riparian buffer of the Camphersdrift System was clearly evident and disruptive to ecological processes;
- Action taken by the project team, Applicant and Authorities to prevent further damage and loss of habitat proved good results and the on-site wetland and riparian buffer was restored through avoidance (of these areas) and rehabilitation measures;
- **These areas may not be developed and must be awarded conservation status;**
- Ongoing monitoring of these areas (especially during construction) will be very important to ensure that these features are not damaged any further;
- Long-term management of these features will be critical to ensure that the improved conservation outcome of said areas will materialise.

Terrestrial Biodiversity:

- The temporary loss of habitat at the on-site wetland and along the riparian buffer of the Camphersdrift System was clearly evident and disruptive to ecological processes;
- Action taken by the project team, Applicant and Authorities to prevent further damage and loss of habitat proved good results and the on-site wetland and riparian buffer was restored through avoidance (of these areas) and rehabilitation measures;
- **These areas may not be developed and must be awarded conservation status;**
- Ongoing monitoring of these areas (especially during construction) will be very important to ensure that these features are not damaged any further;
- Long-term management of these features will be critical to ensure that the improved conservation outcome of said areas will materialise.

Amphibian:

- The temporary loss of habitat at the on-site wetland and along the riparian buffer of the Camphersdrift System was clearly evident and disruptive to ecological processes;
- Action taken by the project team, Applicant and Authorities to prevent further damage and loss of habitat proved good results and the on-site wetland and riparian buffer was restored through avoidance (of these areas) and rehabilitation measures;
- **These areas may not be developed and must be awarded conservation status;**
- Ongoing monitoring of these areas (especially during construction) will be very important to ensure that these features are not damaged any further;
- Long-term management of these features will be critical to ensure that the improved conservation outcome of said areas will materialise.

10. OTHER MANAGEMENT, MITIGATION AND MONITORING MEASURES

(a) Over and above the mitigation measures described above, please indicate any additional management, mitigation and monitoring measures.

- ECO must be appointed to oversee and monitor construction phase
- Long-term management arrangement must be finalised to inform decision-making
- Outcome of public participation and stakeholder engagement process will help determine any other applicable management or mitigation measures that must be considered

(b) Describe the ability of the applicant to implement the management, mitigation and monitoring measures.

The Applicant will be involved during the construction phase. Thereafter the development will become part of the normal residential area. There is no homeowners association or body corporate to take on

the role and responsibilities of maintenance and long-term management. Hence it is critical that a vehicle i.e. implementing agent, be decided upon prior to decision-making to ensure that long-term conservation of these important conservation features do materialise.

Please note: A draft **ENVIRONMENTAL MANAGEMENT PROGRAMME** must be attached to this application as **Appendix I**.

SECTION G: ASSESSMENT METHODOLOGIES AND CRITERIA, GAPS IN KNOWLEDGE, UNDERLYING ASSUMPTIONS AND UNCERTAINTIES

(a) Please describe adequacy of the assessment methods used.

The assessment was undertaken using national and international criteria for assessment and its adequacy is of a high standard.

The specialists all have extensive knowledge and experience in their respective fields which further supports the adequacy of the assessments.

(b) Please describe the assessment criteria used.

Criteria for Assessment

These criteria are drawn from the EIA Regulations, published by the Department of Environmental Affairs and Tourism (April 1998) in terms of the Environmental Conservation Act No. 73 of 1989.

These criteria include:

- **Nature of the impact**

This is the appraisal of the type of effect the construction, operation and maintenance of a development would have on the affected environment. This description should include what is to be affected and how.

- **Extent of the impact**

Describe whether the impact will be: local extending only as far as the development site area; or limited to the site and its immediate surroundings; or will have an impact on the region, or will have an impact on a national scale or across international borders.

- **Duration of the impact**

The specialist / EAP should indicate whether the lifespan of the impact would be short term (0-5 years), medium term (5-15 years), long term (16-30 years) or permanent.

- **Intensity**

The specialist / EAP should establish whether the impact is destructive or benign and should be qualified as low, medium or high. The study must attempt to quantify the magnitude of the impacts and outline the rationale used.

- **Probability of occurrence**

The specialist / EAP should describe the probability of the impact actually occurring and should be described as improbable (low likelihood), probable (distinct possibility), highly probable (most likely) or definite (impact will occur regardless of any prevention measures).

The impacts should also be assessed in terms of the following aspects:

- **Legal requirements**

The specialist / EAP should identify and list the relevant South African legislation and permit requirements pertaining to the development proposals. He / she should provide reference to the procedures required to obtain permits and describe whether the development proposals contravene the applicable legislation.

- **Status of the impact**

The specialist / EAP should determine whether the impacts are negative, positive or neutral ("cost – benefit" analysis). The impacts are to be assessed in terms of their effect on the project and the environment. For example, an impact that is positive for the proposed development may be negative for the environment. It is important that this distinction is made in the analysis.

- **Accumulative impact**

Consideration must be given to the extent of any accumulative impact that may occur due to the proposed development. Such impacts must be evaluated with an assessment of similar developments already in the environment. Such impacts will be either positive or negative, and will be graded as being of negligible, low, medium or high impact.

- **Degree of confidence in predictions**

The specialist / EAP should state what degree of confidence (low, medium or high) is there in the predictions based on the available information and level of knowledge and expertise.

Based on a synthesis of the information contained in the above-described procedure, you are required to assess the potential impacts in terms of the following significance criteria:

No significance: the impacts do not influence the proposed development and/or environment in any way.

Low significance: the impacts will have a minor influence on the proposed development and/or environment. These impacts require some attention to modification of the project design where possible, or alternative mitigation.

Moderate significance: the impacts will have a moderate influence on the proposed development and/or environment. The impact can be ameliorated by a modification in the project design or implementation of effective mitigation measures.

High significance: the impacts will have a major influence on the proposed development and/or environment and will result in the "no-go" option on the development or portions of the development regardless of any mitigation measures that could be implemented. This level of significance must be well motivated.

(c) Please describe the gaps in knowledge.

(d) Please describe the underlying assumptions.

Aquatic / Botanical / Amphibian:

- Implementation of the revised layout (preferred Alternative 1) will be done under supervision and monitoring.
- A final agreement for long-term monitoring of the conservation areas will be assured.

(e) Please describe the uncertainties.

Long-term management of the conservation areas is critical to ensure a positive outcome of this environmental investigation. Continued involvement and engagement with the George Municipality and CapeNature must be prioritised by the Applicant to ensure an outcome prior to decision-making.

SECTION H: RECOMMENDATIONS OF THE EAP

In my view (EAP), the information contained in the Application and the documentation attached hereto is sufficient to make a decision in respect of the activity applied for.	YES	NO
If "NO", list the aspects that should be further assessed through additional specialist input/assessment:		
If "YES", please indicate below whether in your opinion the applicant should be directed to cease the activity or if it should be authorised:		
Applicant should be directed to cease the activity:	YES	NO
Please provide reasons for your opinion		
The Applicant has already ceased the activity as they await the outcome of the environmental investigation and WULA processes.		
If you are of the opinion that the activity should be authorised, then please provide any conditions, including mitigation measures that should in your view be considered for inclusion in an authorisation.		
The following conditions should be included: <ul style="list-style-type: none"> • The mitigation measures as provided by the specialist must be implemented; • Alien invasive clearing should continue on site; • Long-term management of the conservation areas must be agreed to prior to decision-making. To this end the possibility of entering into a Stewardship Agreement with CapeNature will be presented to their Protected Areas Committee in May 2022. The Applicant will also enter into discussion with the George Municipality regarding their newly proposed Adopt-a-Spot initiative. 		

SECTION I: REPRESENTATIONS – RESPONSE TO AN INCIDENT OR EMERGENCY SITUATION

This section is only applicable to instances where Section 49A (2) of NEMA applies. Please list all steps that were taken in response to the incident or emergency situation.
Not applicable.

Please note:

Section 30 of NEMA deals with the procedures to be followed for the control of emergency incidents and Section 30A deals with procedures to be followed in the case of emergency situations.

SECTION J: PUBLIC PARTICIPATION

1. PUBLIC PARTICIPATION PROCESS TO BE FOLLOWED

1.1 THE PUBLIC PARTICIPATION PROCESS IN TERMS OF THE SECTION 24G FINE REGULATIONS, 2017

Regulation 8 of the Section 24G Fine Regulations require that all applicants must conduct public participation **prior to submission** of a section 24G application (as outlined in Annexure A of the Section 24G Fine Regulations - Section D: Preliminary Advertisement).

"The applicant must place a preliminary advertisement in-
(1) A local newspaper in circulation in the area in which the activity was, or activities were, commenced; and on the applicant's website, if any.
(2) This advertisement must comply with the requirements set out in Annexure A, Section D of the Section 24G Fine Regulations, 2017.
(3) The applicant must open and maintain of a register of interested and affected parties.
(4) The register must be attached to the application form and included in the report , or form part of the information submitted in terms of section 24G(1) of the Act, which the register must, as a minimum, contain the names, contact details and addresses of- (a) all persons who, as a consequence of the public participation process conducted in respect of the application, have submitted written comments or attended meetings with the applicant or any environmental assessment practitioner or other specialist appointed by the applicant to assist with the application; (b) all persons who have requested the applicant, in writing, to place their names on the register; and (c) all organs of state that have jurisdiction in respect of the activity to which application relates."

Please provide a summary of the steps followed where public participation was undertaken in accordance with Regulation 8 prior to submission of this Application Form. Ensure that proof of compliance with Regulation 8 is submitted with this Application Form, including, *inter alia*, proof of preliminary advertisement in a local newspaper.

The following public participation will be undertaken as part of the S24G application:

- Site notices have been placed at two visible locations on the site;
- An advertisement has been placed in the local newspaper (*George Herald*) calling for registration and making the Application and specialist reports available for comment for a period of 60-days (this includes the availability of the Water Use License Application);
- Neighbours immediately adjacent to the property have been notified in writing (via email and letter drops) of the process and availability of the various documents;
- Key stakeholders have been identified and notified in writing of the process and availability of the various documents;
- A stakeholder register will be opened and maintained, and all registered Interested & Affected Parties (I&APs) will be provided with opportunities to comment on various documentation;
- All comments received will be included in a Comments & Responses report which will be circulated to all registered I&APs once the final documentation is submitted to the DEA&DP for decision-making.

Please indicate whether the applicant has a website (please tick relevant box):	YES	NO
If yes, please note that the application information as specified above must have been advertised on such website and proof thereof must accompany this application.		

The documentation will be made available on the Cape EAPrac website (www.cape-eaprac.co.za).

Please note: Annexure A: Section D attached to this Application form must be strictly adhered to.

1.2 THE PUBLIC PARTICIPATION PROCESS IN TERMS OF NEMA EIA REGULATIONS, 2014

As the applicant, you may be directed to conduct the public participation process that fulfils the requirements outlined in Chapter 6 of the EIA Regulations, 2014. In doing so, you must take into account any applicable guidelines published in terms of Section 24J of NEMA, the Department's Circular EADP 0028/2014 on the "One Environmental Management System" and the EIA Regulations, 2014 as well as any other guidance provided by the Department. Note that the public participation requirements are applicable to all proposed sites.

Please highlight the appropriate box below to indicate the public participation process that has been or will be undertaken to give notice of the application to all potential interested and affected parties, including deviations that may be agreed to by the competent authority:

1. In terms of regulation 41 of the EIA Regulations, 2014 -			
(a) fixing a notice board at a place conspicuous to and accessible by the public at the boundary, on the fence or along the corridor of -			
(i) the site where the activity to which the application relates is or is to be undertaken; and	YES	DEVIATION	
(ii) any alternative site	YES	DEVIATION	
(b) giving written notice, in any manner provided for in section 47D of the NEMA, to -			
(i) the occupiers of the site and, if the applicant is not the owner or person in control of the site on which the activity is to be undertaken, the owner or person in control of the site where the activity is or is to be undertaken or to any alternative site where the activity is to be undertaken;	YES	DEVIATION	N/A
(ii) owners, persons in control of, and occupiers of land adjacent to the site where the activity is or is to be undertaken or to any alternative site where the activity is to be undertaken;	YES	DEVIATION	
(iii) the municipal councillor of the ward in which the site or alternative site is situated and any organisation of ratepayers that represent the community in the area;	YES	DEVIATION	
(iv) the municipality (Local and District Municipality) which has jurisdiction in the area;	YES	DEVIATION	
(v) any organ of state having jurisdiction in respect of any aspect of the activity; and	YES	DEVIATION	
(vi) any other party as required by the Department;	YES	DEVIATION	N/A
(c) placing an advertisement in -			
(i) one local newspaper; or	YES	DEVIATION	
(ii) any official Gazette that is published specifically for the purpose of providing public notice of applications or other submissions made in terms of these Regulations;	YES	DEVIATION	N/A
(d) placing an advertisement in at least one provincial newspaper or national newspaper, if the activity has or may have an impact that extends beyond the boundaries of the metropolitan or district municipality in which it is or will be undertaken	YES	DEVIATION	N/A
(e) using reasonable alternative methods, as agreed to by the Department, in those instances where a person is desirous of but unable to participate in the process due to— (i) illiteracy; (ii) disability; or (iii) any other disadvantage.	YES	DEVIATION	N/A
If you have indicated that "DEVIATION" applies to any of the above, then Section 2. below must be completed.			
NOTE: 2. The NEM: WA requires that a notice must be placed in at least two newspapers.			
If applicable, have/will an advertisement be placed in at least two newspapers?	YES	NO	
If "NO", then an application for exemption from the requirement must be applied for.			

1. Provide a list of all the state departments that has been / will be consulted:		
List of State Depts.	Comment obtained (YES/NO)	If not, provide reasons
Department of Public Works	Pending	
Breede Gouritz Catchment Management Agency (BGCMA)	Pending	
CapeNature	Pending	
George Municipality	Pending	
Department of Health	Pending	

Heritage Western Cape	Received.	No further studies required.
Garden Route District Municipality	Pending	

2. Provide a summary of the issues raised by I&APs and an indication of the manner in which the issues raised were incorporated, or the reasons for not being incorporated or addressed.
(The details of the outcomes of this process, including supporting information must be included in the Comments and Report to be attached to this application as Appendix G.)

Pending

3. Provide a summary of any conditional aspects identified / highlighted by any Organs of State, which have jurisdiction in respect of any aspect of the relevant activity.

Pending

Please note:

- A list of all the potential interested and affected parties, including the organs of State must be opened, maintained and made available to any person requesting access, in writing, to the register.
- All comments of interested and affected parties on the Application Form and Additional Information must be recorded, responded to and included in the Comments and Responses Report attached as Appendix G to the Application. The Comments and Responses Report must also include a description of the Public Participation Process followed.
- The minutes of any meetings held by the EAP with interested and affected parties and other role players which record the views of the participants must also be submitted as part of the public participation information to be attached to the additional information/Environmental Impact Report as Appendix G.
- Proof of all the notices given as indicated, as well as of notice to the interested and affected parties of the availability of the Application Form/Additional Information must be submitted as part of the public participation information to be attached to the application as Appendix G.

1.3 REPRESENTATIONS REGARDING DEVIATION FROM PUBLIC PARTICIPATION REQUIREMENTS IN TERMS OF THE EIA REGULATIONS, 2014

Please provide detailed reasons (representations) as to why it would be appropriate not direct you to comply with all of the requirements and to deviate from the requirements of regulation 41 as indicated above.

Not applicable

1.4 LIST OF STATE DEPARTMENTS

Section 24(O)(2) obliges the relevant authority to consult with every State department that administers a law relating to a matter affecting the environment when such authority considers an application for an environmental authorisation.

Provide a list of all the State departments that will be/have been consulted, including the name and contact details of the relevant official.			
State Department	Name of person	Contact details	
Breede Catchment Management Agency (BGCMA)	Mr Carlo Abrahams	Tel	023 346 8000
		Fax	
		E-mail	cabrahams@bgcma.co.za
CapeNature	Ms Megan Simons	Tel	087 087 3058

		Fax	044 802 5313
		E-mail	msimons@capenature.co.za

Please note:

A State department consulted in terms of Section 24O(2) of NEMA and Regulations 3(4) and 43(2) must within 30 days from the date of the Department/EAP's request for comment, submit such comment in writing to the Department. The applicant/EAP is therefore required to inform this Department in writing when the application/relevant information is submitted to the relevant State Departments. Upon receipt of this confirmation, this Department will in accordance with Section 24O (2) & (3) of the NEMA inform the relevant State Departments of the commencement date of the 30-day commenting period.

PART 2 – ANNEXURE A TO THE SECTION 24G APPLICATION FORM

SECTION A: DIRECTIVES

Section 24G(1) of NEMA provides that on application by a person who has commenced with a listed or specified activity without an environmental authorisation in contravention of section 24F(1); or a person who has commenced, undertaken or conducted a waste management activity without a waste management licence in terms of section 20(b) of the National Environment Management: Waste Act, 2008 (Act 59 of 2008) ("NEM:WA") the Minister, the Minister responsible for mineral resources or the MEC concerned (or the official to which this power has been delegated), as the case may be, may direct the applicant to-

i	immediately cease the activity pending a decision on the application submitted in terms of this subsection	
ii	investigate, evaluate and assess the impact of the activity on the environment	
iii	remedy any adverse effects of the activity on the environment	
iv	cease, modify or control any act, activity, process or omission causing pollution or environmental degradation	
v	contain or prevent the movement of pollution or degradation of the environment	
vi	eliminate any source of pollution or degradation	
vii	compile a report containing-	
	aa	a description of the need and desirability of the activity
	bb	an assessment of the nature, extent, duration and significance of the consequences for or impacts on the environment of the activity, including the cumulative effects and the manner in which the geographical, physical, biological, social, economic and cultural aspects of the environment may be affected by the proposed activity
	cc	a description of mitigation measures undertaken or to be undertaken in respect of the consequences for or impacts on the environment of the activity
	dd	a description of the public participation process followed during the course of compiling the report, including all comments received from interested and affected parties and an indication of how the issues raised have been addressed
	ee	an environmental management programme
viii	provide such other information or undertake such further studies as the Minister, Minister responsible for mineral resources or MEC, as the case may be, may deem necessary.	

You are hereby provided with an opportunity to make representations on any or all of the abovementioned instructions including where you are of the opinion that any of these instructions are not relevant for the purposes of your application setting out the reasons for your assertion. Kindly note further that after taking your representation into account a final directive may be issued.

Please Note:

Notwithstanding the above, subsequent to submission of the application form to the Department, you may be issued with a specific directive in terms of section 24G(1)(i) to (viii), and you will therefore be provided with an opportunity to make further representations as to the specific directive.

The appointed Environmental Assessment Practitioner, on behalf of the applicant, may be directed to compile and submit a report that meets the requirements of section 24G(vii)(aa)-(ee) as specified above.

SECTION B: DEFERRAL OF THE APPLICATION

Section 24G(7) of the NEMA provides that if at any stage after the submission of an application it comes to the attention of the Minister, the Minister responsible for mineral resources or the MEC, that the applicant is under criminal investigation for the contravention of, or failure to comply with, section 24F(1) of the NEMA or section 20(b) of the NEM:WA, the Minister, Minister responsible for mineral resources or MEC may defer a decision to issue an environmental authorisation until such time as the investigation is concluded and-

- (a) the National Prosecuting Authority has decided not to institute prosecution in respect of such contravention or failure;
- (b) the applicant concerned is acquitted or found not guilty after prosecution in respect of which such contravention or failure has been instituted; or
- (c) the applicant concerned has been convicted by a court of law of an offence in respect of such contravention or failure and the applicant has in respect of the conviction exhausted all the recognised legal proceedings pertaining to appeal or review.

Kindly answer the following questions:

Are you, the applicant, being investigated for a contravention of section 24F(1) of the NEMA in respect of a matter that <u>is not subject to this application</u> and in any province in the Republic?	YES _____	NO _____	UNCERTAIN _____
If yes provide details of the offence being investigated and authority conducting the investigation. If uncertain provide details of the activity or activities in relation to which you suspect you may be under investigation.			
Are you, the applicant, being investigated for the contravention of section 20(b) of the NEMWA in respect of a matter that <u>is not subject to this application</u> and in any province in the Republic?	YES _____	NO _____	UNCERTAIN _____
If yes provide details of the offence being investigated and authority conducting the investigation. If uncertain provide details of the activity or activities in relation to which you suspect you may be under investigation.			
Are you, the applicant, being investigated for an offence in terms of section 24F(1) of the NEMA or section 20(b) of the NEMWA <u>in terms of which this application directly relates</u> ?	YES _____	NO _____	UNCERTAIN _____
If yes provide details of the offence being investigated and authority conducting the investigation. If uncertain provide details of the activity or activities in relation to which you suspect you may be under investigation.			

If you have answered yes or uncertain to any of the above questions, you are hereby provided with an opportunity to make representations as to why the Minister, Minister responsible for mineral resources or MEC, as the case may be, should not defer the application as he or she is entitled to do under section 24G(7).

SECTION C: QUANTUM OF THE SECTION 24G FINE

In terms of section 24G(4) of the NEMA, it is mandatory for an applicant to pay an administrative fine as determined by the competent authority before the Minister, Minister responsible for mineral resource or MEC may take a decision on whether or not to grant an *ex post facto* environmental authorisation or a waste management licence as the case may be. The quantum of this fine may not exceed R5 million.

Having regard to the factors listed below, you are hereby afforded with an opportunity to make representations in respect of the quantum of the fine and as to why the competent authority should not issue a maximum fine of R5 million.

Please note that Part 1 of this section must be completed by an independent environmental assessment practitioner after conducting the necessary specialist studies, copies of which must be submitted with this completed application form.

Please also include in your representations whether or not the activities applied for in this application (if more than 1) are in your view interrelated and provide reasons therefor.

PART 1: THE IMPACTS OR POTENTIAL IMPACTS OF THE ACTIVITY/ACTIVITIES

Index	Socio Economic Impact	Place an "x" in the appropriate box
	Description of variable	
	The activity is not giving, has not given and will not give rise to any negative socio-economic impacts	
	The activity is giving, has given, or could give rise to negative socio-economic impacts, but highly localised	x
	The activity is giving, has given, or could give rise to significant negative socio-economic and regionalized impacts	
	The activity is resulting, has resulted or could result in wide scale negative socio-economic impacts.	
Motivation:		
<p>Although a change in sense-of-place is anticipated due to the development being aimed at affordable housing within an otherwise medium-high income area, the site is earmarked for Group Housing and forms part of the greater subdivisional area of Die Bult. Group Housing as a land use is a higher density development (compared to the existing single residential development) and such a development would impact on the sense-of-place to a certain degree as a given.</p> <p>The social benefit of providing for affordable housing in this location, compared to the potential for impacting on the sense-of-place has been considered by the local Authority and Appeals Authority when they approved the development in 2020.</p> <p>Architectural design for the proposed development has been provided to ensure that it does not detract from the surrounding areas as a whole, despite it being aimed at a more affordable market.</p>		

Index	Biodiversity Impact	Place an "x" in the appropriate box
	Description of variable	
	The activity is not giving, has not given and will not give rise to any impacts on biodiversity	

The activity is giving, has given or could give rise to localised biodiversity impacts	x
The activity is giving, has given or could give rise to significant biodiversity impacts	
The activity is, has or is likely to permanently / irreversibly transform/ destroy a recognised biodiversity 'hot spot' or threaten the existence of a species or sub-species.	
Motivation:	
The No-Go Alternative would have resulted in the loss of habitat and species of special concern. The preferred Alternative 1 however will avoid the sensitive features and on condition that these conservation areas are assured long-term management and protection, the impact on biodiversity (aquatic/amphibian and botanical) is deemed acceptable.	

Index	Heritage Impact	Place an "x" in the appropriate box
	Description of variable	
	The activity is in keeping with the surrounding environment and / or does not negatively impact on the affected area's sense of place and /or heritage	x
	The activity is not in keeping with the surrounding environment and will have a localised impact on the affected area's sense of place and/or heritage	
	The activity is not in keeping with the surrounding environment and will have a significant impact on the affected area's sense of place and/ or heritage	
	The activity is completely out of keeping with the surrounding environment and will have a significant impact on the affected area's sense of place and/ or heritage	
Motivation:		
Heritage Western Cape in their comment on the application confirmed that no further studies are required and the development may be implemented.		

Index	Pollution Impact	Place an "x" in the appropriate box
	Description of variable	
	The activity is not giving, has not given and will not give rise to any pollution	
	The activity is giving, has given or could give rise to pollution with low impacts.	x
	The activity is giving, has given or could give rise to pollution with moderate impacts.	
	The activity is giving, has given or could give rise to pollution with high impacts.	
	The activity is giving, has given or could give rise to pollution with major impacts.	
Motivation:		
Potential dust and noise pollution during construction can be mitigated through the management plan.		

PART 2: COMPLIANCE HISTORY AND KNOWLEDGE OF THE APPLICANT

Index	Previous administrative action (i.e. administrative enforcement notices) issued to the applicant in respect of a contravention of section 24F(1) of the National Environmental Management Act and/or section 20(b) of the National Environmental Management Waste Act	Place an "x" in the appropriate box
	Description of variable	
	Administrative action was previously taken against the applicant in respect of the abovementioned provisions.	
	No previous administrative action was taken against the applicant but previous administrative action was taken against a firm(s) on whose board one or more of the applicant's directors sit or sat at the relevant time when the administrative action was taken.	
	Administrative action was not previously taken against the applicant in respect of the abovementioned provisions.	x

Explanation of all previous administrative action taken in respect of the above:

Not applicable to the knowledge of the EAP

Index	Previous Convictions in terms of section 24F(1) of the National Environmental Management Act and/or section 20(b) of the National Environmental Management Waste Act	Place an "x" in the appropriate box
Description of variable		
	The applicant was previously convicted in terms of either or both of the abovementioned provisions.	
	No previous convictions have been secured against the applicant but a conviction has been secured against a firm(s) on whose board one or more of the applicant's directors sit or sat at the relevant time; or a conviction was secured against a director of the applicant in his or her personal capacity.	
	The applicant has not previously been convicted in terms of either or both of the abovementioned provisions.	x
Explanation of all previous convictions in respect of the above:		
Not applicable to the knowledge of the EAP		

Index	Number of section 24G applications previously submitted by the applicant	Place an "x" in the appropriate box
Description of variable		
	Previous applications in terms of section 24G of NEMA were submitted by the applicant.	
	No previous applications have been submitted by the applicant but a previous application(s) have been submitted by a firm(s) on whose board one or more of the applicant's directors sit or sat at the relevant time.	
	No previous applications have been submitted by the applicant but the applicant sat on the board of a firm that previously submitted an application.	x
Explanation in respect of all previous applications submitted in terms of section 24G		
Not applicable to the knowledge of the EAP		

PART 3: APPLICANT'S PERSONAL CIRCUMSTANCES

Index	Applicant's legal persona	Place an "x" in the appropriate box
Description of variable		
	The applicant is a natural person.	
	The applicant is a firm.	x
Describe the firm:		
Power Construction (Pty) Ltd is a private company, Pty Ltd or proprietary limited company with a board of shareholders / directors who manage the company.		

Index	Any other relevant information that the applicant would like to be considered.
Motivate and explain fully:	
The Applicant submits that it did consult with the Department of Environmental Affairs & Development Planning prior to commencement of construction. It further submits that approval was granted by the George Municipality who had knowledge of the responding statement by the DEADP confirming that no prior Environmental Authorisation (EA) was required. The Applicant further submits that it ceased construction following the pre-directive and adhered to the advise and recommendations	

of the project team and participating Authorities to develop a revised layout (preferred Alternative 1) that avoids the sensitive aquatic habitats present on the site.

NOTE: An explanation as to why the applicant did not obtain an environmental authorisation and/or waste management licence must be attached to this application.

The Applicant submits that it obtained written confirmation from the DEADP stating that prior Environmental Authorisation was required.

SECTION D: PRELIMINARY ADVERTISEMENT

When submitting this application form, the applicant must attach proof that the application has been advertised in at least one local newspaper in circulation in the area in which the activity was commenced, and on the applicant's website, if any.

The advertisement must state that the applicant commenced a listed or specified activity or activities or waste management activity or activities without the necessary environmental authorisation and/or waste management licence and is now applying for *ex post facto* approval. It must include the following:

- the date;
- the location;
- the applicable legislative provision contravened; and
- the activity or activities commenced with without the required authorisation.

Interested and affected parties must be provided with the details of where they can register as an interested and affected party and / or submit their comment. At least 20 days must be provided in which to do so.

This advertisement shall be considered as a preliminary notification and the competent authority may direct the applicant to undertake further public participation and advertising after receipt of this application form.

NOTE: Unless protected by law, all information contained in and attached to this application form may become public information on receipt by the competent authority. This application must be attached to any documentation or information submitted by an applicant further to section 24G(1).

PART 3 - APPENDICES & DECLARATIONS

1. APPENDICES

The following appendices must, where applicable, be attached to this form:

Appendix		Tick the box if Appendix is attached
Appendix A:	Locality map	✓
Appendix B:	Site plan(s)	✓
Appendix C:	Building plans (if applicable)	
Appendix D:	Colour photographs	✓
Appendix E:	Biodiversity overlay map	✓
Appendix F:	Permit(s) / license(s) from any other organ of state including service letters from the municipality	✓
Appendix G:	Public participation information: including a copy of the register of interested and affected parties, the comments and responses report, proof of notices, advertisements, Land owner consent and any other public participation information as required in Section J above.	✓
Appendix H:	Specialist Report(s), if any	✓
Appendix I:	Environmental Management Programme	✓
Appendix J:	Supporting documents relating to compliance/enforcement history of the applicant, including but not limited to, Pre-compliance/compliance notices, Pre-directives/directives etc.	✓
Appendix K:	Certified copy of Identity Document of Applicant	Not for public distribution
Appendix L:	Certified copy of the title deed (or title deeds in the case of linear activities)	Not for public distribution
Appendix M:	Any Other (if applicable) (describe) M1: EAP CV M2: EAP Company Profile M3: Screening Tool	✓

Where an application has been made in terms of the waste management activities, please complete and annex Annexure 1 as in the following:

Annexures for waste listed activity/ies supporting information		Tick the box if Annexure is attached
Annexure 1	Waste listed activities supporting information (as in prescribed attached form)	
Other	(please list accordingly)	

2.1 The Applicant

• I, **[REDACTED]**, in my personal capacity or duly authorised as **Director** (state capacity) by **Power Construction (Pty) Ltd** thereto hereby declare/affirm that all the information contained in this application to be true and correct, and that I:

- am fully aware of my responsibilities in terms of the National Environmental Management Act of 1998 (Act No. 107 of 1998) ("NEMA"), the Environmental Impact Assessment Regulations, 2014 ("EIA Regulations") in terms of NEMA, the National Environmental Management: Waste Act, 2008 (Act 59 of 2008) ("NEM:WA") and all relevant specific environmental management Act(s), and that failure to comply with these requirements may constitute an offence in terms of the environmental legislation;
- appointed the environmental assessment practitioner as indicated above, which meet all the requirements in terms of Regulation 13 of the EIA Regulations to act as the independent Environmental Assessment Practitioner for this application;
- have provided the environmental assessment practitioner and the competent authority with access to all information at my disposal that is relevant to the application;
- am aware that I may be issued with a directive and that I must comply with such a directive;
- am fully aware of the administrative fine to be paid before a decision, with respect to the continuation of the listed activity(ies), will be made;
- will be responsible for the costs incurred in complying with the environmental legislation including but not limited to –
 - o costs incurred in connection with the appointment of the environmental assessment practitioner or any specialist appointed in terms of Regulation 13 of the EIA Regulations);
 - o costs incurred in respect of the undertaking of any process required in terms of this application;
 - o costs in respect of any prescribed fee payable in respect of this application;
 - o costs in respect of specialist reviews, if the competent authority decides to recover costs;
 - o the provision of security to ensure compliance with the applicable management and mitigation measures; and
 - o fine costs
- am responsible for complying with the conditions that might be attached to any decision(s) issued by the competent authority;
- have the ability to implement the applicable management, mitigation and monitoring measures; and
- hereby indemnify, the government of the Republic of South Africa, the competent authority and all its officers, agents and employees, from any liability arising out of, inter alia, the content of any report, any procedure or any action for which the applicant or environmental assessment practitioner is responsible.

am aware that a false declaration is an offence in terms of Regulation 48 of the EIA Regulations, 2014 (

Signature of the applicant:

Name: _____

Power Construction (Pty) Ltd

Name of Firm (if applicable):

Date:

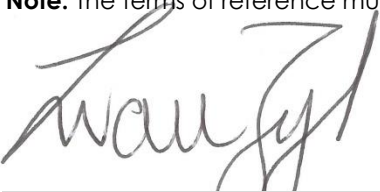
TO BE COMPLETED FOR FINAL REPORT AND SUBMISSION FOR DECISION-MAKING

2.2 The Independent Environmental Assessment Practitioner ("EAP")

I **Louise-Mari van Zyl, EAPASA Registration 2019/4446**, as the appointed independent environmental practitioner ("EAP") hereby declare/affirm the correctness of the information provided or to be provided as part of the application, and that I:

- act/ed as the independent EAP in this application;
- regard the information contained in this application to be true and correct, and
- do not have and will not have any financial interest in the undertaking of the activity, other than remuneration for work performed in terms of the the National Environmental Management Act of 1998 (Act No. 107 of 1998) ("NEMA"), the Environmental Impact Assessment Regulations, 2014 ("EIA Regulations") in terms of NEMA, the National Environmental Management: Waste Act, 2008 (Act 59 of 2008) ("NEM:WA") and the relevant specific environmental management Act(s);
- have and will not have any vested interest in the proposed activity proceeding;
- have disclosed, to the applicant and competent authority, any material information that have or may have the potential to influence the decision of the competent authority or the objectivity of any report, plan or document required in terms of the NEMA, the EIA Regulations, the NEM:WA and any specific environmental management Act(s);
- am able to meet the responsibilities in terms of NEMA, the EIA Regulations (specifically in terms of Regulation 13 of the EIA Regulations, 2014) and any specific environmental management Act, and am fully aware that failure to comply with these requirements may constitute and result in disqualification;
- have ensured that information containing all relevant facts in respect of the application was distributed or made available to interested and affected parties and the public and that participation by interested and affected parties was facilitated in such a manner that all interested and affected parties were provided with a reasonable opportunity to participate and to provide comments;
- have ensured that the comments of all interested and affected parties were considered, recorded and submitted to the competent authority in respect of the application;
- have kept a register of all interested and affected parties that participated in the public participation process; and
- have provided the competent authority with access to all information at my disposal regarding the application, whether such information is favourable to the applicant or not.
- am aware that a false declaration is an offence in terms of Regulation 48 of the EIA Regulations

Note: The terms of reference must be attached.



Signature of the environmental assessment practitioner:

Cape Environmental Assessment Practitioners (Cape EAPrac)

Name of company:

4 April 2022

Date:

PART 4 – WASTE MANAGEMENT

ANNEXURE B – SUPPORTING INFORMATION WHERE THE ACTIVITY BEING APPLIED FOR IS A LISTED WASTE MANAGEMENT ACTIVITY/IES (IF RELEVANT)

1. WASTE QUANTITIES

Indicate or specify types of waste and list the estimated quantities (expected to be) managed daily (should you need more columns; you are advised to add more)

Note: In this case of hazardous waste, the National Department of Environmental Affairs is the relevant competent authority to consider the 24G application.

Non-hazardous waste	Total waste handled (tonnes per day)

Source of information supplied in the table above Mark with an "X"

Determined from volumes

Determined with weighbridge/scale

Estimated

1.1. Recovery, Reuse, Recycling, treatment and disposal quantities:

Indicate the applicable waste types and quantities expected to be disposed of and salvaged annually:

TYPES OF WASTE	MAIN SOURCE (NAME OF COMPANY)	QUANTITIES		ON-SITE RECOVERY REUSE RECYCLING TREATMENT OR DISPOSAL	OFFSITE RECOVERY REUSE RECYCLING TREATMENT OR DISPOSAL	OFFSITE DISPOSAL
		Tonnes / Month	M³ / Month	Method & Location	Method & Location and Contractor details	

2. GENERAL

Prevailing wind direction (e.g. NWW)

November – April

May – October

The size of population to be served by the facility:

	Mark with "X"	Comment
0-499		
500-9,999		
10,000-199,999		
200,000 upwards		

LANDFILL PARAMETERS (If applicable)

The method of disposal of waste:

Land-building ☐ Land-filling ☐ Both ☐**The dimensions of the disposal site in metres**

	At commencement	After rehabilitation

The total volume for the disposal of waste on the site:

Volume Available	Mark with "X"	Source of information (Determined by surveyor/ Estimated)
Up to 99		
100-34 999		
35 000-3,5 million		
>3,5 million		

The total volume already used for waste disposal on the site:

(a) Will the waste body be covered daily	Yes	No
(b) Is sufficient cover material available	Yes	No
(c) Will waste be compacted daily	No	No

If the answers (a) and/or (b) are No, what measures will be employed to prevent the problems of burning or smouldering of waste and the generation of nuisance?

The Salvage method

Mark with an "X" the method to be used.

At source	<input type="checkbox"/>
Recycling installation	<input type="checkbox"/>
Formal salvaging	<input type="checkbox"/>
Contractor	<input type="checkbox"/>
No salvaging planned	<input type="checkbox"/>

Fatal flaws for the site:

Indicate which of the following apply to the facility for a waste management activity:

Within a 3000m radius of the end of an airport landing strip	Yes	No
Within the 1 in 50 year flood line of any watercourse	Yes	No
Within an unstable area (fault zone, seismic zone, dolomitic area, sinkholes)	Yes	No

Within the drainage area or within 5 km of water source	Yes	No
Within the drainage area or within 5 km of water source	Yes	No
Within an area adjacent to or above an aquifer	Yes	No
Within an area with shallow bedrock and limited available cover material	Yes	No
Within 100 m of the source of surface water	Yes	No
Within 1 km from the wetland	Yes	No

Indicate the distance to the boundary of the nearest residential
Indicate the distance to the boundary of the industrial area

metres	area
metres	

Wettest six months of the year

November- April
May-October

For the wettest six month period indicated above, indicate the following for the preceding 30 years

	Total rainfall for 6 months	Total rainfall for 6 months	Total rainfall for 6 months
For the 1st wettest year			
For the 2nd wettest year			
For the 3rd wettest year			
For the 4th wettest year			
For the 5th wettest year			
For the 6th wettest year			
For the 7th wettest year			
For the 8th wettest year			
For the 9th wettest year			
For the 10th wettest year			

Location and depth of ground water monitoring boreholes:

Codes of the boreholes	Borehole locality	Depth (m)	Latitude	Longitude
			° ' "	° ' "
			° ' "	° ' "
			° ' "	° ' "
			° ' "	° ' "
			° ' "	° ' "
			° ' "	° ' "
			° ' "	° ' "

Location and depth of landfill gas monitoring test pit:

Codes of the boreholes	Borehole locality	Latitude	Longitude
		° ' "	° ' "
		° ' "	° ' "
		° ' "	° ' "

		<div><div></div><div></div><div></div></div>	<div><div></div><div></div><div></div></div>
		<div><div></div><div></div><div></div></div>	<div><div></div><div></div><div></div></div>
		<div><div></div><div></div><div></div></div>	<div><div></div><div></div><div></div></div>