



# 24G APPLICATION FORM & IMPACT ASSESSMENT

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: 5 December 2022

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**PURPOSE OF THIS REPORT:**

Stakeholder Information & Comment

**APPLICANT:**

Power Construction (Pty) Ltd

**CAPE EAPRAC REFERENCE NO:**

GEO691/03

**SUBMISSION DATE**

05 December 2022

# 24G APPLICATION FORM & ASSESSMENT

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

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BETTER TOGETHER.

**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 <b>(Note: Failure to meet the Regulation 8 will result in rejection of the application)</b>	✓
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 <b>similarly listed</b> activities in terms of the current EIA regulations (if applicable).	
	2.3. A description of the receiving environment <b>before</b> commences of the activity(ies).	✓
	2.4. A description of the receiving environment <b>after</b> 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 <del>comments and responses report</del> , proof of notices, advertisements, <del>Land owner consent</del> and any other public participation information	✓	
2.5.8. Environmental Management Programme	✓	
2.5.9. Certified copy of Identity Document of Applicant	Not included ito POPIA	
2.5.10. Certified copy of the title deed (or title deeds in the case of linear activities)		



	2.6. Signed declaration forms.		✓
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.	Consideration 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.		Not ito POPIA
	10.2 Comments and Response report attached to the application.		✓
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) <b>(if conducted/undertaken)</b>		✓



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  
 1<sup>st</sup> 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.

<del>REGION 1 City of Cape Town and West Coast District</del>	<del>REGION 2 Cape Winelands District and Overberg District</del>	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:					
	<del>Body Corporate</del>	<del>Partnership</del>	<del>Trust</del>	<del>Parastatal</del>	<del>Organ of State</del>	

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

<b>Applicant's details</b> (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:	[REDACTED]		
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 Steven Levey (duly authorized by Power Construction (Pty) Ltd)		
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"> <li>● Directors of a company; or</li> <li>● <del>Members of the board; or</del></li> <li>● <del>Executive committee or other managing body of a corporate body or parastatal; or</del></li> <li>● <del>Members of close corporation; or</del></li> <li>● <del>Partners of a partnership; or</del></li> <li>● Trustees of a trust</li> </ul>	Jacobus Philippus Snyman      [REDACTED] Gerard Alexander Gilbert Renisha Naidoo		
Postal address:	[REDACTED]		
	[REDACTED]	Postal code:	[REDACTED]
Telephone:	[REDACTED]	Cell:	[REDACTED]
E-mail:	[REDACTED]	Fax:	(    )
<b>Project Consultant</b>			
Contact person:			
Postal address:			
		Postal code:	
Telephone:		Cell:	
E-mail:		Fax:	

<b>Name of the Environmental Assessment Practitioner ("EAP") responsible for the application:</b>	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 <b>2019/1444</b> .		
<b>Name of the Landowner:</b>	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.

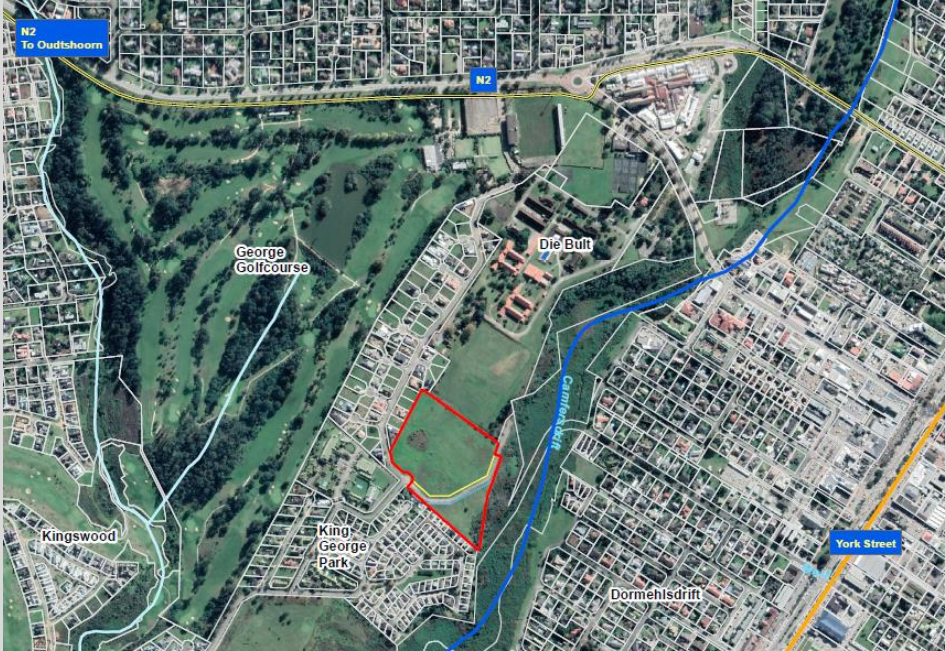
A certified copy of the title deed of the property/s on which the unlawful listed activity/ies has commenced must be attached to the application.



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 style="text-align: center;">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 <sup>2</sup> )	4.5ha combined
Development footprint size(s) (m <sup>2</sup> )	Approximately 4ha excluding the Camphersdrift riparian corridor and central wetland flat.
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:	<p>Single Residential, General Residential, Business, Open Space, Community zone and Transport zone (as per rezoning approval issued 2020).</p> <p>Previous zoning was Group Housing (prior to 2020 approval). And before that it was Institutional (when it was part of the Die Bult School site in the original General Plan approval for Die Bult area).</p>		

**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?		
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"> <li>• an accurate indication of the project site position as well as the positions of the alternative sites, if any;</li> <li>• road names or numbers of all the major roads as well as the roads that provide access to the site(s)</li> <li>• a north arrow;</li> <li>• a legend;</li> <li>• the prevailing wind direction; and</li> <li>• 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)</li> </ul>	
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><b>Note:</b> 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 "☒" 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>In 2001 the DEADP issued a letter confirming that the rezoning from Institutional (previously part of Die Bult school site), to Residential, does not require <i>prior</i> Environmental Authorisation in terms of the (then) Environment Conservation Act (ECA).</p> <p>Up to the rezoning in 2019 the properties were zoned General Residential Zone II (Group Housing) that developed along with the erven of Die Bult development as was originally subdivided and approved for township development.</p> <p>Following a tender process in which the Applicant was awarded the tender for development of the erven for high density affordable housing on behalf of Human Settlements, the following applications were submitted to the local and provincial authorities on behalf of Power Construction (Pty) Ltd, Power Group, <b>prior</b> to any work commencing on site:</p> <ul style="list-style-type: none"> <li>• Clarification Application submitted to the <b>Provincial Department of Environmental Affairs &amp; Development Planning (DEA&amp;DP)</b> on 14 March 2018 by EnviroQuest, 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. It is submitted that the Clarification Application did make mention of an on-site wetland, however it portrayed it as a feature that still had to be verified/categorised/classified as such which it appears the DEADP may have interpreted as not being a natural watercourse or alternatively that this feature would not be impacted by the proposed development, hence the outcome of the Department's decision was that no listed activities would be triggered.</li> <li>• <b>Rezoning application</b> to George Municipality, approved October 2019. An appeal was lodged against this decision but was rejected thus the original decision was upheld in September 2020 for of 99 single residential erven, 86 General residential III erven (town housing), a Business Zone III erf, a crèche, a number of public open space erven, conservation areas and public streets. It is noted that this approval is for less units that what would be permitted in terms of the previous Group Housing approval.</li> </ul>		
Which authority considered the application:		
Provincial Department of Environmental Affairs & Development Planning, George office George Municipality		
Has <u>any</u> one of the previous application/s on the property been approved <b>or</b> refused? If so provide a list of the successful and unsuccessful application/s and the reasons for decision(s).	YES	NO

- **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), a Business Zone III erf, a crèche, a number of public open space erven, conservation areas 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 Steven Levey

Signature: 

Place: Cape Town

Date: 08 September 2022

EAP (Full names): Ms Louise van Zyl

Signature: 

Place: George

Date: 8 September 2022

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

#### 3.1 Applicable EIA listed activities

<b>ECA EIA Contraventions: between 08 September 1997 and end of 09 May 2002</b>			
<b>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</b>			
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
<b>ECA EIA Contraventions: between 10 May 2002 and end of 02 July 2006</b>			
<b>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,</b>			
<b>NEMA EIA Contraventions: between 03 July 2006 and end of 01 August 2010</b>			
<b>Activities unlawfully commenced with on or after 03 July 2006 and before end 01 August 2010: EIA regulations promulgated in terms of the NEMA</b>			
GN R386 Activity No(s): <b>(Listing Notice 1 of 2006)</b>	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): <b>(Listing Notice 2 of 2006)</b>	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
<b>NEMA EIA Contraventions: between 02 August 2010 and end of 07 December 2014</b>			

<b>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,</b>			
GN No. R. 544 Activity No(s): <b>(Listing Notice 1 of 2010)</b>	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): <b>(Listing Notice 2 of 2010)</b>	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): <b>(Listing Notice 3 of 2010)</b>	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
<b>NEMA EIA Contraventions: on or after 08 December 2014</b>			
<b>Activities unlawfully commenced with on or after 08 December 2014: EIA regulations promulgated in terms of the NEMA, Act 107 of 1998,</b>			
GN No. R. 327 Activity No(s): <b>(Listing Notice 1 of 2014)</b>	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): <b>(Listing Notice 2 of 2014)</b>	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): <b>(Listing Notice 3 of 2014)</b>	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)	<b>i. Western Cape</b>  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;  <b>ii. Within critical biodiversity areas identified in bioregional plans.</b>		

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:

<b>Waste Management Activity Contraventions: On or after 03 July 2007 up to end of 28 November 2013</b>			
<b>Activities unlawfully commenced with in terms of GNR 718 of 03 July 2009 under the National Environmental Management Waste Act, Act 59 of 2008</b>			
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

<b>Waste Management Activity Contraventions: On or after 29 November 2013</b>			
<b>Activities unlawfully commenced with in terms of GNR 921 of 29 November 2013 under the National Environmental Management Waste Act, Act 59 of 2008,</b>			
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): <b>(Listing Notice 1 of 2014)</b>	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): <b>(Listing Notice 2 of 2014)</b>	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): <b>(Listing Notice 3 of 2014)</b>	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 previous approved for Institutional and then 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 (2019/2020).</p> <p>Following the outcome of the S24G the number of units have decreased from what was authorised in 2019/2020 to accommodate the central wetland flat and riparian corridor setback.</p>		
(b) Clearly describe the activity and associated infrastructure commenced with, indicating what has been completed and what still has to be completed.		
<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, general residential (group housing), business, clock tower (hosting cell phone mast), private and public open spaces and transport/infrastructure/utility usage.

Table 1: Breakdown of development proposal (preferred alternative).

Legend				
ZonIng	ERF Nos	No. erven	Area m <sup>2</sup>	%
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

Infrastructure (e.g. roads, power and water supply/ storage)

YES

NO

Provide brief description:

Internal roads network on the property – to be completed should approval be granted.		
Internal services (water, sewer, electricity, stormwater) to be connected to the existing Municipal network – to be completed should approval be granted.		
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	YES	NO
Provide brief description		
(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):	±3.44ha
Indicate the area that has been transformed / cleared to allow for the activity as well as associated infrastructure	±3.90ha
Total area:	±4.52ha

**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) m	
	(width) m	
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	Completed
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 2018)	Authorised
National Water Act (Act 36 of 1998)	Department of Water & Sanitation via BGCMA	Water Use License	Completed, decision 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 forms part of this S24G 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)?	<b>YES</b>	<b>NO</b>
---	------------	-----------

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?	<b>YES</b>	<b>NO</b>
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	<b>NO</b>
If yes, has an application been submitted to the licensing authority?	YES	<b>NO</b>
Does the proposed project require an application in terms of the National Environmental Management: Integrated Coastal Management Act ("NEM: ICMA")?	YES	<b>NO</b>

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	<b>NO</b>
--	-----	-----------

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	
SHALE	<input type="checkbox"/>	DOLOMITE	
SANDSTONE	<input type="checkbox"/>	DOLERITE	
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	<del>Flatter than 1:10</del>	1:10 – 1:5	<del>Steeper than 1:5</del>
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### 3. LOCATION IN LANDSCAPE

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

Ridgeline	Plateau	<del>Side-slope-of hill/mountain</del>	Closed valley	Open valley	Plain	<del>Undulating plain/low hills</del>	Dune	Sea-front	Other
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<b>If other, please describe</b>
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)	<b>YES</b>	NO	UNSURE
Seasonally wet soils (often close to water bodies)	<b>YES</b>	NO	UNSURE
Unstable rocky slopes or steep slopes with loose soil	<del>YES</del>	<b>NO</b>	UNSURE
Dispersive soils (soils that dissolve in water)	<del>YES</del>	<b>NO</b>	UNSURE
Soils with high clay content	<del>YES</del>	<b>NO</b>	UNSURE
Any other unstable soil or geological feature	<del>YES</del>	<b>NO</b>	UNSURE
An area sensitive to erosion	<del>YES</del>	<b>NO</b>	UNSURE

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

Shallow water table (less than 1.5m deep)	<b>YES</b>	NO	UNSURE
Seasonally wet soils (often close to water bodies)	<b>YES</b>	NO	UNSURE
Unstable rocky slopes or steep slopes with loose soil	<del>YES</del>	<b>NO</b>	UNSURE
Dispersive soils (soils that dissolve in water)	<del>YES</del>	<b>NO</b>	UNSURE
Soils with high clay content	<del>YES</del>	<b>NO</b>	UNSURE
Any other unstable soil or geological feature	<del>YES</del>	<b>NO</b>	UNSURE
An area sensitive to erosion	<del>YES</del>	<b>NO</b>	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	<b>YES</b>	NO	UNSURE
Non-Perennial River	<del>YES</del>	<b>NO</b>	UNSURE
Permanent Wetland	<b>YES</b>	NO	UNSURE
Seasonal Wetland	<del>YES</del>	<b>NO</b>	UNSURE
Artificial Wetland	<del>YES</del>	<b>NO</b>	UNSURE
Estuarine / Lagoonal wetland	<del>YES</del>	<b>NO</b>	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	<b>YES</b>	NO	UNSURE
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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 GROUND COVER**


**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](mailto: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 GROUND COVER (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)	0%	
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 recover 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.

<del>Indigenous Vegetation - good condition</del>		Indigenous Vegetation with scattered aliens		<del>Indigenous Vegetation with heavy alien infestation</del>	
<del>Describe the vegetation type above:</del>		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.		<del>Describe the vegetation type above:</del>	
<del>Provide ecosystem status for above:</del>		Provide ecosystem status for above:		<del>Provide Ecosystem status for above:</del>	
<del>Indigenous Vegetation in an ecological corridor or along a soil boundary / interface</del>		<del>Veld dominated by alien species</del>		<del>Distinctive soil conditions (e.g. Sand over shale, quartz patches, limestone, alluvial deposits, termitaria etc.)—describe</del>	
<del>Bare soil</del>		<del>Building or other structure</del>		<del>Sport field</del>	
<del>Other (describe below)</del>		<del>Cultivated land</del>		<del>Paved surface</del>	

(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 further damages along the steep slopes under rehabilitation) and re-establish groundcover.

Demarcation of the on-site central 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 unexpectedly good, 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.

Final rehabilitation of this central wetland area and riparian area must be implemented prior to completion of the project upon which time these features must be managed under the George Adopt-a-Spot Initiative in consultation with CapeNature, George Municipality and private partners for a minimum period of three (3) years to enable the Municipality and residents to continue to manage these features as ecologically sensitive.

**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 gully's that formed on the property.

Appointment of an environmental control officer (ECO) to monitor the site whilst the environmental investigation process is underway. Alien vegetation clearing has been ongoing even since the site has been mothballed.

**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	<b>River, stream or wetland</b>	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 where it first formed part of Die Bult School area (as Institutional), then it was rezoning from Institutional in 2001 to allow residential development (Group Housing).

The site was mowed in accordance with Municipal ByLaws for vacant properties inside the urban edge, to maintain vegetation on the property before construction commenced.

The on-site central wetland was present prior to construction activities albeit in an isolated state and the riparian corridor was covered with intact natural vegetation in good condition.

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

Cross out ("☒") 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	<b>Low density residential</b>	<b>Medium density residential</b>	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	<b>Tourism &amp; Hospitality facility</b>
Open-cast mine	Underground mine	Spoil heap or slimes dam	Quarry, sand or borrow pit	Dam or reservoir
Hospital/medical centre	<b>School</b>	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	<b>River, stream or wetland</b>	<b>Nature conservation area</b>
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 ("☒") 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 anticipated to the land use character of the surrounding area since changing the primary rights from Group Housing to a more inclusive development with a mix of single residential, group housing and retail.

## 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 than approved in 2019/2020) amidst the otherwise Single Residential properties/Institutional and Public Open Space.

### 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 and it introduces a retail component.

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.

The following cost summary is also reflected as part of the Water Use License Application and provides details about the socio-economic benefits associated with this project:

Table 2: Socio-economic figures on breakdown for direct and indirect employment opportunities (Source: WULA 2022, Confluent Consulting).

Job opportunities	Number of job opportunities	Type of employment	Affected sectors of the economy
<b>Direct</b>	12 180	Permanent Seasonal/Contract work	Building & construction, Logistics and transport Hairdressing Caring Entrepreneurs Shops
<b>Indirect</b>	0 4	Permanent Seasonal/Contract work	
<b>Total number</b>	196		
<b>Estimated value</b>		R37,500,000***	

The total cost expected from this project is +/-R150 million over a three (3) year period with 25% of that spent on employment.

- Contract work (seasonal): R35 000.00
- Permanent employment: R280 000.00/annum
- Local suppliers of materials (direct cost): R60 000.00

The expected yearly income, either by direct or indirect work that will be created through this development is expected to benefit the economies of the local George and surrounding areas with an estimated R37,5 million for labour and a further R60 000.00 from local/surrounding material suppliers. The development contribution to the George Municipality is anticipated to be in the order of R5.5 million for services.

In addition to capital contributions, cost for employment and materials, the socio-economic benefit of providing housing within an affordable market, within the urban area of George, has a significant social and economic spin-off through allowing for a more integrated housing market in the area.

It is anticipated that both the short term, as well as long term socio-economic benefit of this project will outweigh the potential short term and long term negative socio-economic benefits.

Importantly however is that **future maintenance and upkeep of the development**, as well as **maintenance of the open space areas**, be monitored by both the Municipality and CapeNature over the long-term to ensure that the **quality of product** does not detract from the local character and sense-of-place of the greater King George Park and Die Bult areas and that the benefit of the **sensitive environmental features are ensured**.



**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 m<sup>2</sup> 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 m<sup>2</sup> 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 original Planning Application (2018) and HWC issued an approval in response (2018), which they subsequently confirmed to still be effective as part of the S24G stakeholder engagement process. A copy of the HWC decision in which it was confirmed that no further studies are required, is included with this S24G assessment.</p>		
		YES	NO

Did/does the development impact on any national estate referred to in section 3(2) of the National Heritage Resources Act, 1999?		UNCERTAIN		
If YES, explain:				
Was any building or structure older than 60 years affected in any way?		YES	<b>NO</b>	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	UNSURE	If "YES": Distance to nearest area (m)
An area within 100m of the high water mark of the sea	YES	<b>NO</b>	UNSURE	
An area within 100m of the high water mark of an estuary/lagoon	YES	<b>NO</b>	UNSURE	
An area within the littoral active zone	YES	<b>NO</b>	UNSURE	
An area in the coastal public property	YES	<b>NO</b>	UNSURE	
Major anthropogenic structures	YES	<b>NO</b>	UNSURE	
An area within a Coastal Protection Zone	YES	<b>NO</b>	UNSURE	
An area seaward of the coastal management line	YES	<b>NO</b>	UNSURE	
An area within the high risk zone (20 years)	YES	<b>NO</b>	UNSURE	
An area within the medium risk zone (50 years)	YES	<b>NO</b>	UNSURE	
An area within the low risk zone (100 years)	YES	<b>NO</b>	UNSURE	
An area below the 5m contour	YES	<b>NO</b>	UNSURE	
An area within 1km from the high water mark of the sea	YES	<b>NO</b>	UNSURE	
A rocky beach	YES	<b>NO</b>	UNSURE	
A sandy beach	YES	<b>NO</b>	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?	<b>YES</b>	NO	Please explain
<p>The property was zoned Group Housing before the planning application to Single Residential / Group Housing / Retail / 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 central wetland and riparian setback from the Camphersdrift System.</p> <p>FormaPlan will submit the necessary amendment application to reflect the preferred site layout plan as per the outcome of the S24G/WULA applications 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
The PSDF supports the continuation and development of vacant land within the urban edge. It furthermore promotes integrated development and optimisation of municipal services.			
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 2019/2022 Municipal 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 these principle by excluding the sensitive aquatic features (central wetland flat) 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 in 2019/2020.			

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 the existing environmental management priorities for the area and if so, can it be justified in terms of sustainability considerations?)	YES	NO	Please explain
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 and aquatic 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 subdivisional 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, proximity to the CBD where many of the target market works and an available public transport system.</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.</p> <p>These matters were considered in the local government municipal decision-making, as well as through an appeal process and it was found that the strategic benefit outweighs the local context concerns on condition that maintenance of the development and subsequent maintenance of the environmental features associated with the site, be enforced.</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</p>			

intervention on environmental and water use rights, confirmed that these features were indeed important and should be protected.

The original approved site development plan (2019/2020) was subsequently amended following the outcome of the S24G/WULA processes and the amended layout is deemed more appropriate when avoiding these features.

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 <b>appendix</b> , where applicable.)	YES	NO	Please explain
Development was approved (2019/2020) 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 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 <b>appendix</b> , where applicable.)	YES	NO	Please explain
Development was approved (2019/2020) 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 previously 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.</p> <p>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) and the loss of amphibian habitat for species that must be conserved.</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
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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.

However it is noted that the site was earmarked for Group Housing prior to subdivision and rezoning in 2019/2020, which in itself is deemed a medium-high density development (higher density compared to the proposed amended site layout).

As such it is believed that the character of the area will not be affected significantly should the revised proposal be implemented. Furthermore it is also noted that higher density developments have been approved for the area changing some single residential erven to allow subdivision and consent use dwellings (additional dwellings) as a gradual form of densification within the urban edge.

The current sense-of-place will be affected with the introduction of more affordable housing opportunities, however provision has been 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.

Long-term maintenance of the development (by future residents) and especially the open space areas (by the Municipality) is important to ensure upkeep of the development.

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
<p>The development as was authorised in 2019/2020, 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, as well as encroachment into a sensitive riparian corridor along Camphersdrift wetland system.</p> <p>The revised layout (as presented in this S24G and the WULA application) avoids this wetland and has pulled back the layout from the Camphersdrift wetland system, with an added buffer, and it contains a further ecological setback from the Camphersdrift System that (if developed) would have resulted in unwanted environmental opportunity costs on the greater system.</p>			

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"> <li>• Improved access to affordable housing in an area that is located in proximity to community and health amenities, as well as places of employment;</li> <li>• Protection of wetland flat and Camphersdrift riparian corridor;</li> <li>• Incorporating the conservation areas as part of a Biodiversity Agreement area with CapeNature;</li> <li>• Rates &amp; Taxes income to the local Municipality;</li> <li>• Temporary employment opportunities during construction;</li> <li>• Long-term employment during operational phase.</li> </ul> <p>Negative:</p> <ul style="list-style-type: none"> <li>• Potential implications on the conservation areas should long-term management and maintenance of such areas not realise as recommended;</li> <li>• Change in sense-of-place with change in demographics for the immediate area.</li> <li>• Impact on property values in an otherwise single residential market.</li> <li>• Increase in traffic in the immediate area during construction and operational phases (construction traffic management to address traffic flow during construction phase).</li> </ul>			

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
<p>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.</p>	

16. Any other need and desirability considerations related to the activity?	Please explain
<p>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.</p>	

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 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;</i></p> <p><b>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.</b></p> <p>(c) <i>ensure that the effects of activities on the environment receive adequate consideration before actions are taken in connection with them;</i></p> <p><b>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.</b></p> <p>(d) <i>ensure adequate and appropriate opportunity for public participation in decisions that may affect the environment;</i></p> <p><b>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.</b></p> <p>(e) <i>ensure the consideration of environmental attributes in management and</i></p>	



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 more affordable housing provided in an otherwise high-medium 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 more 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. To this end the central wetland flat and Camphersdrift riparian buffer on the property will be managed under the George Adopt-a-Spot Initiative for a minimum period of three years with CapeNature, George Municipality and private partners ensuring invasive alien management, monitoring of wetland/riparian health, monitoring of the amphibian species noted, pollution control, access control, environmental awareness and education and most importantly skills development and transfer to the George Municipal Park &**

**Recreation Directorate who will ultimately become the owner and responsible for the open space areas of this development.**

*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 did not raise any material objections to the proposal and no other reasonable/feasible alternatives were identified through the public participation process.**

*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 confirmed that the perceived social cost of the development is not deemed greater than the social benefit, with no further special measures required for as part of the S24G process.**

*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 was made to CapeNature during May 2022 and the outcome thereof has determined that a long-term conservation of the sensitive features of this site is critical through means of a Biodiversity Stewardship Agreement as well as an Adopt-a-Spot initiative for a minimum period of three years.**

**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 2019/2020.

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 2019/2020.

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 previous zoning permitted Group Housing which is deemed to be the 'fall back' no-go development alternative. This alternative is not deemed feasible as it would result in the loss of the central wetland flat.

The approved layout (2019/2020) is the last alternative and status quo and is not deemed feasible since it would result in the unacceptable loss of the central wetland flat and encroachment into the Camphersdrift wetland system riparian corridor.

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 proposed as a means to ensure skills transfer and training to future residents as well as the George Municipality who will ultimately take over ownership and management responsibilities for the open spaces of the development.

(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 as part of the pre-application phase did not raise any reasonable nor feasible alternatives that required further assessment or investigation.

(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 (four less than currently approved into the 2019/2020 decision)
- 60 General residential erven (town housing) (22 less than currently approved)
- 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.

**Alternative as approved 2019/2020:**

- 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 central wetland flat.

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)?	<b>YES</b>	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 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)?	<b>YES</b>	NO
If yes, please describe:		
<p>The development impacted on the clearance of the following vegetation types:</p> <ul style="list-style-type: none"> <li>• Garden Route Shale Fynbos (FFh9) - VU (2011), VU (2018)</li> </ul> <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?	<b>YES</b>	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 and prepared for development of numerous erven. Wetland was bulldozed and prepared for development.</p> <p>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?	See Section C sub-section 10	
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?	See Section C sub-section 10	
What was the value of the employment opportunities during the construction phase?	See Section C sub-section 10	
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?	See Section C sub-section 10	
What is the current/expected value of the employment opportunities during the first 10 years?	See Section C sub-section 10	
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.
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**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 <sup>3</sup>	
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?	Unknow	
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	<b>NO</b>
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)

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

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**5. ENERGY EFFICIENCY**

Describe the design measures, if any, that have been taken to ensure that the activity is energy efficient:
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- |   |
|---|
| <ul style="list-style-type: none"><li>• Install energy efficient lights in the homes</li><li>• Install energy efficient or solar lights for street lights</li><li>• Install heat pumps or solar geysers instead of conventional geysers</li></ul> |
|---|

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

See above.
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**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 (ito 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 (-)

<b>Impact on biological aspects:</b>	<b>Alternative 1 (Preferred)</b>	<b>No Go Option</b>
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"> <li>Riparian corridor to be conserved.</li> <li>Wetland to be protected with buffer.</li> </ul>	<ul style="list-style-type: none"> <li>No mitigation was provided for the No-Go as the sensitive features would have been developed.</li> </ul>
Cumulative impact post mitigation:	Medium-Low	High

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



<b>Impacts on cultural-historical aspects:</b>	<b>Alternative 1 (Preferred)</b>	<b>No Go Option</b>
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

<b>Noise impacts:</b>	<b>Alternative 1 (Preferred)</b>	<b>No Go Option</b>
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 (7am-5pm) and Saturdays till 2pm. 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"> <li>• Avoid on-site wetland</li> <li>• No encroachment into the wetland buffer area</li> <li>• Wetland must remain fenced and demarcated</li> <li>• Wetland must be managed long-term</li> <li>• Monitoring must be conducted</li> </ul>	<ul style="list-style-type: none"> <li>• No mitigation measures were recommended to preserve the wetland</li> </ul>
Cumulative impact post mitigation:	Low	High

Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	Low (-)	High (-)
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<b>Impacts on the amphibians</b>	<b>Alternative 1 (Preferred)</b>	<b>No Go Option</b>
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"> <li>• Avoid on-site wetland and riparian habitat setback</li> <li>• Fence the on-site wetland with buffer area to avoid domestic animals and people entering the conservation area</li> <li>• Ensure good quality water entering the system i.e. avoid runoff from entering the wetland</li> <li>• Monitor the habitat</li> </ul>	None
Cumulative impact post mitigation:	Medium (+)	High (-)
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	Medium (+0)	High (-)

<b>Impacts on the socio-economic aspects:</b>	<b>Alternative 1 (Preferred)</b>	<b>No Go Option</b>
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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 (-)

<b>Impacts on the cultural-historical aspects:</b>	<b>Alternative 1 (Preferred)</b>	<b>No Go Option</b>
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.

Residential nature of this nature 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
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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"> <li>• Ensure that public transport i.e. Go George Bus service continues to service the area.</li> <li>• Upgrade of intersection with Langenhoven Street as part of roads master planning.</li> <li>• Apply resource conservation measures.</li> </ul>	<ul style="list-style-type: none"> <li>• Ensure that public transport i.e. Go George Bus service continues to service the area.</li> <li>• Upgrade of intersection with Langenhoven Street as part of roads master planning.</li> <li>• Apply resource conservation measures.</li> </ul>
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 rehabilitation of the central wetland flat and riparian buffer prior to completion of the development to ensure that these features are restored to its natural condition before the Applicant transfers ownership/responsibility to the George Municipality and future residents
- Ensure long-term management of these conservation areas through a Biodiversity Agreement and Adopt-a-Spot Initiative with the George Municipality for a minimum period of three (3) years till the Municipality has the necessary skills set to continue monitoring and maintenance of the open space areas in the long term.

### **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, open space areas will be managed under the George Adopt-a-Spot initiative for a minimum period of three years in line with a Biodiversity Agreement with CapeNature).

### **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, open space areas will be managed under the George Adopt-a-Spot initiative for a minimum period of three years in line with a Biodiversity Agreement with CapeNature).

## 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):
<b>Construction</b>	
<b>Clearance of vegetation</b>	<b>Medium (negative)</b>
<b>Loss of habitat</b>	<b>Medium (negative)</b>
<p><b>Creation of business and employment and opportunities</b></p> <p>Local contractors and workers were appointed to undertake the work. This represents the enhancement measures that would typically be recommended for construction related activities.</p>	<b>Moderate (positive)</b>
<p><b>Noise, dust, traffic related impacts associated with construction related activities.</b></p> <p>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).</p>	<b>Low</b>
<b>Cultural - Historical</b>	<b>None</b>
<p><b>Noise</b></p> <p>The farmlands are isolated and farming noise is unlikely to bother anyone.</p>	<b>Low</b>
<b>Operation</b>	
<b>Cultural – Historical</b>	<b>None</b>
<b>Noise</b>	<b>None</b>

**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;
- 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, open space areas will be managed under the George Adopt-a-Spot initiative for a **minimum period of three years** in line with a Biodiversity Agreement with CapeNature).

**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;
- 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, open space areas will be managed under the George Adopt-a-Spot initiative for a **minimum period of three years** in line with a Biodiversity Agreement with CapeNature).

**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;
- 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, open space areas will be managed under the George Adopt-a-Spot initiative for a **minimum period of three years** in line with a Biodiversity Agreement with CapeNature).

## 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 (note that the Applicant has an ECO monitoring site conditions for the duration of the S24G investigation process, in addition the aquatic specialist is also monitoring the ongoing rehabilitation of the central wetland flat and riparian corridor)
- 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, open space areas will be managed under the George Adopt-a-Spot initiative for a minimum period of three years in line with a Biodiversity Agreement with CapeNature, George Municipality and private partners).
- Outcome of public participation and stakeholder engagement process identified the following key aspects that have been detailed in this report:
  - Public must be able to visit and benefit from the wetland open space area (note that no pedestrian access is permitted, however private open space around the wetland will allow residents and/or visitors to view the wetland);
  - The conservation area (riparian buffer and wetland flat) will be under management for a minimum period of three (3) years through the George Municipal Adopt-a-Spot initiative whereby private entities, in collaboration with CapeNature and George Municipality will oversee alien vegetation clearing, research and monitoring of the ecological corridor, wetland flat and Camphersdrift riparian corridor;
  - Non-motorised transport must be prioritised to ensure that traffic congestion in the greater King George area does not become worse – this must be implemented through the Municipality’s master roads plan with respect to upgrading of the Langenhoven intersection.
  - Continuous alien vegetation management clearing of the open space areas beyond the three year period that it will be done under the Adopt-a-Spot Initiative;
  - Environmental monitoring/control during construction phase till all top structures are finished to ensure that the sensitive environmental features are not compromised;
  - Quarterly monitoring during operational phase of the wetland flat, ecological corridor and Camphersdrift riparian corridor with reporting to CapeNature under a Biodiversity Agreement as well as the S24G Directorate and the George Municipal Environmental Directorate for a minimum period of three years from when construction is completed.
  - Landscaping/rehabilitation of open spaces within the development must be **completed prior to services/open space hand-over to the George Municipality.**

(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 and open space areas/services/roads will be transferred to the George Municipality.

There is no homeowners association of body corporate to take on the role and responsibilities of maintenance and long-term management.

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, open space areas will be managed under the George **Adopt-a-Spot initiative** for a minimum period of three years in line with a **Biodiversity Agreement** with CapeNature/George Municipality and private partners).

**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.

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, open space areas will be managed under the **George Adopt-a-Spot initiative** for a minimum period of three years in line with a **Biodiversity Agreement** with CapeNature).

## 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.	<b>YES</b>	<b>NO</b>
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:	<b>YES</b>	<b>NO</b>
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"> <li>• The mitigation measures as provided by the specialist must be implemented;</li> <li>• Alien invasive clearing must continue on site;             <ul style="list-style-type: none"> <li>○ It must be noted that invasive alien vegetation clearing and monitoring of the central wetland flat and riparian corridor is ongoing throughout the S24G/WULA investigative processes. Both an ECO as well as the Aquatic Specialist are involved with monthly monitoring and ongoing clearing.</li> </ul> </li> <li>• 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, open space areas will be managed under the George Adopt-a-Spot initiative for a <b>minimum period of three years</b> in line with a Biodiversity Agreement with CapeNature).</li> <li>• Landscaping/rehabilitation of internal open space areas must be completed prior to services/open space areas transferred to George Municipality.</li> </ul>		

# 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 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 was undertaken as part of the Fine Regulations stipulations that inform the S24G application:

- Site notices have been placed at two visible locations on the site;
- An advertisement 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;

<ul style="list-style-type: none"> <li>• A stakeholder register was opened and maintained, and all registered Interested &amp; Affected Parties (I&amp;APs) have been provided with opportunities to comment on various documentation;</li> <li>• All comments received in response to the pre-application S24G Impact Assessment report have been considered and reflected in this report and in particular in the attached Public Participation Report.</li> </ul>		
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 was made available on the Cape EAPrac website ( <a href="http://www.cape-eaprac.co.za">www.cape-eaprac.co.za</a> ) for the duration of the 60-day commenting period.		

**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	No	No comment received during regulated commenting period.
DEADP George IEM office	Yes	
Breede Gouritz Catchment Management Agency (BGCMA)	No	No comment received during regulated commenting period although they are a decision-making authority ito the WULA and will most likely reserve their comment till the WULA process is completed.
CapeNature	Yes	
George Municipality	No	No comment received during the regulated commenting period.
Department of Health	No	No comment received during the regulated commenting period.
Heritage Western Cape	Yes	No further studies required.
Garden Route District Municipality	No	No comment received during the regulated commenting period.

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.)	
COMMENT	RESPONSE
<b>HERITAGE WESTERN CAPE, 04/04/2022</b>	
Comment submitted in 2018 that no further studies are required for the proposed mixed use development of Erven 21028 & 21029. Comment has not changed.	Noted.
<b>CAPE NATURE, 21/06/2022</b>	
Environmental Control Officer (ECO) must monitor construction and operational phases to ensure recommended mitigation measures of specialist studies are implemented and that sensitive areas and no-go areas are treated as such.	Noted. Power Construction appointed Cape EAPrac to act as ECO for the duration of the time that the site is shutdown (whilst the investigative processes are underway). Confluent Consulting (the aquatic specialist) is also appointed to monitor the wetland and riparian corridor rehabilitation status. Alien clearing activities is ongoing whilst the site is closed. An ECO will also be appointed for the remainder of the duration of the construction period which will be on-hold until such time as the Section 24G application process is completed.
Waste generated must be stored onsite until it is removed to a registered facility.	Noted and implemented as such.
CapeNature agrees with the mitigation measures proposed by the various specialists which must be implemented.	Noted. The site plan has been updated to reflect all the relevant specialist recommendations including buffering the wetland and riparian buffer, vegetating the ecological corridor, relocating overhead lighting to reduce visual night glare around the central wetland.
Further loss of biodiversity must be prevented by implementing the management recommendations for conservation and open space areas.	Noted. The revised layout accommodates the recommendations made to biodiversity, conservation and open space management.
CapeNature supports the ecological link between the wetland and the river. A restoration plan must be compiled for the corridor between the wetland the river.	The ecological corridor will be vegetated with on-site input from the aquatic specialist once the channel has been completed (to verify slope and soil type for optimal restoration).
The wetland must be protected, its conservation is supported.	Noted. Zoned Open Space III / Conservation status. George Municipality will own and management ito the biodiversity agreement and the George Adopt-a-Spot will be initiated for the open space areas in collaboration with private entities who has knowledge and experience in monitoring. The Adopt-a-Spot will aim to ensure skills transfer and environmental training of the Municipal Parks teams responsible for open space management for a minimum period of three years to ensure that long-term maintenance of these features are assured under appropriate management.

Alien Plant species management plan must be compiled and must form part of the Environmental Management Plan.	Noted. The environmental management plan contains recommendations on invasive alien management on the study site. The riparian corridor, central wetland and stormwater attenuation will be managed under a formal Adopt-a-Spot agreement with the George Municipality. The terms for Adopt-a-Spot is reflected in the Section 24G report.
Suitable indigenous vegetation must be used during rehabilitation of all open space areas.	Noted.
The Applicant is reminded that flooding events can change watercourses within a short period of time and it must be mitigated. Construction must be done during the drier periods of the year.	Construction will be implemented according to a construction programme and to avoid the site being vacant for extended time periods, therefore it is not feasible to avoid construction during wetter months. The contractor must however ensure compliance with the EMP which addresses potential issues pertaining to stormwater management and flooding under ECO supervision.
Topsoil must be stored separately and should not be contaminated.	Topsoil across the site was removed when construction commenced. It has been stockpiled and will be reused across the site area where deemed necessary. Invasive alien species are being controlled on the property with intermittent clearing intervals under supervision of the ECO and aquatic specialist.
Stabilising of cleared areas must be done to prevent erosion.	The necessary stabilisation has been done during the period when the site has been mothballed. Erosion control measures will continue to be checked whilst the site is vacant and also when construction commence once more. Additional erosion and stormwater measures are being implemented with input and monitoring of the aquatic specialist and ECO.
Areas susceptible to erosion must be protected by installing the necessary temporary structures.	Noted. Also see above comment.
Strictly adhere to stormwater management controls to avoid negative impacts on erosion.	Noted. Detailed stormwater management plan compiled by engineer in consultation with the aquatic specialist. Construction phase stormwater management will be monitored by ECO.
Search and rescue of plants must allow for a nursery until such time as they can be replanted	The site was cleared of vegetation when construction commenced. No search and rescue was undertaken at the time. Search and rescue is however recommended prior to when construction will commence if the development is authorised in areas where natural vegetation reoccurred during the time period the site has been mothballed. Should permits be required CapeNature will be approached by the ECO.



<p>Construction activities must remain outside of the 19m buffer zone and heavy machinery must remain outside the watercourse and their buffers.</p>	<p>Noted. The areas/buffers have been clearly demarcated and will be identified as areas where no access is permitted either for vehicles or workers during the construction period, unless they are needed to conduct erosion control/alien clearing.</p>
<p>The site must be conserved as a Biodiversity Agreement.</p>	<p>Noted. The process for a biodiversity agreement commenced in June 2022. Adopt-a-Spot process will commence once approvals are in place due to the process needing to be followed with the Municipality on this process.</p> <p>The Adopt-a-Spot initiative will be a collaboration between George Municipality, CapeNature and Private Partners for a minimum period of three (3) years during which time invasive alien vegetation clearing, erosion control, amphibian health monitoring, environmental education and awareness and skills transfer and training for the Municipal Parks &amp; Recreational Directorate will be critical to ensure appropriate, informed management of the open space areas once the Adopt-a-Spot Initiative comes to an end or is extended beyond three years.</p>
<p><b>Mrs Charmaine Nunns (resident), undated</b></p>	
<p>The wetland area must be fenced to ensure that domestic animals and people do not access this sensitive area.</p>	<p>The wetland is currently demarcated, but will be fenced inclusive of the recommended 19m buffer around the feature. It will remain a no-go area for the duration of construction. The central wetland will also be fenced in the operational phase to restrict pedestrian/domestic animals from accessing the site unauthorised into the future. Monitoring of the open space areas inclusive of the central flat wetland will be undertaken as part of a Stewardship Agreement between the George Municipality and CapeNature, as well as with additional monitoring and assistance under the Municipal Adopt-a-Spot initiative.</p>
<p>How will littering into the wetland from the group housing be monitored?</p>	<p>The wetland will be fenced and not accessible to people/residents. Litter is therefore unlikely to find its way into the wetland. The area will be part of a CapeNature / George Municipality Biodiversity Agreement. Furthermore stormwater design is such that runoff is not directed to this wetland because good quality water is important for the health of the frog species. As such the normal litter that gets transported with stormwater will also not end up in the wetland. The wetland will be part of an Adopt-a-Spot programme whereby it will be managed and monitored by the aquatic specialist in cooperation with the Municipality for long-term invasive alien clearing, species monitoring and littering. Cleaning out of any litter will be part of the roles &amp; responsibilities under the Adopt-a-Spot Initiative for the duration of the contract whereafter the George Municipality (after three years of training) will take over maintenance and management of the site.</p>

<p>It will be great if residents from Die Bult/King George Park can have access to enjoy the enclosed wetland with regards to a walkway around the wetland and some benches. The plan allows only access for residents of The Village Ridge.</p>	<p>The Village Ridge development is not a fenced development, as such it is open to the general public and residents from the greater area will have access to the wetland if they want to walk there or view the site i.e. sit at a bench next to it (albeit not within the fenced area since this will be a no-go area). The revised site plan makes specific provision for an open park-like area in proximity to the wetland that residents and visitors like will have access to.</p>
<p>How can we be assured that none of the residents will be able to access the wetlands areas.</p>	<p>The central wetland will be permanently fenced (locked) to prevent unauthorised access. Access will be restricted for purposes of monitoring, cleaning and research purposes only by means of a locked gate. Only Municipal officials responsible for cleaning and maintenance, as well as the members of the Adopt-a-Spot Initiative will have access to the fenced central flat wetland area. This is specifically to prevent unauthorised access by pedestrians/domestic animals that can impact negatively on the sensitive habitat.</p>
<p>How will access to Camphersdrift wetland be secured?</p>	<p>Camphersdrift is part of a greater municipal open space system which is accessible to the general public where access routes are provided. Roads through this development are open to the public and pedestrians can also walk to the Camphersdrift wetland corridor. The Camphersdrift corridor is not accessible with walkways all the way and care must be taken not to create informal walkways into this sensitive area. The buffer area along the Camphersdrift wetland that falls within the study site will be rehabilitated and potentially including the provision for an artificial attenuation pond in the position where the old car park is adjacent to the Camphersdrift wetland as an additional measure of responsible access to the Camphersdrift wetland corridor (discussion with Municipality ongoing since it is on their land). Signage will also be displayed along the corridor to inform hikers/visitors of the sensitive habitat.</p>
<p>The old parking area will become a no-man's land which will attract vagrants who will enter the corridors and put the whole wetlands in jeopardy of foot traffic.</p>	<p>It is proposed that this area be converted to an artificial stormwater detention wetland/pond to prevent silt runoff from the greater Die Bult stormwater runoff, entering Camphersdrift and reduce the velocity of stormwater entering the Camphersdrift wetland corridor to avoid unwanted erosion. This feature is not on the George Village Ridge site, but negotiations with the Municipality is ongoing to convert the old car park area to an artificial stormwater pond which has the potential to reduce vagrants visiting and making use of it for illicit practices (site is on municipal land).</p>

<p>The shop/business is proposed too close to the wetland and can cause pollution. Who will take responsibility? Also this will attract unwanted people which will cause a security risk for the neighbourhood.</p>	<p>All development around the wetland is setback by the recommended 19m buffer area specifically to protect the wetland (the retail will not encroach into this area). The function of this buffer area is to create sufficient space between the habitat and development to avoid direct and reduce indirect impacts. The same applies to the commercial/business sites as these are also outside of the 19m buffer area. Retail site will be sold as an individual erf with business rights and whoever buys it will erect and manage the facility with own security. The facility will be for the benefit of residents and other parties and it is not clear what 'unwanted' people is being referred to. If it implies beggars or vagrants loitering around, it must be noted that residents will also self-regulate the area as it is as much a nuisance to them to have unwanted elements at their homes, as it is for the greater residential Die Bult area.</p>
<p>There appears to be too few parking spaces which will cause congestion in the streets and the public open space areas will be taken over by parked vehicles.</p>	<p>Parking ration has been approved by the Municipality as part of the preliminary land use planning discussions. The site parking complies with Municipal requirements for on-street parking. Parking for units are also dedicated off-street on each erf. Commercial will have its own parking on-street within the development area. The sensitive public open space areas within the development will be fenced which will prohibit any parking on these open areas.</p>
<p>Where would a removal truck for erf 1 or 88 stop?</p>	<p>The layout complies with the municipal minimum turning circles requirements that allows larger vehicles to access the area safely. The Municipality may not approve the final site plan if it is not adhering to minimum standards, especially for a municipal service such as refuse removal.</p>
<p>Will the bridge be able to take heavy loads such as refuse removal trucks or moving trucks?</p>	<p>Bridge final design will be designed to accommodate heavy loads. The bridge will have culverts that don't have cement bottom or have cement covered with natural substrate to allow and improve faunal movement underneath the bridge.</p>
<p>Can Power Construction Adopt the Wetland Area as part of the Municipality's Adopt-a-Spot initiative? As per their website 'Power connects people by building bridges, roads, airports and townships. We enhance lives by building schools, homes and medical facilities. We create recreational platforms by building film studios, luxury golf estates and shopping centres'. But nowhere do they state anything with regards to sustaining our environment, preserving areas?</p>	<p>Consultation with CapeNature and the George Municipality regarding long-term management confirmed that the central wetland will be subject to a Biodiversity Agreement and the new Adopt-a-Spot programme for a minimum period of three (3) years. Power Construction will not be the entity implementing the Adopt-a-Spot as the internal open spaces will be transferred to the George Municipality once rehabilitated. The aquatic and environmental specialists will form part of the Adopt-a-Spot Initiative for the initial phases of operation (minimum three years) to ensure that the wetland habitat is restored and maintained appropriately until such time as it established and local community environmental awareness has been created to ensure long-term conservation outcomes.</p> <p>Landscaping/rehabilitation of open space areas must be completed prior to handover of the services/opens space areas to the George Municipality and through the Adopt-</p>

	<p>a-Spot initiative the George Municipal Parks directorate responsible for maintenance of open space areas will receive training and environmental education to help ensure continued improvement and maintenance of these sensitive environmental features into the future. Furthermore auditing requirements (of the open space areas) will be built into the approvals that will also help to ensure long-term compliance and protection of these features.</p>
<p><b>George Sustainability Forum, 09/06/2022</b></p>	
<p>We are in support of the amendments (layout/development) but continue to have concerns that the necessary checks and balances could have failed.</p>	<p>It is acknowledged that oversights in preceding processes resulted in the need for the Section 24G and WULA processes. Community watchdogs played a significant role in ensuring that due process is followed albeit in hind-sight. The outcome of the S24G and WULA processes have achieved conservation goals despite the unfortunate damages caused initially when the site was cleared. Cooperation between the local Municipality and Provincial Environmental Affairs and Water Affairs is improving and should close the gaps whereby a repeat of a similar oversights could be avoided. The best monitoring mechanism is still community members and residents who raise concern when activities take place that may require the involvement of Authorities at a higher level.</p>
<p>This type of higher density development in George is necessary and the resultant delays could easily have been avoided.</p>	<p>Noted. Due process is being followed to ensure that a repeat of the initial application process with oversights does not happen again. Unfortunately the process takes time to complete and the resulting delay in providing affordable housing of this nature is regrettable.</p>
<p>Why did the initial EIA not trigger the wetlands?</p>	<p>No EIA was undertaken at the time (2018) given that the Department of Environmental Affairs, in response to an Applicability Checklist, confirmed that there was no requirement for an EIA. It appears that the conclusion was incorrect and seemingly based on a lack of clear and detailed information contained in the Clarification Application submitted to the Department, that resulted in decision-making that was not accurate.</p>
<p>Who undertook the EIA?</p>	<p>Unfortunately no EIA was undertaken at the time when the planning application process was undertaken (2018). EnviroQuest (an environmental firm) compiled and submitted an Applicability Checklist to the DEADP in 2018. Based on the information contained in the Applicability Checklist, the DEADP concluded that no listed activities were triggered.</p>
<p>Why did the DEADP allow the authorisation (missing the wetland trigger)?</p>	<p>Information about the wetland was included in the Applicability Checklist documentation although it was submitted that 'formal classification' of said feature had to (still) be done. The S24G investigation determined that the EAP who completed and submitted the Clarification Application the DEADP could have been</p>

	clearer on the presence of a wetland to the specific point of whether or not it may trigger an environmental process. It also appeared that the DEADP in their review of the Applicability Checklist could have made further enquiries to clarify the presence of a wetland and to what extent the development would have impacted thereon.
Who authorised the development in DEADP.	No environmental authorisation was issued and as such no environmental authorisation was issued.
How could the Mayor over-ride the request for further detailed investigations by the rate payers association?	This S24G application process is a retrospective investigation of environmental conditions and as a result it is not possible for us to reflect on decisions taken in terms of a separate (planning) application by different consultants. Philip Theron who is the Urban Planning on the planning process is in a better position to address questions on the 2018 planning application process.
Who authorised the development within the George municipality?	Various directorates within the Municipality considers and authorises a land use planning application, It is our understanding that it (the final decision) therefor is not an individual who takes the decision on his/her own. Such a decision is informed through inputs from various internal directorates. FormaPlan Town Planners were responsible for the planning application and can provide more detailed information on the planning process and outcomes.
What further checks and balances could the Municipality have set in place to prevent that this transgression does not happen again.	The Municipality has a dedicated environmental directorate now who assist Town Planner with development applications to determine applicability and ensure compliance. At the time of the 2018 planning application said directorate was more planning orientated and to our knowledge the Municipality did not have an environmental person employed in the same position as there is today. Developments of this nature located in proximity to sensitive ecosystems and especially open space areas such as Camphersdrift must be identified by the Municipality as needing consultation with DEADP, CapeNature and BGCMA to obtain their comment prior to Municipal approvals.
What was the cost of the total S24G process? Ratepayers has the right to know the cost for not getting the EIA process right the first time.	We submit that the cost of the environmental investigations is not public information. The cost for the process has not been carried by the Municipality or any other public organ of state. Power Construction in their capacity as the Applicant (which is a private company) has been responsible for all of the costs associated with the retrospective applications. They will also be responsible for paying the Administrative Fine to the Environmental Authorities, as well as for all costs associated with landscaping and rehabilitation of the sensitive environmental features identified in the site until such time as the open space areas is transferred to the George Municipality.
<b>GARDEN ROUTE DAM ACTION GROUP, 03/06/2022</b>	

<p>Pity that the freshwater ecological aspects of the site were made to fit into a development with perceived rights. Without an EA and WULA there were no development rights.</p>	<p>The site was approved for Group Housing after it was rezoned from Institutional As part of Die Bult school site originally when the greater Die Bult development was established. When the site was rezoned to Group Housing previously the DEADP confirmed that said rezoning did not trigger the ECA legislation at the time of rezoning.</p> <p>The subsequent application for further rezoning was therefore done from the basis of primary rights being for Group Housing.</p> <p>The freshwater ecological assessment determined the (now) no-go area, as well as a buffer area which was not defined by the development proposals previously. The development proposal proposed as part of the S24G had to adopt the no-go and buffer areas which the Applicant must rehabilitate to the satisfaction of the Authorities should the development be authorised.</p>
<p>GARDAG is satisfied that qualified freshwater ecologists and other specialists were consulted to address the conservation of freshwater resources on the affected properties.</p>	<p>Noted. The freshwater specialist will remain involved in the continued monitoring and rehabilitation of the central wetland flat and riparian corridor as part of the Adopt-a-Spot initiative for minimum period of three years to ensure sufficient environmental awareness and training of both residents and Municipal Officials responsible for long-term maintenance of these sensitive environmental features.</p>
<p>GARDAG agrees with the methods proposed to protect the freshwater habitats.</p>	<p>Noted.</p>
<p>The recommendation by specialist that the wetland must not be lit up (prevent night pollution) and that it should be fenced are supported.</p>	<p>The aquatic specialist, in consultation with the electrical engineers, determined the most optimal location for external street lights in proximity to the areas surrounding the wetland to limit potential external night pollution on the sensitive habitat. No lights are provided inside the no-go buffer area or the wetland itself in support of a low-lighting habitat. It must be noted that surrounding residential areas already introduce lighting in the form of street lights and house lighting. The proposed development of the site as such is not introducing a completely new impact, but mitigating it through appropriate placing and stipulating low level bollard lighting is deemed acceptable.</p>
<p><b>HIGHLANDS/KING GEORGE PARK RESIDENTS ASSOCIATION, undated</b></p>	
<p>Public meeting was convened by the ratepayers on 26 May 2022 (attendance register provided). Comment from this meeting is incorporated into submission.</p>	<p>Noted.</p>
<p>Strongly support the recognition of the wetlands and that it be protected by a durable fence preferably nylar-for-medium also called beta fencing.</p>	<p>Temporary demarcation remains in place for the duration of construction whilst permanent fencing recommendations by aquatic specialist to keep people and domestic animals out and indigenous fauna safe, will be implemented and kept in place for the duration of the construction period.</p>

	<p>A permanent fence around these features, will be similar to clearvu fencing and will be installed as part of the civil contract to ensure that it is in place prior to any occupation.</p> <p>The Applicant will be responsible for installing the fence and for all the prescribed rehabilitation/landscaping of the identified sensitive features to the satisfaction of the competent authorities.</p> <p>Monitoring of the rehabilitated areas will be under the George Adopt-a-Spot Initiative for a minimum period of three (3) years to help with skills transfer and environmental awareness training of residents and the George Municipal Parks &amp; Recreational Directorate who will ultimately become owners and be responsible for long-term management of the open space areas.</p>
<p>The corridor must be fenced in as well with security lights around the wetlands and the corridor.</p>	<p>The corridor will be demarcated and revegetated to help it function as an ecological corridor and keep out people/domestic animals. Lighting along the corridor must be done very sensitively to ensure that movement of animals and amphibia is not hampered as many of these animals prefer movement during the cool of night and excessive lighting can jeopardise their natural movement patterns.</p>
<p>Reasonable access for members of the public to the wetlands must be ensured.</p>	<p>The development is not a gated development and is accessible in a similar fashion as the rest of the surrounding residential areas i.e. with vehicles/on foot.</p> <p>It must be noted however that no visitors/residents will be permitted to enter the fenced area surrounding the central wetland flat. This is particularly planned so as to limit long-term impacts on this sensitive feature and habitat for frogs. Places to sit i.e. benches will be provided for residents and visitors alike who may be interested in the wetland but these will be outside of the controlled fenced off central wetland flat. Only municipal officials responsible for maintenance, research and members of the Adopt-a-Spot initiative will have access to the central wetland flat through a locked gate system.</p>
<p>Benches at the periphery of the wetland for the public to enjoy the natural beauty of this feature is of utmost importance.</p>	<p>The landscaping of the area surrounding the central wetland will most definitely take into account places for people to sit in the adjoining open space park area, as well as awareness signs and postage about the wetland and important frog species. The priority for the area however is for funding on rehabilitation/landscaping/fencing and monitoring to restore the features.</p>
<p>Visible security to ensure the safety and protection of fauna and flora inside the wetlands will be an added precautionary measure.</p>	<p>The central wetland will be permanently fenced to prevent human and domestic animal impact.</p>



<p>Insufficient parking space is provided for visitors. This was also raised as a point in our previous appeal.</p>	<p>The development is considered a normal township development albeit higher density. Large public parking areas do not form part of normal residential developments as visitors are mostly associated with somebody visiting a friend/family member in which case parking takes place at a house. On street parking is provided for the retails centre and onsite (off street) parking is provided for residential units. The George Municipality cannot approve of a site plan that does not adhere to their minimum traffic/parking standards as per the Zoning Scheme Regulations. Once the environmental processes are complete, a further planning process must be followed still during which time the Municipality will check for further compliance requirements not related to the environmental fields per se.</p>
<p>Unused remnant of the road along the boundary of the school will become a gathering place for vagrants and criminals if not totally removed.</p>	<p>Discussions are underway with the George Municipality for this area (old parking lot) to be transformed to an artificial stormwater pond/wetland to catch silt and prevent unwanted erosion from stormwater runoff from the greater Die Bult area and the development from entering the Camphersdrift system. Currently it is an open area with no controls hence vagrants can congregate there, but the proposed conversion to an artificial wetland will make it an inaccessible/unusable space for such unwanted activities. It must be noted that this parking area is off-site from the George Village Ridge study area and remains the responsibility of the George Municipality.</p>
<p>Increase in traffic volumes, as highlighted in our previous appeal, will increase noise levels, traffic congestion at the various intersections and will inhibit pedestrian traffic with so many residents walking around with their children and dogs.</p>	<p>The TIA (2020) that informed the original application reflects the reduced numbers of units for this development. The engineers confirmed that the level of service from existing traffic <i>congestion</i> will not be exacerbated by this development since many residents will rely on the Go George Buss service instead of using private vehicles. It is acknowledged however that through traffic volumes will <i>increase</i> as more people will make sure of the road network in the area. Cognisance is also taken of the subsequent introduction of the Go-George public transport system that will serve this development area as a way of alleviating the use of private vehicles. It must be noted that prior to this application being approved by the Municipality in 2018/2019 the site had primary zoning rights for Group Housing which implies that an increase in traffic was always going to result for development of the property since it was originally set aside as part of the greater Die Bult development.</p>
<p>Continuous sewage blockages in the area which the Municipality does not attend to or resolved over the years will be exacerbated and will negatively impact on the Camphersdrift wetland.</p>	<p>The Civil Engineers (Zutari) has confirmed that the existing municipal sewage system is not over capacity, but there is a need for improvement maintenance to address blockages that stems from higher-up locations in the system. The proposed development will not push the sewage system beyond its capacity and as such no bulk upgrades are required to the sewage infrastructure. But it is acknowledged that continued maintenance is a Municipal function and reporting of blockages is an important communal function. It is a concern that the existing</p>



	<p>municipal bulk sewer line runs along the Camphersdrift wetland system already. Blockages resulting in overflows at manholes situated along the river poses a threat to the sensitive habitat along this corridor. Although this line does not require any upgrading (capacity is sufficient), the Municipality is obliged to restore blockages within a reasonable time and to clean up any spills that may be detrimental to the environment.</p>
<p>Remains concerned about the validity and relevance of the TIA and EIA which was done for this application.</p>	<p>Prior to this S24G and WULA there was no EIA done. The 2018/2019 development application was decided upon based only on a Planning Application. The TIA done as part of said planning application was revisited and the engineers confirmed that the revised layout (accommodating the central wetland flat and riparian corridor) reflects on a reduced number of units which will result overall traffic volumes. Noted also is the subsequent coming online of the Go-George public transport system. The municipality is mandated to consider and approve the technical studies including the TIA when the final site development plan (as amended through the S24G/WULA process) must be resubmitted to the Municipality for approval.</p>

**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.**

- Conservation flat, ecological corridor and Camphersdrift riparian corridor must be subject to a Biodiversity Agreement / Adopt-a-Spot Initiative with CapeNature, George Municipality and private partners for a minimum period of three (3) years to ensure ongoing monitoring and restoration of these features;
- The above-mentioned areas will be under management of external, private entities who will enter into an Adopt-a-Spot agreement (aligned with the Biodiversity Agreement) for monitoring and management of these areas for a period no less than three years to help build capacity at the George Municipality who will take over ownership and long-term management of the open space areas of this development;
- Environmental Control Officer (ECO) must monitor construction until such time as the development is complete (top structures and rehabilitation finished);
- Quarterly ECO monitoring must happen for the three (3) year period under the Adopt-a-Spot management agreement in consultation with an aquatic specialist;
- Conservation wetland flat must be fenced with no unauthorised pedestrian access (only for research and monitoring purposes, clearing of litter, maintenance of the fence and/or invasive alien clearing purposes);
- Invasive alien clearing must be undertaken for all open space areas by the George Municipality when the open spaces are transferred;
- Rehabilitation/landscaping of internal open space areas must be completed by the Applicant as part of the project implementation (before hand-over of services/open space areas to the George Municipality);
- Discussions underway for the existing Municipal parking lot to be converted into an artificial stormwater retention wetland facility to prevent unwanted silt and runoff from the Greater Die Bult residential area and the proposed development site, from entering the Camphersdrift wetland system and to help curb unwanted erosion. Note that this parking area is currently on Municipal land and final arrangement/agreements to convert this area to an artificial wetland will determine if this additional measure is feasible.

**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 Gouritz Catchment Management Agency (BGCMA)	Mr Carlo Abrahams	Tel	023 346 8000
		Fax	
		E-mail	cabrahams@bgcma.co.za
BGCMA Compliance	Ms Nolutando Ndlumbini		023 346 8051
			nndlumbini@bgcma.co.za
DEADP, George	Shireen Pullen		(044) 805-8616
			Shireen.Pullen@westerncape.gov.za
Heritage Western Cape	Waseefa Dansey		021 483 9533
			waseefa.dhansay@westerncape.gov.za
George Municipality	Clinton Peterson		044 801 9477
			cpetersen@george.gov.za
George Municipality	Priscilla Burgoyne		044 802 2905
			pburgoyne@george.gov.za
CapeNature	Ms Megan Simons	Tel	087 087 3058
		Fax	044 802 5313
		E-mail	msimons@capenature.co.za
Dept Health	Mlungisi Booii		044 803 2727
			Mlungisi.Booi@westerncape.gov.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>i</i>	<i>immediately cease the activity pending a decision on the application submitted in terms of this subsection</i>	
<i>ii</i>	<i>investigate, evaluate and assess the impact of the activity on the environment</i>	
<i>iii</i>	<i>remedy any adverse effects of the activity on the environment</i>	
<i>iv</i>	<i>cease, modify or control any act, activity, process or omission causing pollution or environmental degradation</i>	
<i>v</i>	<i>contain or prevent the movement of pollution or degradation of the environment</i>	
<i>vi</i>	<i>eliminate any source of pollution or degradation</i>	
<i>vii</i>	<i>compile a report containing-</i>	
	<i>aa</i>	<i>a description of the need and desirability of the activity</i>
	<i>bb</i>	<i>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</i>
	<i>cc</i>	<i>a description of mitigation measures undertaken or to be undertaken in respect of the consequences for or impacts on the environment of the activity</i>
	<i>dd</i>	<i>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</i>
	<i>ee</i>	<i>an environmental management programme</i>
<i>viii</i>	<i>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.</i>	

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 is <u>not subject to this application</u> and in any province in the Republic?	YES <hr style="width: 80%; margin: 0 auto;"/>	NO <hr style="width: 80%; margin: 0 auto;"/>	UNCERTAIN <hr style="width: 80%; margin: 0 auto;"/>
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 is <u>not subject to this application</u> and in any province in the Republic?	YES <hr style="width: 80%; margin: 0 auto;"/>	NO <hr style="width: 80%; margin: 0 auto;"/>	UNCERTAIN <hr style="width: 80%; margin: 0 auto;"/>
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 <hr style="width: 80%; margin: 0 auto;"/>	NO <hr style="width: 80%; margin: 0 auto;"/>	UNCERTAIN <hr style="width: 80%; margin: 0 auto;"/>
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	
	<del>The activity is not giving, has not given and will not give rise to any negative socio-economic impacts</del>	
	The activity is giving, has given, or could give rise to negative socio-economic impacts, but highly localised	x
	<del>The activity is giving, has given, or could give rise to significant negative socio-economic and regionalized impacts</del>	
	<del>The activity is resulting, has resulted or could result in wide-scale negative socio-economic impacts.</del>	
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	
	<del>The activity is not giving, has not given and will not give rise to any impacts on biodiversity</del>	
	The activity is giving, has given or could give rise to localised biodiversity impacts	x
	<del>The activity is giving, has given or could give rise to significant biodiversity impacts</del>	
	<del>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.</del>	
Motivation:		

The No-Go alternative (group housing) did not require prior Environmental Authorisation as it formed part of an already established township area which was approved prior to the Environmental Regulations coming into effect. Under these rights the central wetland flat and Camphersdrift riparian corridor are likely to have been destroyed.

By changing the designated zoning, the development went beyond the primary rights of the property necessitating the environmental investigation albeit in the form of a S24G Rectification Application.

As a direct result thereof the preferred Alternative 1 has been informed by several specialist assessment and will avoid the sensitive features and will ensure that these conservation areas are assured long-term management and protection, then the impact on biodiversity (aquatic/amphibian and botanical) is deemed a significant improvement from what it would have been under the Status Quo. Although the initial clearing impacted on biodiversity in a negative manner, it has become a vehicle for its protection.

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
	<del>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</del>	
	<del>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</del>	
	<del>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</del>	
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
	<del>The activity is giving, has given or could give rise to pollution with moderate impacts.</del>	
	<del>The activity is giving, has given or could give rise to pollution with high impacts.</del>	
	<del>The activity is giving, has given or could give rise to pollution with major impacts.</del>	
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	
	<del>Administrative action was previously taken against the applicant in respect of the abovementioned provisions.</del>	

<del>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.</del>	
Administrative action was <b>not</b> 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		
	<del>The applicant was previously convicted in terms of either or both of the abovementioned provisions.</del>	
	<del>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.</del>	
	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		
	<del>Previous applications in terms of section 24G of NEMA were submitted by the applicant.</del>	
	<del>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.</del>	
	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		
	<del>The applicant is a natural person.</del>	
	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 and acted in accordance with an official letter



from the DEADP George office in which it confirmed that no prior Environmental Authorisation (EA) was required for the development.

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 also submits that it ceased construction following the pre-directive and adhered to the advice 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 the following in its defence as to why prior Environmental Authorisation was not obtained:**

- **The Applicant acted in a responsible manner by appointing an Environmental Assessment Practitioner (EAP) at the time of the Planning Application (2018) to compile and submit a Clarification Application to the Department of Environmental Affairs for consideration and to confirm (based on the contents and proposal) whether prior Environmental Authorisation was in fact necessary;**
- **The EAP compiled and submitted a Clarification Application for consideration. The application made reference to the on-site wetland and accompanied by specialist reports that referred to the on-site wetland but stated that its status had to be verified/validated;**
- **The Department in their response to the Clarification Application came to the conclusion that prior Environmental Authorisation is not deemed necessary based on the fact that the development would not impact on the feature and/or that the feature is not deemed a wetland;**
- **Based on this verification by the Competent Authority at the time, the Applicant proceeded with construction upon approval by the George Municipality.**

**The Applicant submits that it did not wilfully act in contravention of the National Environmental Management Act and as such did not intentionally cause damage or harm to the receiving environment.**

## 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	✓
Appendix L:	Certified copy of the title deed (or title deeds in the case of linear activities)	✓
Appendix M:	Any Other (if applicable) (describe) M1: EAP CV M2: EAP Company Profile M3: Screening Tool M4: Landscaping Proposal	✓

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. DECLARATIONS

### 2.1 The Applicant

Note: Duplicate this section where there is more than one applicant

- I, **Steven Levey**, in my personal capacity or duly authorised as **representative (Senior Development Manager)** of **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 –
    - 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);
    - costs incurred in respect of the undertaking of any process required in terms of this application;
    - costs in respect of any prescribed fee payable in respect of this application;
    - costs in respect of specialist reviews, if the competent authority decides to recover costs;
    - the provision of security to ensure compliance with the applicable management and mitigation measures; and
    - 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. I am aware that a false declaration is an offence in terms of Regulation 48 of the EIA Regulations, 2014 (

**Please Note:** If acting in a representative capacity, a certified copy of the resolution or power of attorney must be attached.



Signature of the applicant:

Steven Levey

Name:

Power Construction (Pty) Ltd

Name of Firm (if applicable):

08 September 2022

Date:

## 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:

8 September 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
		Tons	M <sup>3</sup> / 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 1km 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
		_____ ° _____ ' _____ "	_____ ° _____ ' _____ "
		_____ ° _____ ' _____ "	_____ ° _____ ' _____ "
		_____ ° _____ ' _____ "	_____ ° _____ ' _____ "

		<u>        o                 "        </u>	<u>        o                 "        </u>
		<u>        o                 "        </u>	<u>        o                 "        </u>
		<u>        o                 "        </u>	<u>        o                 "        </u>

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