



DEPARTMENT of
ENVIRONMENTAL AFFAIRS
& DEVELOPMENT PLANNING

Provincial Government of the Western Cape

Directorate Integrated
Environmental Management
(Region A)

tel: +27 21 483 3633 fax: +27 21 483 3722
Utilitas Building, 1 Dorp Street,
P/Bag x9086, Cape Town, 8000
www.capegateway.gov.za

REFERENCE: EG12/2/3/2-C1/3-513/07

ENQUIRIES: Dr W Roets

Keisies Kannaland Boerdery Beleggings CC
PO Box 50
LAINGSBURG
6900

Attention: Frik Linde

Tel: (023) 551 1946
Fax: (086) 551 3612

Dear Sir

APPLICATION: PROPOSED DEVELOPMENT OF WITTEBERG PRIVATE NATURE RESERVE ON THE FARM ELANDSKLOOF 168, DIVISION LAINGSBURG:

With reference to your application, find below the environmental authorisation hereinafter referred to as the "environmental authorisation" ("EA") in respect of this application.

ENVIRONMENTAL AUTHORISATION

A. DESCRIPTION OF ACTIVITY:

The proposed activity entails the subdivision of the Farm Elandskloof 168 (4365,68 ha), with the objective of establishing the Witteberg Private Nature Reserve with 24 Resort Zone units (12 Resort Zone I and 12 Resort Zone II units), recreational facilities, heritage elements and a conservation area. The Resort Zone units will be established as follows:

- (i) The subdivision of Farm Elandskloof 168 creating 12 stands of 250m² or less with a building footprint of 120m², for 12 Resort Zone II Units.
- (ii) The placement of 12 Resort Zone I units with a building footprint of 120m².

Resort Zone I and II units will be developed in different positions spread throughout the river valley that bisects Farm Elandskloof 168 as indicated on the layout plan by PraktiPlan contained in the amended Basic Assessment Report by Anneke de Kock Environmental Consultants dated 27 January 2010.

The following activity is identified in Government Notice No. R386 of 21 April 2006:

*Department of Environmental Affairs & Development Planning
Directorate: Integrated Environmental Management (Region A)*

Government Notice R386 Activity Number: 18

Activity Description:

18 "The subdivision of portions of land 9 hectares or larger into portions of 5 hectares or less".

hereinafter referred to as "the activity"

B. LOCATION:

The Farm Elandskloof 168, where the Witteberg Private Nature Reserve will be established is located 50 km south-west of Laingsburg in the heart of the Witteberg and borders onto the Anysberg Nature Reserve of CapeNature.

SG21 code: C04300000000016800000

hereinafter referred to as "the property"

C. APPLICANT:

C/O Mr Frik Linde
Keisies Kannaland Boerdery Beleggings CC
PO Box 50
LAINGSBURG
6900
Tel: (023) 551 1946
Fax: (086) 551 3612

D. ENVIRONMENTAL ASSESSMENT PRACTITIONER:

C/O Anneke de Kock
Anneke de Kock Environmental Consultants
PO Box 6151
UNIEDAL
7612
Tel: (021) 866 1524
Fax: (021) 866 1524

E. SITE VISIT(S):

Date: 16/04/08

Persons Present: Sharon Lekwena and Agnes Gee of the
Department of Environmental Affairs & Development Planning
("DEA&DP")

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Feedback from the site visit, the information submitted in the application documentation (i.e. photographs and maps of the site), together with relevant information contained in the Departmental information base, was considered sufficient to provide adequate information on the nature of the receiving environment.

F. DECISION:

The Department is satisfied, on the basis of information available to it and subject to compliance with the conditions of this environmental authorisation that the applicant should be **authorised to undertake part of the activity applied for.**

By virtue of the powers conferred on it by the National Environmental Management Act, 1998 (Act No. 107 of 1998) and the Environmental Impact Assessment Regulations, 2006, the Department hereby –

1. **Authorises only the activity described in paragraph A above;**
2. Authorisation is **refused** for that part of the activity applied for, namely the subdivision of the three portions of land of 1.4 ha, 1ha, and 500m² for the placement of 6, 4 and 2 Resort Zone I units respectively.

With respect to the refusal of the part of the activity described above, your attention is drawn to the provisions of regulation 78 in terms of which an applicant may not resubmit an application which is substantially similar to a previous application by the applicant and which has been refused unless a period of three years has elapsed or new or material information is submitted.

The granting of this environmental authorisation is subject to the conditions set out below.

G. CONDITIONS OF AUTHORISATION:

1. The activity, including site preparation, may not commence within 20 (twenty) days after receipt of this environmental authorisation. In the event that an appeal notice and subsequent appeal is lodged with the competent authority, the effect of this environmental authorisation will be suspended until such time as the appeal is decided.
2. One week's notice, in writing, must be given to the Directorate: Integrated Environmental Management (Region A), (hereinafter referred to as "this Directorate"), before commencement of construction activities.
 - 2.1. Such notice shall make clear reference to the site location details and reference number given above.

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- 2.2. The said notice must also include proof of compliance with the following conditions described herein:
Conditions: 1, 5, 6 and 8.
3. The mitigation/rehabilitation measures and recommendations as detailed in the Basic Assessment Report dated 27 January 2010 compiled by Anneke de Kock of Anneke de Kock Environmental Consultants must be adopted and implemented.
4. Should any heritage remains be exposed during excavations, these must immediately be reported to the Provincial Heritage Resources Authority of the Western Cape, Heritage Western Cape (in terms of the National Heritage Resources Act, 1999 (Act No. 25 of 1999)). Heritage remains uncovered or disturbed during earthworks must not be disturbed further until the necessary approval has been obtained from Heritage Western Cape.
- 4.1. If any archaeological remains (including but not limited to fossil bones and fossil shells, coins, indigenous and/or colonial ceramics, any articles of value or antiquity, marine shell heaps, stone artefacts and bone remains, structures and other built features, rock art and rock engravings) are discovered during construction they must immediately be reported to Heritage Western Cape and must not be disturbed further until the necessary approval has been obtained from Heritage Western Cape..
- 4.2. If any graves or unmarked human burials are discovered, they must be treated with respect and SAHRA must be notified immediately and must not be disturbed further until the necessary approval has been obtained from SAHRA. An archaeologist must be contracted to remove the remains at the expense of the developer.
5. The Environmental Management Programme ("EMP") submitted as part of the application for environmental authorisation must be amended. The contents of such an EMP must -
- 5.1. be approved by the Department before the commencement of any construction activities;
- 5.2. be submitted to the Directorate for consideration at least three weeks prior to construction activities commencing;
- 5.3. meet the requirements outlined in Section 24N (2) & (3) of the National Environmental Management Act, 1998 (Act no 107 of 1998, as amended) ("NEMA") and regulation 34 of the Environmental Impact Assessment Regulations 2006;
- 5.4. incorporate the conditions of authorisation given in this Environmental Authorisation;
- 5.5. An integrated waste management approach must be used that is based on waste minimisation and must incorporate reduction, recycling, re-use and disposal where appropriate.

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- 5.5.1. Any solid waste must be disposed of at a landfill licensed in terms of section 20 of the Environment Conservation Act, 1989 (Act No. 73 of 1989) or the National Environmental Management: Waste Act (Act No. 59 of 2008).
 - 5.6. address, but not be limited to, the demarcation of the site, the erection of camp site for construction teams, establishments of working and storage areas, environmental awareness training of employees, protection of flora, fauna, natural features and any archaeological material of significance that may be discovered, cultural issues (e.g. protection of archaeological artefacts), landscaping and revegetation of indigenous plants and trees erosion prevention methods, refuse and waste management, dust and noise control, effluent and storm water management, materials used, the handling, storage and transport of fertilizers or other hazardous materials, site rehabilitation and/or revegetation, fencing, fire prevention measures, the complete removal of all alien invasive plants and fire prevention measures, pollution control measures, monitoring and reporting, penalties, claims and damages.
 - 5.7. translate mitigation measures contained in the BAR into measurable actions that can be included in a monitoring protocol with specific time frames;
 - 5.8. specify reporting on the monitoring to enable verification of the effectiveness of the environmental management objectives and actions and to be able to respond to unforeseen events;
 - 5.9. detail the Biodiversity Management Plan for Farm Elandskloof 168 (4365,68 ha), including any agreements (Stewardship agreements), appropriate zoning as well as implementation of the plan.
 - 5.10. be included in all contract documentation for the construction phase of the development;
 - 5.11. describe the level and type of competency required of the Environmental Control Officer, ("ECO");
 - 5.12. define and allocate the roles and responsibilities of the ECO referred to above, and the Environmental Site Agent where applicable; and
 - 5.13. determine the frequency of site visits.
6. The holder of the authorisation must appoint a suitably experienced Environment Control Officer (or Site Agent where appropriate) for the construction phase of the development before commencement of any land clearing or construction activities to ensure that the mitigation/rehabilitation measures and recommendations referred to in this authorisation are implemented and to ensure compliance with the provisions of the EMP.

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7. The holder of the authorisation must submit an Environmental Audit Report, ("audit report") to this Directorate (six months) after construction has been completed and also one year after the commencement of operation.
 - 7.1. The audit report must indicate the date on which the construction was completed, and detail compliance with the conditions of this authorisation.
 - 7.2. This Directorate may require remedial action should the audit report reflect that rehabilitation is inadequate.
 - 7.3. If the audit report is not submitted, this Directorate may give 30 days written notice and may have such an audit undertaken at the expense of the applicant and may authorise any person to take such measures necessary for this purpose.

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

By post: Western Cape Ministry for Local Government,
 Environmental Affairs and Development Planning
 Private Bag X9186
 Cape Town
 8000

By facsimile: (021) 483 4174; or

By hand: 1102 Utilitas Building
 For Attention: Mr Jaap de Villiers
 1 Dorp Street
 Cape Town
 8001
 - 8.5. inform all registered interested and affected parties that a signed Appeal form obtainable from the Minister's office at tel (021) 483 3721 / 3195, email jedevill@pgwc.gov.za or URL <http://www.capegateway.gov.za/eadp>; must accompany the appeal.

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- 8.6. inform all registered interested and affected parties that should they wish to appeal, the appellant must serve on the applicant a copy of the notice of intention to appeal as well as a notice indicating where and for what period the appeal submission will be available for inspection by the applicant.
- 8.7. If the applicant should decide to appeal, the applicant must –
 - 8.7.1.1. lodge a notice of intention to appeal with the Minister, within 10 days of receiving notice of this decision and,
 - 8.7.1.2. serve a copy of the notice of intention to appeal on all registered interested and affected parties as well as a notice indicating where and for what period the appeal submission will be available for inspection and,
 - 8.7.1.3. submit the appeal within 30 days of the lodging of the notice of intention to appeal.
9. The holder of the authorisation shall be responsible for ensuring compliance with the conditions by any person acting on his behalf, including but not limited to, an agent, sub-contractor, employee or any person rendering a service to the holder of the authorisation.
10. Any changes to, or deviations from, the project description set out in this authorisation must be approved, in writing, by the Department before such changes or deviations may be effected. In assessing whether to grant such approval or not, the Department may request such information as it deems necessary to evaluate the significance and impacts of such changes or deviations and it may be necessary for the holder of the authorisation to apply for further authorisation in terms of the regulations.
11. The holder of the authorisation must notify this Directorate and any other relevant authority, in writing, within 24 hours thereof if any condition of this authorisation is not adhered to.
12. A copy of this authorisation must be kept at the property where the activity(ies) will be undertaken. The authorisation must be produced to any authorised official of the Department who requests to see it and must be made available for inspection by any employee or agent of the holder of the authorisation who works or undertakes work at the property.
13. Where any of the applicant's contact details change, including the name of the responsible person, the physical or postal address and/ or telephonic details, the applicant must notify the Department as soon as the new details become known to the applicant.

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14. Non-compliance with a condition of this authorisation may result in the withdrawal of the authorisation and may render the holder liable for criminal prosecution.
15. This Department must be notified, within 30 days thereof, of any change of ownership and/or project developer. A request for the transfer of the rights and obligations contained in this environmental authorisation must be submitted in the following way:
 - 15.1. The current holder of the environmental authorisation must submit an original signed letter to the Department stating that he/she wish the rights and obligations contained in this environmental authorisation to be transferred, provide the Department with (a) confirmation that the environmental authorisation is still in force (i.e. validity period have not yet expired or the activity(ies) was lawfully commenced with), (b) the contact details of the person to whom the rights and obligations are to be transferred, and (c) the reasons for the requested transfer.
 - 15.2. The person to whom the rights and obligations are to be transferred must also submit an original signed letter to the Department (a) accepting the rights and obligations contained in this environmental authorisation and (b) must indicate that he/she has the ability to implement the mitigation measures and to comply with the conditions of authorisation.

If the transfer is found to be appropriate by the Department, the Department will issue a letter confirming the transfer of the rights and obligations contained in this environmental authorisation.

16. Departmental officials shall be given access to the property referred to in B above for the purpose of assessing and/or monitoring compliance with the conditions contained in this environmental authorisation, at all reasonable times.
17. The activity which is authorised may only be carried out at the property indicated above.
18. Notwithstanding this authorisation, the holder of the authorisation must still comply with any other statutory requirements that may be applicable to the undertaking of the activity.
19. This activity must commence within a period of 3 years from the date of issue of this EA. If commencement of the activity does not occur within that period, the authorisation lapses and a new application for environmental authorisation must be made in order for the activity to be undertaken.

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H. REASONS FOR THE DECISION:

All the following information that was available to the Department was taken into account in the Department's consideration of the application -

- a) The information contained in the Basic Assessment Reports (Volume 1 and 2) and the documentation submitted in response to the letter of rejection from the Department dated 23/06/2008;
- b) The comments received from interested and affected parties as included in the basic assessment reports and response documentation;
- c) Relevant information contained in the Departmental information base including -
 - Guideline for determining the scope of specialist involvement in EIA processes, June 2005.
 - Guideline for the review of specialist input in the EIA process, June 2005.
 - Guideline for involving biodiversity specialists in the EIA process, June 2005.
 - Guideline for involving heritage specialists in the EIA process, June 2005.
 - Guideline for environmental management plans, June 2005.
 - Guideline on Alternatives, May 2009
 - Guideline on Public Participation, May 2009
- d) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the National Environmental Management Act, 1998 (Act No. 107 of 1998).

A summary of the issues which, in the Department's view, were of the most significance is set out below.

1. Exemption:

The applicant has not applied to be exempted from any regulations in terms of NEMA (Act 107 of 1998) 21 April, 2006.

2. Environment:

The proposed development property falls within the Cape Floral Region (CFR), internationally recognised for its remarkable floral diversity. The Farm Elandskloof 168 contains three unique Witteberg plant communities, namely (1) Matjiesfontein Shale Fynbos, (2) Matjiesfontein Shale Renosterbosveld & (3) Matjiesfontein Kwartzite Fynbos, and at least one Witteberg-endemic plant species *Leucadendron cadens*.

The private nature reserve will further protect all remaining indigenous fauna on the property, such as grey rhebuck, klipspringer, duiker, steenbok, aardwolf, aardvark, black-backed jackal, leopard, caracal,

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Cape fox, bat-eared fox, etc. including all indigenous birdlife found on the property.

CapeNature has initially registered the property as a voluntary conservation site on 16 May 2006 in terms of their Stewardship agreements. However, since the original submission, CapeNature has recommended that the stewardship status be upgraded to Contract Nature Reserve. This resulted after a biodiversity assessment was performed by CapeNature Scientific Services.

Pre-application conservation activities on the property have already encompassed major rehabilitation by removing old, unsightly, rusty internal fencing, many loads of rubbish dumped on the farm over the years to the municipal dump in Laingsburg, approximately 300 alien trees and shrubs, mainly Eucalyptus, but also pines, pepper trees, poplars, sisal plants (garingbome) and prickly pears. A Biodiversity management plan has been submitted with the BAR as part of the requirements of the Stewardship agreement with CapeNature.

The Contract Nature Reserve registration will ensure the protection of the biodiversity of the area, particularly the Witteberg-endemic plant species, *Leucadendron cadens*. The consumption of scarce environmental resources will be minimised. The development will be self-sufficient in terms of water supply and electricity, the latter from renewable energy sources such as solar and wind power. The percentage of land to be developed will cover less than 3 hectares, leaving 4362 hectares for conservation purposes.

The proposed method of sewerage treatment was investigated and assessed during the process and found to be within acceptable environmental parameters by Department of Water Affairs, Department of Agriculture and CapeNature.

3. Need and Desirability:

3.1. Appropriateness of the farm Elandskloof for the proposed development:

The Witteberg area was chosen as an ideal location for the proposed development for the following reasons:

- No other similar private nature reserve adjoining the provincial Anysberg Nature Reserve exists in the area.
- The close proximity of the Anysberg Provincial Nature Reserve and numerous possibilities that exist for cooperation regarding reserve management as well as conservation and tourism facilities.

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- Conservation of the special characteristics of the region: 3 specific Matjiesfontein fynbos communities and the Witteberg mountain range.
- The existing good gravel roads that lead to the property and the 32 km of existing trails into the mountains that provide access to the 3 Matjiesfontein fynbos communities that occur on the property.

3.2. Contribution to growth in the local tourism industry:

The Laingsburg Municipality is very eager to see the development of new tourism facilities to help growth in the local tourism industry, as stated in its Spatial Development Framework. Similarly, the Beaufort-West District Municipality also sees the development of new tourism facilities as key for growth in the district's tourism industry.

3.3. Proposed Witteberg Private Nature Reserve will fall in the Buffer Zone of the Anysberg Nature Reserve:

The proposed development is in line with the Western Cape Provincial Bio-regional Planning Framework, where the proposed development, which is adjacent to the Anysberg Provincial Nature Reserve, falls in the buffer zone to the core area being the Anysberg Provincial Nature Reserve.

3.4. Extension of CapeNature's Langeberg-Witteberg conservation corridor:

The proposed development is situated in Cape Nature's so-called Langeberg-Witteberg conservation corridor. As such it is in line with the macro conservation plan.

3.5. In line with objectives of the Gouritz Initiative:

The proposed development falls in the north-western corner of the catchment area of the Gouritz River and as such falls in the planning area of the Gouritz Initiative. The conservation objectives of the proposed development are in line with, and in support of, the objectives of the Gouritz Initiative.

3.6. Protection of historic buildings, family graveyards as well as Early-, Middle- and Late Stone Age Sites:

All remaining historic buildings and related family graveyards located on the property will be protected by the proposed development, which otherwise may well deteriorate further and go to total ruin. Recently discovered Early-, Middle- and Late Stone Age archaeological sites as well as rock art sites will also be protected.

3.7. In support of the objectives of the Western Cape Provincial Spatial Development Framework (WC PSDF):

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The proposal supports land reform through an offer to contribute R1,2M from the proceeds of the sale of holiday homes to an AgriBEE project in the Laingsburg district. It will also conserve and strengthen the sense of place of important natural, cultural and productive landscapes, artefacts and buildings.

4. Socio-economic/Cultural historic:

In the application to both the Western Cape and the national departments of Agriculture, the applicant offered a contribution of R1,2M from the proceeds of the sale of holiday homes to an AgriBEE project in the Laingsburg district. This will contribute to land reform and the establishment of previously disadvantaged people in the agricultural sector.

This development proposal strongly supports the retention of the sense of place of the important natural and cultural-historic aspects of the property, with its many Early-, Middle- and Late Stone Age artefacts and the vernacular architecture of the historic buildings.

This development project with its capital budget in excess of R50M will result in a valuable capital injection into the regional economy.

The existing social and economic characteristics of the region are determined by the sparse population of the area that is mainly affected by the limited, extensive agricultural activities, a provincial Nature Reserve and private weekend get-away game farms.

In a technical research report entitled "What Attracts Tourists to the Little Karoo" undertaken by Caroline Gelderblom for the Gouritz Initiative and funded by the CSIR, scenery and nature were the top two general attractions in one of the surveys. The majority of those surveyed preferred mountainous scenery (78%) rather than plains scenery (45%). In another survey, the diversity of plant life scored a 65% rating. Magnificent mountain scenery and a diversity of plant life are certainly offered by the development property.

5. Policy: Regional/planning context:

The project was also measured against the Western Cape Provincial Spatial Development Framework relating specifically to the Central Karoo region within which the development property falls. It reinforced development potential and urban efficiencies of settlements with economic growth potential like Beaufort West, Prince Albert and Laingsburg, and supported the work of SANBI and the Department of Agriculture Soil Conservation Committees to achieve synergy with veld

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management programmes that will improve both biodiversity conservation and stock carrying capacity.

Against these, the proposed development will create several full-time employment opportunities in the Laingsburg area and assist entrepreneurs from previously disadvantaged communities with the establishment of small businesses in the area for the provision of services such as laundry and soap crafting.

In terms of the Western Cape Resort Guideline the applicant has done a lot to get the proposal aligned with the requirements set out in the guideline. Resort Zone II unit footprints were reduced to 120m² and stand sizes to 250 m². Resort Zone I and II units were split 50/50% (12 Resort Zone I and 12 Resort Zone II units) as required. However, two aspects remained problematic, namely, the spread of the Resort Zone units through the river valley bisecting the farm, and the proposed subdivision of three parcels of land (1.4 ha, 1ha and 500 m²) containing 6, 4 and 2 Resort Zone I units respectively. According to the reports the spread of the units was supported by Heritage to conserve the sense of place, and it was also acceptable to most interested and affected parties including CapeNature and Department of Agriculture (Western Cape). The subdivision of the three land parcels for the Resort Zone I units remained problematic in terms of Planning and the Resort Guideline. The subdivision was not supported by Department of Agriculture and is not consistent with spatial planning guidelines.

6. Cumulative effects of the activity:

The proposed development is seen as a very specific, small-scale development that should have a limited impact on the greater area. The only areas of notable cumulative impact could perhaps be the following:

- 6.1. Increased load on the Laingsburg Municipal Landfill site. This additional loading will be minor, considering that there will only be a total of 24 holiday homes with an expected average occupancy of less than 20%.
- 6.2. Increased traffic on the main gravel roads serving the property. The additional traffic on the three gravel roads leading to the secondary gravel road through the property will again be limited due to the small scale of the development and low occupancy of less than 20%. The maintenance of the secondary gravel road through the property will be the responsibility of the development. The District Roads Department have approved the limited additional traffic on the Divisional Roads.
- 6.3. Additional tourism facilities in the area. Due to the specific nature of the development and the target interest group, the additional holiday accommodation facilities will not really compete with existing tourism accommodation facilities in the area and will thus not impact

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negatively on them. Matjiesfontein serves mainly travellers along the N1, whereas Anysberg serves a rather different market.

However, the Laingsburg IDP indicates that tourism is an ideal mechanism for the creation of much-needed additional employment opportunities in the area.

7. Alternatives:

Three alternatives were assessed and described. These alternatives differed in terms of layout/distribution and the number of units.

Alternative 1 was for the development of a total of 34 holiday units but was not aligned with the Resort Guidelines.

Alternative 2, focussing on heritage conservation, consisted of a total of 24 holiday homes - 12 as Resort Zone I units for short-term rental and 12 as Resort Zone II units for individual alienation. However, this alternative would have impacted on the archaeological sites.

Alternative 3, the preferred development plan, also consists of a total of 24 holiday homes - 12 as Resort Zone I units for short-term rental and 12 as Resort Zone II units for individual alienation, but the Resort Zone I units are clustered on three land parcels for alienation.

Both Alternative 2 and 3 strived to align the proposal with the Resort Guidelines, but with alternative 2 the development proposal was found to impact on archaeological sites. Alternative 3 has a more acceptable placement of the new units to be build, and the existing upgrading of buildings.

Most of the interested and affected parties, including CapeNature and Department of Agriculture Western Cape, found alternative 3 to be acceptable. However, the Directorate Planning in this Department does not agree with the fact that the resort units are spread out throughout the valley, and also with the subdivision and alienation of the three subdivided portions containing the Resort Zone I units. These aspects are not in line with the Resort Guidelines. It was thus decided to authorise the proposal contained in alternative 3 but without the subdivision of the three portions of land for the Resort Zone I units.

8. Public Participation:

The public participation process showed that extensive public participation was done which included all the relevant government departments. All issues have been adequately addressed and most of

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the interested and affected parties are happy with the development proposal contained in alternative 3.

In view of the above, this Directorate is satisfied that, subject to compliance with the conditions contained in the environmental authorisation, the proposed activity 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.

9. Legislative requirements:

As a result of changes in the legislation and the enactment of the National Environmental Management: Waste Act (Act No. 59 of 2008), treatment of sewerage has become a listed activity in terms of the said legislation according to Category B activity 4 (5) "The treatment of hazardous waste using any form of treatment regardless of the size or capacity of such a facility to treat such waste". The applicant is therefore required to lodge an application for a waste license in terms of National Environmental Management: Waste Act (Act No. 59 of 2008) Category B activity 4 (5) regarding the treatment of hazardous waste. This application must be prepared and submitted to the National Department of Environment due to the fact that sewerage is deemed to be a hazardous waste.

I. APPEAL:

Appeals must comply with the provisions as outlined in Chapter 7 of the regulations.

Any person who wishes to appeal against this environmental authorisation, must lodge a notice of intention to appeal with the Minister, within 10 days of receiving notice of this decision and, must submit the appeal within 30 days of the lodging of the notice of intention to appeal, by means of one of the following methods:

By post: Western Cape Ministry for Local Government,
 Environmental Affairs and Development Planning
 Private Bag X9186
 Cape Town
 8000

By facsimile: (021) 483 4174; or

*Department of Environmental Affairs & Development Planning
Directorate: Integrated Environmental Management (Region A)*

By hand: 1102 Utilitas Building
For Attention: Mr Jaap de Villiers
1 Dorp Street
Cape Town
8001

A signed Appeal form, obtainable from the Minister's office at tel. (021) 483 3721/3195, email: jedevill@pgwc.gov.za or URL <http://www.capegateway.gov.za/eadp> must accompany the appeal.

All interested and affected parties that wish to appeal must serve on the applicant a copy of their notice of intention to appeal as well as a notice indicating where and for what period the appeal submission will be available for inspection by the applicant.

If the applicant should decide to appeal, the applicant must serve a copy of the notice of intention to appeal on all registered interested and affected parties as well as a notice indicating where and for what period the appeal submission will be available for inspection.

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

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

Yours faithfully



AYUB MOHAMED

DIRECTOR: INTEGRATED ENVIRONMENTAL MANAGEMENT (REGION A)

DATE OF DECISION: 27/07/2010

DATE OF ISSUE: 27 JUL 2010

Copied to: Laingsburg Municipality
Anneke de Kock
DEA&DP (George office)

Fax: 023 551 1019
Fax: 021 866 1524
Fax: 044 874 2423