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Department :
Economic Development, Tourism and
Environmental Affairs
PROVINCE OF KWAZULU-NATAL

ADDENDUM TO ENVIRONMENTAL AUTHORIZATION

Amendment

**Amendment to Environmental Authorization in terms of Regulation 27(2)(a)
of the
Environmental Impact Assessment Regulations, 2014**

**AMENDMENT OF ENVIRONMENTAL AUTHORISATION PERTAINING TO THE
EXTENSION OF VALIDITY PERIOD FOR THE CONSTRUCTION OF FIELDS OF
GOLD VILLAGE ESTATE ON PORTION 3 OF THE FARM UPLANDS 8567,
MARGATE, RAY NKONYENI MUNICIPALITY, UGU DISTRICT, DC 21**

Application number: DC21/AMEND/0023/2017

Date of first authorization: 31 July 2012

Date of first Amendment: 04/04/2017

Holder of authorisation: Cordev Marketing and Corporate Development
(Pty) Ltd

Location of activity: Portion 9 of the Farm Uplands 8567
Margate
Ray Nkonyeni Municipality
Ugu District
DC 21

Decision

The KwaZulu-Natal Department of Economic Development, Tourism and Environmental Affairs (hereafter referred to as the "Department") hereby issues an amendment to the environmental authorization for the following project:

AMENDMENT OF ENVIRONMENTAL AUTHORISATION PERTAINING TO THE EXTENSION OF VALIDITY PERIOD FOR THE CONSTRUCTION OF FIELDS OF GOLD VILLAGE ESTATE ON PORTION 3 OF THE FARM UPLANDS 8567, MARGATE, RAY NKONYENI MUNICIPALITY, UGU DISTRICT, DC 21

Date of authorization

31 July 2012

Name of applicant

Cordev Marketing and Corporate Development (Pty) Ltd

Details of the contact person:

Mrs Winifred Martha Kyriakides

FourWays Golf Park
By Hill
Roos Street
Fourways
2191

Tel: 082 322 5110

Email: winniek@cordev.co.za



Handwritten signature and date: 04/04/17

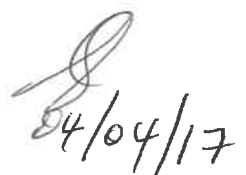
1 Details of amendment

- 1.1 An Environmental Authorisation (EA) was issued on 31 July 2012 under the reference number DC21/0023/2011.
- 1.2 The Environmental Authorisation (dated 31 July 2012) authorised the development of a retirement village referred to as Fields of Gold Village Estate on Portion 9 of the Farm Uplands No. 8567, Margate.
- 1.3 This amendment application was submitted for the extension of validity period only, for a further five years.
- 1.4 The Environmental Authorisation (dated 31 July 2012) provided for a validity period of five years and due to construction not commencing within this period, the applicant has requested that the validity period be extended by a further five years i.e. till 31 July 2022.
- 1.5 Public participation process was not required for the amendment process as the amendment was considered to be applied for in terms of Part 1 as provided for in the Environmental Impact Assessment Regulations, 2014.

This Amendment to the Environmental Authorisation is subject to the conditions set out below:

2 Conditions of amendment

- 2.1 This amendment must be implemented in conjunction with the Environmental Authorization (DC21/0023/2011) issued on 31 July 2012.
- 2.2 Condition 4.3 is amended to read as follows:
The listed activity, by means of construction, must commence within Ten (10) years from the date of issue of the original Environmental Authorisation dated 31 July 2012. Failure to commence construction within this Ten (10) year period (without further extension being granted by the Department and as allowed for in terms of the environmental legislation at the time of the request) renders the EA invalid.



Notification to interested and affected parties:

The holder of this amendment must comply with regulation 4(2) of the EIA Regulations, 2014 and within **14 days** of the date of the decision on this amendment ensure that:

- a. All registered interested and affected parties are provided with access to the decision and the reasons for the decision; and,
- b. The attention of all registered interested and affected parties is drawn to the fact that an appeal may be lodged against the decision in terms of the National Appeal Regulations, 2014, if such appeal is available in the circumstances of the decision.



for: Acting Head of Department

Mr S. P. Myeza

KwaZulu-Natal Department of Economic Development, Tourism and Environmental Affairs

Signed by: Mr. Sabelo Ngcobo

Designation: District manager- Ugu Environmental services

Date: 04/04/17



agriculture
& environmental affairs

Department:
Agriculture
& Environmental Affairs
PROVINCE OF KWAZULU-NATAL

KZN Department of Agriculture & Environmental Affairs
Environmental Services
Private Bag X 6005, Hilton, 3245
Tel: 033 343 8330 | Fax: 033 343 8470
Enquiries: Mr. Sabelo Ngcobo
Reference: DC21/0023/2011

Date: 31 07 2012

Fax Transmission

Cordev Marketing & Corporate Development (Pty) Ltd
P. O Box 784932
Sandton
2146

Attention: Ms Winnie Kyriakides
Fax no: 086 672 1916
Tel no: 011 782 1114

cc. PBPS
Plankonsult

Mr Pieter Badenhorst
Mr Thys Blom

Fax no. 086 672 1916
Fax no. 039 682 4732

Tel no. 021 873 7228
Tel no. 039 682 4505

Dear Madam

ENVIRONMENTAL AUTHORISATION FOR THE PROPOSED FIELDS OF GOLD VILLAGE DEVELOPMENT ON PORTION 9 OF UPLANDS FARM NO. 8567 IN MARGATE, HIBISCUS COAST MUNICIPALITY, UGU DISTRICT, DC 21

The KwaZulu-Natal Department of Agriculture and Environmental Affairs have **authorized** the abovementioned project. This environmental authorization and reasons for the decision are attached herewith.

ENQUIRIES

Please note that:

- All queries regarding this application for environmental authorization (including the Department's decision) must be directed to the official of this Department with contact details provided on the letterhead above.
- **Only** queries regarding appeals must be submitted to the Office of the MEC (details provided below).

DC21/0023/2011

GIBELA UMKHUMBI OLWA NOBUBHA

APPEALS

In terms of sub-regulation 10(2) of the EIA Regulations, 2010, you are instructed to notify all registered interested and affected parties in writing within **12 days** of this Department's decision in respect of your application. You are required to comply with the requirements of sub-regulations 10(2)(a)-(d) with regard to this notification. This includes drawing the attention of registered interested and affected parties to the fact that an appeal may be lodged against the decision in terms of Chapter 7 of the EIA Regulations, 2010.

In accordance with the provisions of sub-regulation 60(1) of the EIA Regulations, 2010, a notice of intention to appeal must be lodged with the **KwaZulu-Natal MEC of the Department of Agriculture and Environmental Affairs** within **20 days** of the date of this decision by posted, faxed, e-mailed or hand delivered to the following address:

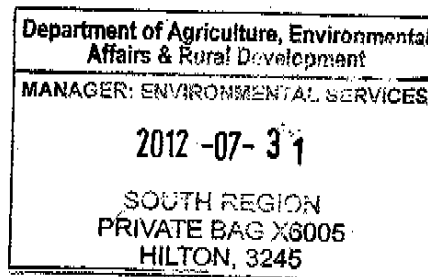
POSTAL/ FAX/ E-MAIL:	PHYSICAL:	SATELLITE OFFICE	
Private Bag X9059 PIETERMARITZBURG 3200 Tel: 033 343 8240 Fax: 033 343 8255 E-Mail: haresh.inderfall@kzndae.gov.za	No. 1 Cedara Executive Building Cedara College PIETERMARITZBURG 3201	P.O. Box 2132 DURBAN 4000 Tel: 031 368 2223 Fax: 031 368 1601	8 th Floor Truro House 17 Margaret Mncadi Blvd (Victoria Embankment) DURBAN 4001

The appellant is reminded of the requirements of sub-regulations 60(2) and 60(3) in the EIA Regulations, 2010 with regard to the notification of registered interested and affected parties and the applicant (if the appellant is not the applicant) of the notice of intention to appeal.

Yours faithfully

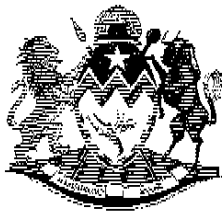


for **Dr Sizwe S Mkhize**
Head of Department
Department of Agriculture and Environmental Affairs



DC21/0023/2011

GIBELA UMKHUMBI OLWA NOBUBHA



agriculture
& environmental affairs

Department:
Agriculture
& Environmental Affairs
PROVINCE OF KWAZULU-NATAL

KZN Department of Agriculture & Environmental Affairs
Environmental Services
Private Bag X 6005, Hilton, 3245
Tel: 033 343 8330 | Fax: 033 343 8470
Enquiries: Mr. Sabelo Ngcobo
Reference: DC21/EX/0023/2011

Date: 31/07/2012

Fax Transmission

Cordev Marketing & Corporate Development (Pty) Ltd
P. O Box 784932
Sandton
2146

Attention: Ms Winnie Kyriakides
Fax no: 086 672 1916
Tel no: 011 782 1114

cc. PBPS
Plankonsult

Mr Pieter Badenhorst
Mr Thys Blom

Fax no. 086 672 1916
Fax no. 039 682 4732

Tel no. 021 873 7228
Tel no. 039 682 4505

Dear Madam

DC21/EX/0023/2011: EXEMPTION DECISION FROM THE PROVISIONS OF THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2010, FOR THE PROPOSED FIELDS OF GOLD VILLAGE DEVELOPMENT ON PORTION 9 OF UPLANDS FARM NO. 8567 IN MARGATE, HIBISCUS COAST MUNICIPALITY, UGU DISTRICT, DC 21

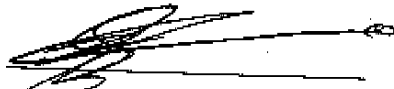
1. Your application for exemption, submitted in accordance with regulation 50 of the 2010 Environmental Impact Assessment (EIA) Regulations, received by the Department of Agriculture and Environmental Affairs (hereafter referred to as "the Department" on 5 October 2011 has reference.
2. The Department has considered your application and hereby **refuses to grant exemption** from regulation 10(2)(d) of the EIA Regulations for the abovementioned proposed project (DC21/0023/2011).
3. The reasons for this decision are as follows:
 - a. The Environmental Assessment Practitioner (EAP) motivates that notification of interested and affected parties (I&APs) will be limited to those registered during the process.
 - b. However, the purpose of publishing a notice in the newspaper post-decision is to inform I&APs that for some or other reason may not be registered. Hence regulation 10(2)(a) to 10(2)(c) referring to registered I&APs whereas regulation 10(2)(d) does not.
 - c. By not publishing a notice in a newspaper the rights and interests of these I&APs would be adversely affected, especially as the right to appeal the Department's decision is not limited to registered I&APs.

DC21/EX/0023/2011

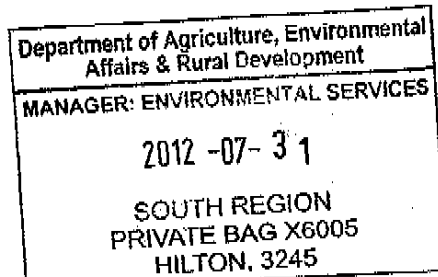
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4. This exemption decision must be read in conjunction with the Environmental Authorisation (DC21/0023/2011).
5. An appeal against the Department's exemption decision may be lodged in terms of the provisions of Chapter 7 of the EIA Regulations.
6. Please contact this Department if you have any queries regarding this correspondence.

Yours faithfully

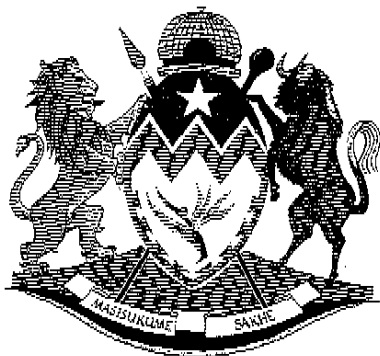


for Dr Sizwe S Mkhize
Head of Department
Department of Agriculture and Environmental Affairs



DC21/EX/0023/2011

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agriculture & environmental affairs

Department:
Agriculture
& Environmental Affairs
PROVINCE OF KWAZULU-NATAL

Environmental Authorisation

In terms of regulation 25 of the
Environmental Impact Assessment Regulations, 2010

Project Title: THE CONSTRUCTION OF FIELDS OF GOLD VILLAGE ESTATE ON
PORTION 9 OF FARM UPLANDS 8567

Local Municipality: HIBISCUS COAST MUNICIPALITY

Application number:	DC21/0023/2011
NEAS number:	KZN/EIA/0000402/2011
Date issued:	31 07 / 2012
Holder of authorisation:	Cordev Marketing & Corporate Development (Pty) Ltd
Location of activity:	Portion 9 of the Farm Uplands 8567 Margate Hibiscus Coast Municipality Ugu District DC 21

DC21/0023/2011

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TABLE OF CONTENTS

DECISION.....	3
1 PROJECT PROPOSAL.....	3
2 ACTIVITIES AUTHORISED.....	6
3 GENERAL.....	6
4 CONDITIONS OF AUTHORISATION.....	8
VALIDITY PERIOD.....	8
NOTIFICATION OF INTERESTED AND AFFECTED PARTIES (INCLUDING KEY AUTHORITIES).....	8
MANAGEMENT OF THE ACTIVITY/IES.....	9
MONITORING.....	10
RECORDING AND REPORTING TO THE DEPARTMENT.....	11
CONSTRUCTION PHASE.....	12
OPERATIONAL PHASE.....	13
AVAILABILITY OF THIS EA.....	15
ANNEXURE 1: REASONS FOR DECISION.....	16
1. BACKGROUND.....	16
2. INFORMATION CONSIDERED IN MAKING THE DECISION.....	17
3. KEY FACTORS AND FINDINGS CONSIDERED IN MAKING THE DECISION.....	18
ANNEXURE 2: LOCALITY MAP.....	22
ANNEXURE 3: SITE PLAN.....	25

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Decision

By virtue of the powers conferred on it by the National Environmental Management Act (No. 107 of 1998) and the Environmental Impact Assessment Regulations, 2010, the **KwaZulu-Natal Department of Agriculture and Environmental Affairs** (hereafter referred to as "the Department")

grants environmental authorisation

to:

Cordev Marketing & Corporate Development (Pty) Ltd
(hereafter referred to as "the authorisation holder")

Details of the contact person:

Ms Winifred Kyriakides

Private Bag X 784932

Sandton

2146

Tel no: 011 782 1114

Cell Number: 082 322 5110

Email address: winnieK@cordev.co.za

to undertake the following activities (hereafter referred to as "the activities") as described below:

1 Project proposal

The project entails the development of a retirement village, referred to as Fields of Gold Village Estate, on Portion 9 of the Farm Uplands No. 8567. The development entails the construction of a secure gated village, with a development footprint of approximately 10 ha on a site that is \pm 32 ha in size.

DC21/0023/2011

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The development, as depicted in the approved "Site Layout Plan" (Drawing no. 11E02P02 Rev 1; dated October 2011) prepared by Plankonsult Town and Regional Planning, includes:

- A maximum of 260 retirement units, including two (2) existing dwellings at the time of issuing this decision;
- A frail care facility;
- An administration block and storage area;
- Sporting facilities (e.g. bowling green, tennis court, club house and ablutions);
- Restaurant and shop;
- Library;
- Launderette; and,
- A private conservation area of minimum 20 ha in size.

A copy of the authorised layout plan is attached as Annexure 3 of this Environmental Authorisation.

Services will be designed as per the Services Report prepared by SMV Civil Engineers (7 September 2011). In summary:

Water Supply

- The water reticulation network will be designed and installed according to the requirements for water reticulation and supply stipulated by Ugu District Municipality.
- Potable water will be sourced from a reservoir, which is located next to the proposed development, belonging to Ugu District Municipality.

Sewage

- The internal sewer system drainage network will be designed as a gravity and pump system combination, by the Civil Designer sewer module computer programs.
- The design will be based on Ugu District Municipality and technical design criteria.
- The sewer will be managed and collected by means of a gravity system to the pump station from the existing Municipal connection located next to the Margate Airport.
- The pipeline will be located within the existing road reserve.

Storm water

- All the roads and erven will be drained through a series of pipes and open channel networks.

DC21/0023/2011

GIBELA UMKHUMBI OLWA NOBUBHA


31/07/12

- Storm water will be discharged into natural waterways, which will drain into attenuation ponds on site.
- Midblock storm water drains and subsoil drains will be provided where necessary.
- No storm water will be allowed to enter the sewer system.

Access and Roads

- The access to the development will be gained from the south from the Provincial road P520.
- Internal traffic will be distributed through two (2) main internal access collectors, connected to the main entrance gate.
- Various secondary distributor roads are to be connected to these main access collectors.
- The cross fall will be against the natural ground slope in order to create a channel in the road to serve as a storm water drain.
- There are three (3) different roads that will be constructed in the development. Their development is summarized in the table below:

Road Reserve	Roadway width	Kerb width	Pavement	Cross fall
15m	6m	300mm	Asphalt	2% Camber
12m	6m	300mm	Asphalt	2% cross fall
10m	5.5m	300mm	Asphalt /Block paving	2% crossfall

Solid waste removal

- Household refuse will be stored for collection in a secure roofed area containing collection bins.
- The collection of refuse will be done by the Hibiscus Coast Municipality.

Electricity

- Services will be designed as per the Preliminary Services Report prepared by JCF Engineers and Services (Pty) Ltd (September 2011).
- Electricity will be supplied by the bulk point with metering facility.
- The connection costs for individual consumers will be supplied by Eskom for tariffs of charging.

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2 Activities authorised

The listed activities for which environmental authorisation are granted are as follows:

Activity number	Activity description	Extent to which activity is authorised
GNR544 23	<i>The transformation of undeveloped, vacant or derelict land to-</i> <i>(ii) residential, retail, commercial, recreational, industrial or institutional use outside urban area and where the total area to be transformed is bigger than 1 hectare but less than 20 hectares;</i>	Approximately 10 ha of undeveloped land, previously used for agriculture, will be transformed to a retirement village with associated facilities. At least 20 ha of the 32 ha property will be used for private conservation area with the remaining 2 ha being used for either public open space or exclusive use area.

Although a boundary wall/fence is proposed around the site and this wall/fence will cross three drainage lines present on the site, the Environmental Assessment Practitioner has confirmed that activity 11 and 18 of 2010 Listing Notice 1 would not be triggered. Care will thus need to be taken to ensure work on the boundary wall/fence is done in a manner so as not to trigger activity 11 and 18 of 2010 Listing Notice 1. This has been written into this environmental authorisation as condition 4.34.

The activity will take place at: 30° 50' 29.31" South and 30° 20' 10.27" East.

3 General


3.1 Compliance with the conditions of this authorisation

In terms of section 24F of the National Environmental Management Act, 1998 (Act No. 107 of 1998), failure to comply with the conditions of this environmental authorisation constitutes an offence for which a convicted person may be liable to a fine not exceeding R5 million or imprisonment for a period not exceeding ten years or both such fine and such imprisonment.

DC21/0023/2011

GISELA UMKHUMBI OLWA NOBUBHA

Page 6 of 23


31/07/12

3.2 Understanding the conditions of authorisation

It is the responsibility of the authorisation holder to understand the conditions of this authorisation. Any queries regarding this environmental authorisation must be submitted in writing to the Department at the address provided below.

3.3 Amendments to the project, Environmental Authorisation or Environmental Management Programme

3.3.1 Any changes to, or deviations from, the project description set out in this authorisation must be approved, in writing, by the Department before such changes or deviations may be effected.

3.3.2 Any subsequent amendments to the approved Environmental Management Programme must also be submitted to the Department for review. The amendments must only be implemented after being approved by the Department.

3.4 This environmental authorisation does not negate the authorisation holder's responsibility to comply with any other statutory requirement that may be applicable to the carrying on of the activities.¹

3.5 The Department retains the right to inspect the property at any time during the construction and operational phases of the development in accordance with the relevant legislation.

3.6 It is the responsibility of the authorisation holder to ensure the Department is made aware of any change of ownership or contact details within thirty (30) days. Where applicable, an amendment application must be submitted.

3.7 Contact details for the Department

Please ensure that all correspondence pertaining to this proposed development clearly includes the EIA reference number.

Unless otherwise stated in the condition, where documentation must be submitted to the Department it must be submitted to the **Control Environmental Officer** for the **Compliance Monitoring and Enforcement Component** of the Department's **Ugu District office**. The contact details are as follows:

¹ It is the responsibility of the authorisation holder to identify legislation relevant to the activities.
DC21/0023/2011

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31/07/12

Fax Number: 039 682 3325
Tel Number: 039 682 2040
Postal Address: Private Bag X885, Port Shepstone, 4240

Please note that it is the responsibility of the authorisation holder to ensure the above details are correct at the time of submitting any documentation, and that the documentation reaches the relevant official.

4 Conditions of Authorisation

The granting of this environmental authorisation is subject to the conditions set out below. These conditions are binding on the authorisation holder and any successor in title.

- 4.1 The authorisation holder must ensure compliance with this Environmental Authorisation (EA) by any person, company or other entity acting on its, his or her behalf in respect of the approved development.
- 4.2 The listed activity/activities which is/are authorised through this EA may only be carried out at the premises indicated above.

Validity Period

- 4.3 The listed activity, by means of construction, must commence within five (5) years from the date of issue of this EA. Failure to commence construction within this five (5) year period (without extension being granted by the Department) renders the EA invalid.
- 4.4 Should extension of the EA be required, it must be requested (by following the appropriate amendment process) at least sixty (60) days prior to the expiry date. A request submitted past the expiry date cannot be considered by the Department, unless allowed for in the environmental legislation at the time of the request.

Notification of interested and affected parties (including key authorities)

- 4.5 The authorisation holder must ensure that every registered Interested and Affected Party (I&AP) is notified in writing (*i.e.* fax, registered mail or email) within twelve (12) calendar days of the date that this EA was issued.
- 4.6 Notification of the EA must be published in the same newspaper(s) used during the public participation process within twelve (12) calendar days of the date that this EA was issued.

DC21/0023/2011

GIBELA UMKHUMBI OLWA NOBUBHA

31/07/12

- 4.7 The notification referred to in conditions 4.5 and 4.6 above must –
- 4.7.1 Indicate the outcome of the application;
 - 4.7.2 Outline the reasons for the decision;
 - 4.7.3 Specify the date on which the EA was issued;
 - 4.7.4 Inform the I&AP of the appeal procedure provided for in Chapter 7 of the EIA Regulations, 2010, including the requirement to use the prescribed forms obtainable from the Department, the authorisation holder or the Environmental Assessment Practitioner (EAP); and,
 - 4.7.5 Advise the I&AP that a copy of the EA will be furnished by the authorisation holder or EAP on request.
- 4.8 The authorisation holder must ensure that a copy of the EA is provided within two (2) work days of being requested.

Written notice of commencement of the activity/ies

- 4.9 Not less than **seven (7) days** written notice must be given to the Department that the construction phase will commence. Commencement for the purposes of this condition includes site preparation.
- 4.10 The notification referred to in condition 4.9 must include –
- 4.10.1 The EIA reference number DC21/0023/2011;
 - 4.10.2 The date on which it is anticipated that the activity will commence;
 - 4.10.3 Proof of compliance with conditions 4.5 to 4.7 and 4.13.5;
 - 4.10.4 Contact details for the main contractor and resident engineer; and,
 - 4.10.5 Details (including relevant expertise and contact information) of the Environmental Control Officer.

Management of the activity/ies

- 4.11 The development must comply substantially with the "Site Layout Plan" (Drawing no. 11E02P02 Rev 1; dated October 2011) prepared by Plankonsult Town and Regional Planning, taking into consideration the amendment required in condition 4.12 below.
- 4.12 The "Site Layout Plan" (Drawing no. 11E02P02 Rev 1; dated October 2011) prepared by Plankonsult Town and Regional Planning must:
- 4.12.1 Be amended to depict the firebreaks as required in conditions 4.54 and 4.55; and,
 - 4.12.2 Must be submitted to the Department with the final Environmental Management Programme referred to in condition 4.13 below.

DC21/0023/2011

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- 4.13 The draft Environmental Management Programme (EMPr) prepared by Pieter Badenhorst Professional Services cc (March 2012) must:
- 4.13.1 Be amended by an Environmental Assessment Practitioner (EAP) in consultation with the authorisation holder and other members of the professional team for the development;
 - 4.13.2 Be relevant to both the construction and operational phases of the approved development;
 - 4.13.3 Incorporate the conditions of this EA, including detail as to how these will be implemented;
 - 4.13.4 Include a conservation management plan for the conservation areas, prepared by a grassland specialist; and,
 - 4.13.5 Be submitted to the Department for approval and approved in writing before commencing construction.
- 4.14 The approved Environmental Management Programme (EMPr) must:
- 4.14.1 Be included in all contract documentation related to construction and on-going management (e.g. maintenance and repair of service infrastructure) of the development;
 - 4.14.2 Be implemented and adhered to during all phases of the development; and,
 - 4.14.3 Revised every five (5) years and submitted to the Department for written approval before replacing the existing approved EMPr.
- 4.15 A copy of this EA and the approved EMPr must be always available on the estate so that they may be used as on-site reference documents.
- 4.16 The Environmental Control Officer (ECO) has the right to request (in writing) a method statement to be compiled by the contractor in cases where the EMPr may not adequately address the issue or the nature of the activity or site and warrants the need thereof. The method statement must be approved in writing by the ECO prior to carrying out the activity.
- 4.17 Approved method statements must be adhered to by the relevant contractor.

Monitoring

- 4.18 The authorisation holder must appoint a suitably experienced, independent Environmental Control Officer (ECO) for the full duration of the construction phase prior to commencing construction.
- 4.19 Should the ECO for the approved development change at any time, this must be communicated, in writing, to the Department within fourteen (14) calendar days of appointing the new ECO.
- 4.20 The notification in terms of condition 4.19 must include contact details for the ECO, details pertaining to the ECO's relevant experience, and reasons for the change in ECO.
- 4.21 The responsibilities of the ECO must include *inter alia*:
- 4.21.1 Performing all tasks assigned to the ECO in the EMPr;

DC21/0023/2011

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- 4.21.2 Keeping record of all activities on site, problems identified and transgressions noted;
 - 4.21.3 Assisting the authorisation holder in ensuring/enforcing implementation of the EA and EMPr;
and,
 - 4.21.4 Providing guidance/advice that ensures implementation of appropriate environmental management measures and adherence with environmental legislation/regulations.
- 4.22 The ECO must conduct at least one site visit per week during the construction phase. The number of site visits may be more frequent at the ECO's discretion or as directed by the Local Authority or the Department if non-compliance becomes evident. Furthermore, the number of site visits may be reduced in frequency at times where none to minimal construction is taking place on site, but only if agreed to in writing by Ugu District's Control Environmental Officer (CEO): Compliance Monitoring and Enforcement (CME).

Recording and reporting to the Department

- 4.23 The authorisation holder must ensure records are kept related to compliance and non-compliance with the EA and EMPr.
- 4.24 The records referred to in condition 4.23 must be made available to the Department on written request² within a time span stipulated by the Department.
- 4.25 During the construction phase, bimonthly (*i.e.* one report every two months) environmental audit reports must be submitted to the Department.
- 4.26 The environmental audit reports referred to in condition 4.25 must:
 - 4.26.1 Be prepared by an independent Environmental Assessment Practitioner (EAP), which may be the ECO;
 - 4.26.2 Be submitted as a hard-copy (unless otherwise agreed with in writing by the Ugu District's CEO: CME);
 - 4.26.3 Provide a status update of the construction (*e.g.* a GANTT chart indicating progress to date versus work still to be done), together with an expected date by construction will be completed;
 - 4.26.4 Identify actual impacts that have occurred versus those predicted, including an evaluation of the success of mitigatory measures implemented;
 - 4.26.5 Evaluate compliance with the EA and requirements of the approved EMPr for the reporting period;

² Such records may be requested for attending to concerns regarding the proposed development and/or conducting routine compliance audits.

DC21/0023/2011

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31/07/12

- 4.26.6 Include supporting documentation needed to confirm compliance with the EA for the reporting period;
- 4.26.7 Include copies of any approvals granted by other authorities relevant to the development for the reporting period;
- 4.26.8 Include measures to be implemented to attend to any non-compliances or degradation noted; and,
- 4.26.9 Report back on measures already implemented to attend to non-compliances or degradation noted.
- 4.27 Environmental audit reports for the construction phase must continue to be submitted for a minimum of six (6) months (*i.e.* three reports) following completion of the final unit. This is to ensure that post-construction requirements are met.
- 4.28 During the operational phase, the Home Owners Association (HOA) or equivalent body must submit an environmental audit report to this Department on a yearly basis.
- 4.29 The environmental audit reports referred to in condition 4.28 must –
 - 4.29.1 Be submitted on or before the 30th of March;
 - 4.29.2 Be submitted as a hard-copy (unless otherwise agreed with in writing by the Ugu District's CEO: CME);
 - 4.29.3 Be conducted by an independent EAP; and,
 - 4.29.4 Evaluate the development against the requirements of the EMPr and this EA.

Construction Phase³

- 4.30 The development footprint must be clearly demarcated throughout the construction phase.
- 4.31 The development footprint must exclude areas designated for conservation purposes.
- 4.32 Construction work, including storage of materials, must be limited to the development footprint.
- 4.33 Conservation areas must be treated as no-go areas for construction staff, and during construction access is to be limited to those working on rehabilitation of the conservation areas.
- 4.34 Waste management on site must be done as to ensure that:
 - 4.34.1 Any form of waste material and rubble generated during construction is disposed of at a facility registered in terms of **section 20(b) of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008)**, if it cannot be responsibly re-used on site or off site;

³ The construction phase spans from site preparation to the completion of all units and associated structures. The construction phase does not include alterations to existing units during the operational phase; however environmental requirements related to construction applies to alterations made to units during the operational phase.

31/07/12

- 4.34.2 No waste material of any kind (bar vegetation) is buried (for the sole purpose of final disposal) or burnt on site;
- 4.34.3 Waste is stored in bins/skips while on site;
- 4.34.4 No littering is allowed;
- 4.34.5 Water containing waste must not be discharged into the natural environment; and,
- 4.34.6 Measures to contain and safely dispose of wastewater are implemented.
- 4.35 Temporary chemical ablution facilities must:
 - 4.35.1 Be situated further than 35 m from the edge of the watercourse;
 - 4.35.2 Be cleaned regularly, with associated waste disposed of at a registered waste site; and,
 - 4.35.3 Be removed from the site when the construction phase is completed;
- 4.36 Storage of hazardous substances must:
 - 4.36.1 Be within the construction site camp, located no less than 35 m from the watercourse; and,
 - 4.36.2 Be within an appropriately controlled area (e.g. lined, bunded and/or locked up).
- 4.37 Care must be taken not to trigger activities 11 and 18 when constructing the boundary wall/fence adjacent and across the drainage lines on site.
- 4.38 The construction phase must be completed within five (5) years of the date of commencing construction. No construction may take place after this period without the authorisation holder showing substantiated reasoning for the delay in construction and obtaining written authorisation from the Department via the appropriate amendment process.

Operational Phase

- 4.39 A 32 m no-development buffer (with the exception of the boundary wall/fence) must be retained around all watercourses (e.g. the wetland and three (3) drainage lines) on the property.
- 4.40 The conservation areas must be continually managed to promote conservation and biodiversity, and not to allow degradation of the conservation areas.
- 4.41 There must be no direct spot lights shining into or lit within the conservation areas.
- 4.42 The boundary wall/ fence of the estate must be game permeable, allowing for the free movement of small and medium sized fauna.
- 4.43 Where the boundary wall/fence crosses the drainage lines, palisade fencing (or similar) must be used to allow both movement of water and fauna.
- 4.44 Electricity saving measures must be implemented. This may include, but is not limited to, solar heating and gas cooking.

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31/07/12

- 4.45 Formal landscaping must be limited to within the development footprint, with no formal landscaping being allowed in conservation areas.
- 4.46 The authorisation holder must establish a Home Owners Association (HOA) or equivalent body for the long-term management of the estate, prior to the operational phase.
- 4.47 The HOA or equivalent body needs to recognize that the development is within an agricultural area, and as such the estate must not prevent existing agricultural practices from continuing and/or progressing.

Compliance by home owners

- 4.48 Homeowners, residents, and businesses operating on the estate must comply with this EA and the approved EMPr.
- 4.49 The authorisation holder must ensure all sales people involved with selling of plots at the estate are aware of the environmental requirements, as to ensure that those wishing to buy a plot are aware from before the sale as to the need to comply with this EA and the approved EMPr.
- 4.50 Once the construction phase is complete, the authorisation holder must ensure that the rights of the EA are transferred to the HOA or equivalent body. The HOA or equivalent body will then be responsible for ensuring compliance with the EA and the EMPr.
- 4.51 The need to comply with the requirements of the EA and the EMPr must be written into the constitution of the HOA or equivalent body.
- 4.52 As part of the conditions of sale:
- 4.52.1 All homeowners must form part of the HOA or equivalent body; and,
- 4.52.2 Must sign to say that they agree to comply with and understand the requirements of the EA and EMPr.
- 4.53 Encroachment of the conservation area by units and associated structures, including gardens, is not allowed. Any damage caused must be rehabilitated at the cost of the business or homeowner.

Grassland Management

- 4.54 A firebreak, extending into the conservation area, of maximum 30 m in width must be established from buildings.
- 4.55 A firebreak of maximum 10 m in width must be established along the boundary wall/fence within the conservation areas.
- 4.56 While mowing/brush-cutting is allowed within the fire break, grassland areas must be burnt as detailed in the Conservation Management Plan referred to in condition 4.13.4.

DC21/0023/2011

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31/07/12

Access Road

- 4.57 The P520 must be upgraded to accommodate the development (as per conditions 4.58 and 4.59 below) prior to occupancy of the development being allowed.
- 4.58 The embankment along the P520, to the west of the access must be cut and rehabilitated to provide at least 150m site distance.
- 4.59 The surface of the P520 must be widened from 6m in width to 8m in width for at least 60m either side of the intersection.


Site closure and decommissioning

- 4.60 Should the activity ever cease or become redundant, the authorisation holder must contact the Department to determine the required actions for the rehabilitation and closure of the site.

Availability of this EA

- 4.61 A copy of this EA must be kept at the premises during the lifetime of the activities.
- 4.62 The EA must be produced to any authorised official of the Department who requests to see it and must be made available for inspection by any employee or agent of the authorisation holder who works or undertakes work at the premises.

Date of issue of Environmental Authorisation: 31/07/2012


for **Dr. Sizwe S Mkhize**
Head of Department
Department of Agriculture and Environmental Affairs

Department of Agriculture, Environmental Affairs & Rural Development
MANAGER: ENVIRONMENTAL SERVICES
2012 -07- 31
SOUTH REGION PRIVATE BAG X6005 HILTON, 3245

DC21/0023/2011

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Annexure 1: Reasons for Decision

1. Background

Cordev Marketing & Corporate Development (Pty) Ltd applied for environmental authorisation to carry out activity 23 of Government Notice No. R544 (18 June 2010). The process commenced under the 2010 Environmental Impact Assessment (EIA) Regulations.

Although there are watercourses on site in the form of a wetland and drainage lines, no development (with the exception of a boundary wall/fence through the drainage lines) will occur within 32 m of these watercourses. The boundary wall/fence will be built so as to not trigger activity 11 or 18 of 2010 Listing Notice 1, and as such authorisation has not been applied for nor granted for these activities.

1.1 Site locality

The site is situated along the P520 road approximately 2km inland from Margate Airport and 1km from Outlands Waste disposal site. The only access to the site will be from the P520 road, south of the proposed development.

The co-ordinates for the authorized retirement village are: 30° 50' 29.31" South and 30° 20' 10.27" East..

A locality plan is attached as Annexure 2 of this Environmental Authorisation (EA).


1.2 The EIA Process

The details for the Environmental Assessment Practitioner (EAP) are as follows:

Company: Pieter Badenhorst Professional cc
Contact person: Mr. Pieter Badenhorst
Postal address: P.O. Box 1058, Wellington
Fax number: 086 672 1916
Tel number: 021 873 7228

DC21/0023/2011

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31/07/12

A Basic Assessment process was followed. Key events over the process are as follows:

05 October 2011	Application received by regional office
23 November 2011	Receipt of application acknowledged.
25 November 2011	Request for comments sent to State Departments
30 January 2012	Final BAR received by the Department
13 February 2012	Receipt of final BAR acknowledged by the Department.
21 February 2012	Site visit conducted
23 February 2012	BAR rejected and an amended BAR requested.
21 May 2012	Amended BAR received by the Department.
30 May 2012	Receipt of the amended BAR acknowledged.
02 July 2012	Amended BAR accepted

1.3 Public Participation Process

Notification was done via:

- An English notification in the South Coast Herald on 18 November 2011;
- Written notification of landowners, the ward councilor and State Departments; and,
- Site notices at the main entrance of the site.

The various Basic Assessment Reports were made available for comment at the Margate Public Library. Hard copies of the reports were submitted to the relevant State Departments for comment.

The Department is satisfied that the Public Participation Process was done as per the 2010 EIA Regulations, and that all documents made available to the Department was first circulated for comment.

2. Information considered in making the decision

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

- a) The amended BAR (May 2012) prepared by Pieter Badenhorst Professional cc, including all specialist reports and comments included therein;
- b) The findings of the site visit undertaken by the Department on 21 February 2012;
- c) The final BAR (January 2012) prepared by Pieter Badenhorst Professional cc, including all specialist reports and comments included therein;

DC21/0023/2011

GIBELA UMKHUMBI OLWA NOBUBHA

B 27/07/12

- d) The Application for Environmental Authorisation dated 6 October 2011;
- e) The availability of services has been confirmed by Ugu District and Eskom letters dated(Eskom 22 September 2011 and Ugu 15 September 2011);
- f) The lapsed Record of Decision (EIA/6281) issued on 13 September 2006; and,
- g) The objectives and requirements of the relevant legislation, policies and guidelines, including section 2 of the National Environmental Management Act, 1998 (Act No. 107 of 1998).

3. Key factors and findings considered in making the decision

A Record of Decision (RoD) in terms of the Environment Conservation Act (No. 73 of 1989) was issued for the development of Portion 9 of the Farm Uplands 8567 by the Department of Agriculture and Environmental Affairs (hereafter referred to as "the Department") on 13 September 2006 under the reference number EIA/6281. The Site Development Plan prepared by Struwig Mendes Associates (Drawing no. 8008.01/ws REV 2; dated July 2006) and approved in the RoD allowed for a maximum of 222 special residential erven with a total development footprint of approximately 22 ha.

The RoD was valid for a period of three (3) years lapsing on 13 September 2009. Subsequently Cordev Marketing & Corporate Development (Pty) Ltd (hereafter referred to as "the developer") took over ownership of the development. The developer altered the original development concept from a country estate to a retirement village, based on current market trends, and appointed Pieter Badenhorst Professional Services cc to facilitate the Basic Assessment process required to obtain Environmental Authorisation in terms of the National Environmental Management Act (No. 108 of 1998). Although public participation had to be redone, work done during the original Environmental Impact Assessment (EIA) process was used in the preparation of the Basic Assessment Report, and appropriately updated where necessary. Thus the Department has taken its original decision and the factor leading to its original decision into consideration in the issuing of this decision.

All information presented to the Department was taken into account in the Department's consideration of the application. A summary of the issues which, in the Department's view, were of the most significance is set out below.

3/07/12

3.1. Need and desirability:

- According to section B(10) of the amended BAR, there is a demand for frail care facilities and old age accommodation in a safe environment and close to facilities such as sport, medical support, religion and shops on the South Coast
- The development is expected to create a large number of job opportunities and contribute to the direct economy via rates and taxes, jobs and purchases for building and day to day requirements.
- There is an estimated 150 job opportunities during the construction phase, with up to 250 job opportunities during the operational phase (including domestic workers, maintenance staff and frail care staff).
- Potable water is readily available from a Municipal reservoir adjacent to the site, and the development will connect to the nearby Municipal sewer system as confirmed by the Ugu District Municipality in their correspondence of 15 September 2011, and re-iterated in their correspondence of 17 January 2012.
- Eskom has confirmed sufficient supply of electricity in their correspondence of 22 September 2011.

3.2. Past approvals:

- Development of the site was previously authorised by the Department in the ROD (EIA/6281) issued on 13 September 2006.
- Similarly, approval in terms of the Development Facilitation Act was granted on 11 May 2007.
- The development footprint originally approved was larger than what is proposed now. The development is thus expected to have a reduced impact on the environment than what was previously approved.

3.3. Conservation area:

- According to the RoD the areas of natural vegetation was limited in 2005 with only a small pocket (i.e. 2,000 m²) of coastal grassland.
- There has been little change to the receiving environment of the site, and as such the site is still largely transformed.
- That said, the development footprint will be limited to existing transformed areas.
- At least 20 ha of the property (encompassing steep terrain, drainage lines, the coastal grassland and buffers) will be retained for conservation purposes.
- It is the opinion of the Department therefore that the development will benefit the area in allowing for rehabilitation of existing transformed sites.

DC21/0023/2011

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8/31/07/12

3.4. Agricultural Potential

- An Agricultural Potential assessment was conducted by Mottram and Associates cc and summarized in their report dated 13 September 2011.
- Past agricultural practices on the site included dryland sugarcane (\pm 20 ha), dryland macadamias (\pm 2 ha) and instant lawn (\pm 4.8 ha). The remainder of the site was not used for agriculture due to steep and/or shallow soils with rocky outcrops preventing cultivations.
- Based on the finding of the agricultural specialist the Department notes that the site can be used for agriculture. However the limited availability of water and size of the property results in the farm being deemed as low agricultural potential.
- No objection to the proposed development is indicated by the Department of Agriculture, Forestry and Fisheries in their correspondence of 23 January 2012, provided soil conservation measures, alien plant control, protection of the wetlands and vegetation rehabilitation is implemented as per an approved Environmental Management Programme.
- In their correspondence of 6 September 2006, the Land Use and Soil Management directorate of the Department confirmed that they do not object to the development of the property.

3.5. General:

- The ^{MAYUNDLA} ~~Mvundla~~-Traditional Council (17 January 2012) has indicated no objection to the proposed development. They, however, stated that the land belongs to them and is under a land claim. However, the Commission on Restitution of Land Rights (11 May 2005) has indicated that the land is not subject to a land claim.
- The Department of Water Affairs (5 December 2011) do not object to the development provided appropriate measures are implemented to protect watercourses on the property.
- A traffic assessment conducted by SMV Civil Engineers (7 September 2011), which found that the development requires minor modifications to the existing P520 to cater for the proposed development.

3.6. Odour:

- According to the adjacent neighbour, Bense Farm (Pty) Ltd, in their correspondence of 11 April 2012, odour from the Oatlands Landfill Site has not been a problem in the area.
- With current operation of Oatlands landfill site located approximately 1 km away from the proposed Fields of Gold Village Estate (and with the presence of south-westerly winds), the potential impact of odour emanating from the Oatlands landfill site toward the site is considered minimal.

DC21/0023/2011

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31/07/12

- The main wind direction are north-west and South East, this means that the wind will blow across the development will be approximately 50% of the time.
- It is further expected that the landfill site should not have strong odour.
- It is thus found that although the development is in close proximity of the development it is not expected that the landfill site will have significant adverse impact on the development.

3.7 Geotechnical and wetlands

- Groundwork Geotechnical Solutions cc conducted geotechnical assessments for the site in 2005 as part of the original EIA process. This study was updated and is summarized in their report of March 2012.
- On the basis of current site observation, the footprints and nature of the majority of areas delineated as wetlands terrain closely resemble mapping carried out in 2005;
- One of the wetlands environs mapped in 2005 as the "Western Wetland" was observed as an earth dam in 2005 for use primarily by livestock. Based upon observations circa August 2011, this earth dam has however dried and no longer meets the definition of a "watercourse" as defined in the 2010 EIA Regulations.
- The Department of Water Affairs (20 April 2012) concurs with the findings of the geotechnical specialist.
- On the basis of current site observations, evidence of a landslip was not observed and the satisfactorily drained slope conditions appear to be inherently stable.
- Based on the findings of the geotechnical assessment development of the site is possible.

3.8 Heritage Resources:

- According to eThembeni Cultural Heritage (15 August 2011), no Heritage resource of significance was identified since the entire development site has been subject to severe environmental disturbance.
- As such no heritage resource mitigation measures is considered necessary for the development.

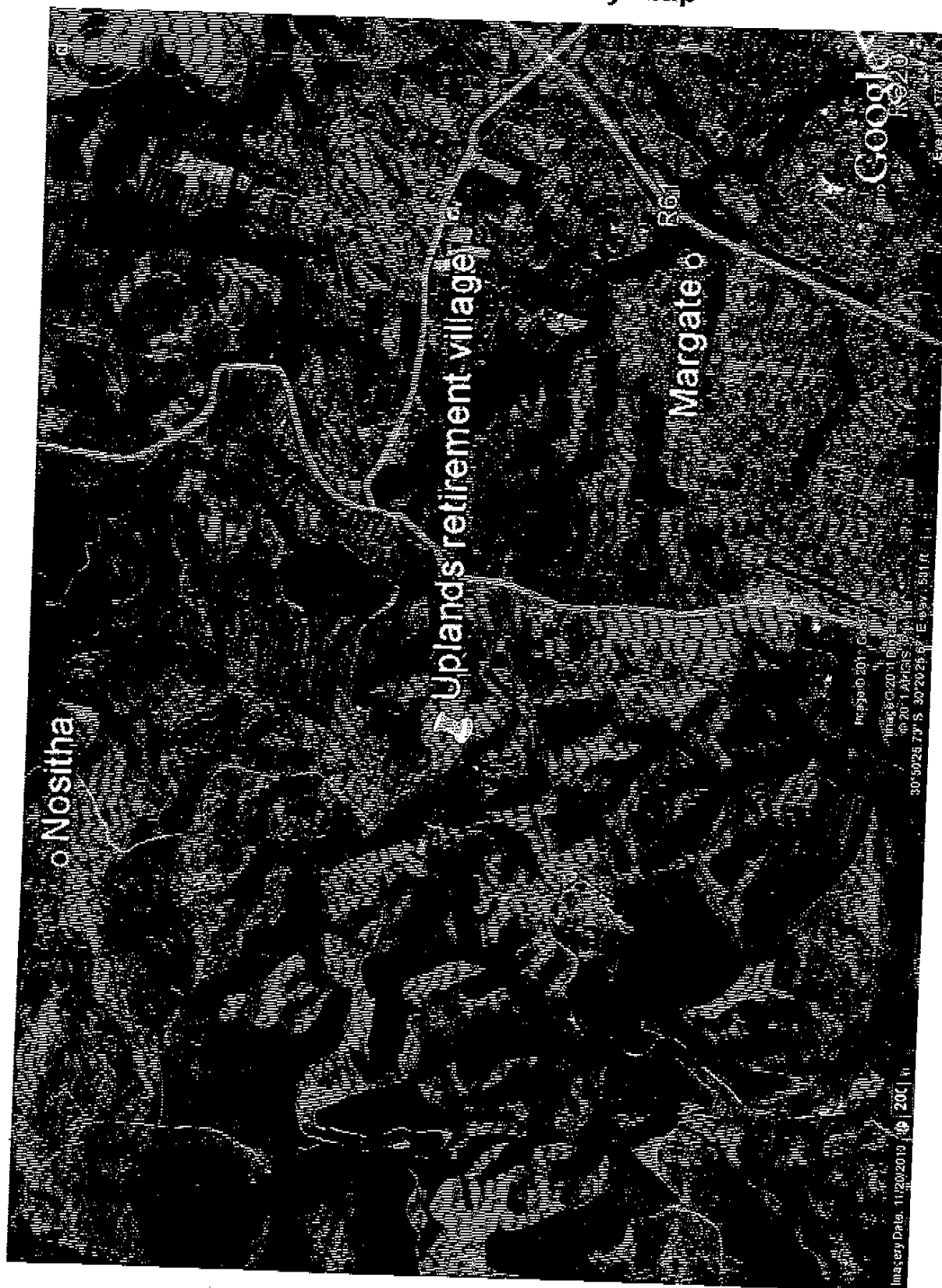
In view of the above, the Department is satisfied that, subject to compliance with the conditions contained in the environmental authorisation, the proposed activity as authorised will not conflict with the general objectives of integrated environmental management laid down in Chapter 5 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) and that any potentially detrimental environmental impacts resulting from the proposed activity can be mitigated to acceptable levels. **The application is accordingly granted with conditions.**

DC21/0023/2011

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30/07/12

Annexure 2: Locality Map

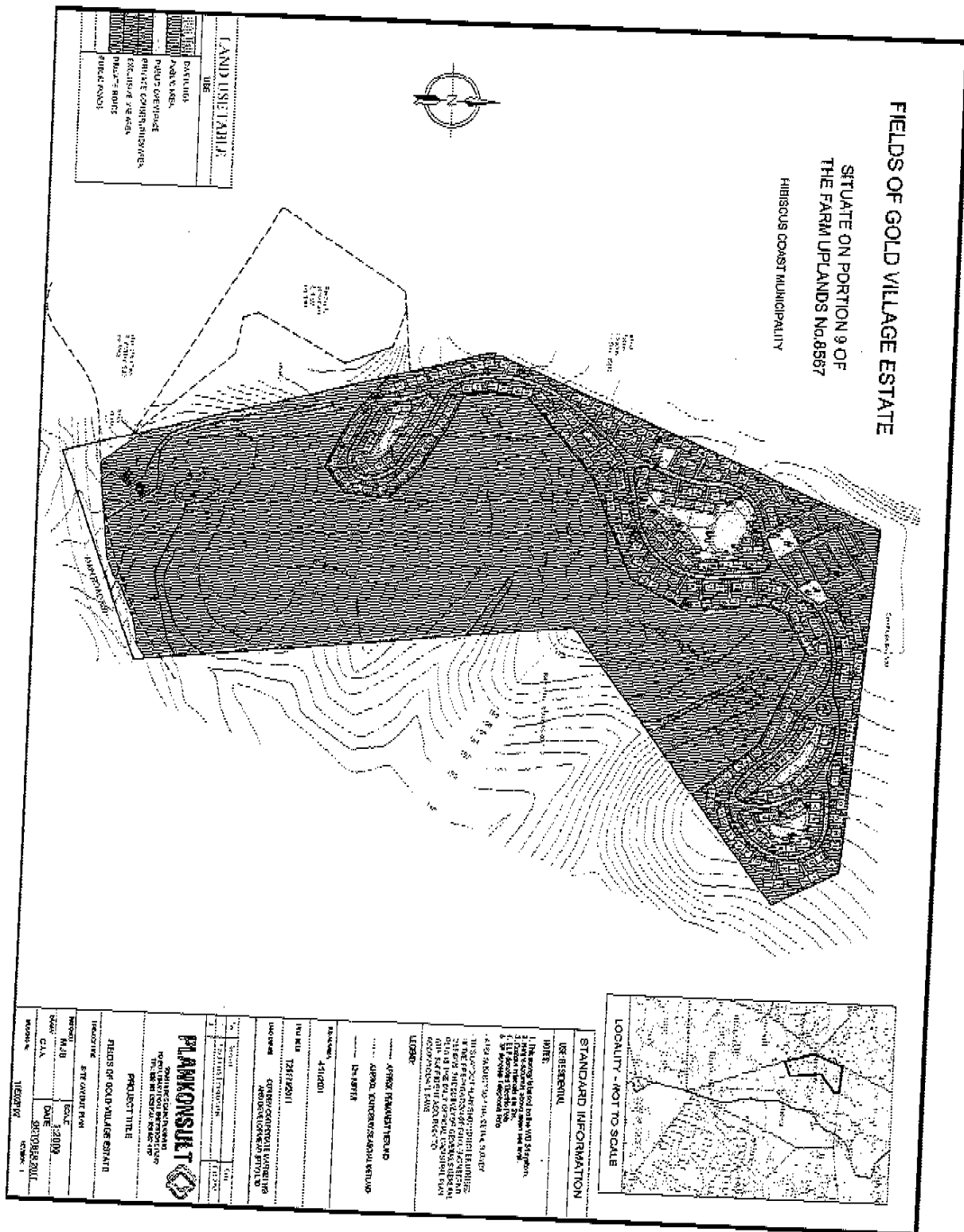


DC21/0023/2011

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31/07/12

Annexure 3: Site Plan



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