

Appendix G: Existing approval(s)



**Western Cape
Government**

Environmental Affairs and
Development Planning

**DIRECTORATE: LAND MANAGEMENT
(REGION 3)**

EIA REFERENCE NUMBER: 16/3/1/5/D2/19/0021/12
ENQUIRIES: Shireen Pullen
DATE OF ISSUE: 2013 -02- 26

The Director
Laritza Investments (Pty) Ltd
PO Box 4628
GEORGE-EAST
6539

For Attention: Mr. C. Roodt

Tel: (044) 805 7112

Fax: (044) 805 7113

Dear Sir

**APPLICATION FOR AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION (EA)
ISSUED ON 22 AUGUST 2011 FOR THE PROPOSED DEVELOPMENT ON PORTION 22 OF
FARM KRAAIBOSCH NO. 195 AND ERF 23333, GEORGE**

With reference to your application for the abovementioned, find below the amendment to the Environmental Authorisation with respect to this application.

ADDENDUM TO ENVIRONMENTAL AUTHORISATION

A. DECISION

By virtue of the powers conferred on it by the National Environmental Management Act, 1998 (Act No. 107 of 1998, as amended) and the Environmental Impact Assessment Regulations, 2010 ("NEMA EIA Regulations) the competent authority herewith grants the amendment of the Environmental Authorization issued on 22 August 2011

The Environmental Authorisation is amended as set out below:

1. The description of the activity under section A of the environmental authorisation must read as follows:

"The proposal is for the construction of a mixed development comprising of Portion 1 - Business Zone I (i.e. business, townhouses, flats, residential buildings, places of assembly, place of entertainment, place of instruction, institution, bottle store, supermarkets and service trade), Portion 2 - Public Open Space (i.e. remains open space), Portion 3 - Authority Zone (remains as before), Portion 4 - Residential Zone III (accommodates the N2 interchange), Portions 5, 6 and 9 - Business Zone I (business premises, by consent townhouses, flats, residential buildings, place of assembly, place

4th Floor, York Park Building,

93 York Street, George, 6529

tel: +27 44 805 8600 fax: +27 44 874 2423

Private Bag X6509, George, 6530

www.westerncape.gov.za/eadp

of entertainment, institution, bottle offices, supermarket and service trades etc.), Portion 7 - Transport Zone III, Portion 8 - Business Zone I (building height limited to two storeys), Portion 10 - Business Zone I (building height is limited to three storeys), Portion 11 - Business Zone II (i.e. shop, townhouses by consent, flats, residential buildings, places of assembly, offices, supermarkets and restaurants) on the respective portions, of which the total area proposed for building construction covers approximately 240 000m² and the first phase of the development proposal will consist of approximately 120 000m². Portions 1 - 11 collectively represent the subject property, namely portion 22 of Farm Kraaibosch and Erf 23333, George."

2. All other information contained in the Environmental Authorisation issued on 22 August 2011, Reference Number: EG12/2/3/2/D2/11-1192/08 remains unchanged and is still in force.

B. REASONS FOR THE DECISION:

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

1. The application is for a non-substantive amendment to the Environmental Authorisation.
2. The environment and the rights and interests of other parties are not likely to be adversely affected by this decision to amend the Environmental Authorisation.
3. The motivation submitted by the applicant, which states the following:
 - 3.1 The applicant submits that a recent market study in furtherance of condition 8 of the above-mentioned EA found that the total GLA of office space in the George market is 91 892m², of which 88 496 m² is occupied, which excludes the medical precinct, industrial area and government buildings. It is further submitted that 90% of this office space is located in the George Central Business District (CBD). There is thus a current over supply of 3 396m² (3,37%) of total floor area and therefore no immediate demand in the local market. The study also projects that the current over supply in office space will change into an under supply of 13 134m² in 2021.
 - 3.2 The applicant states that the aim of the Blue Mountain Development is to address economic growth demand with a mixed use development and does not aim to compete with the CBD. He further submits that the approved development is located in close proximity of the N2 and will attract motorists passing the area and tourists to the area. This will lead to investments and spending in the area.
 - 3.3 The applicant further submits that that this is a non-substantial amendment and will not result in any negative environmental impacts.
4. All the information presented to the Department was taken into account in the Department's consideration of the application.

C. CONDITIONS

1. The applicant must, in writing, within **12 (twelve)** calendar days from the date of the Department's decision –
 - 1.1 notify all registered interested and affected parties of –
 - 1.1.1 the outcome of the application;
 - 1.1.2 the reasons for the decision;

- 1.1.3 the date of the decision; and
- 1.1.4 the date of issue of the decision;
- 1.2 draw the attention of all registered interested and affected parties to the fact that an appeal may be lodged against the decision in terms of Chapter 7 of the Environmental Impact Assessment Amendment Regulations, 2010 detailed in section D below;
- 1.3 draw the attention of all registered interested and affected parties to the manner in which they may access the decision, and
- 1.4 publish a notice in the newspapers contemplated in regulation 54(2)(c) and (d), and which newspaper was used for the placing of advertisements as part of the Public Participation Process, that –
 - 1.4.1 informs all interested and affected parties of the decision;
 - 1.4.2 informs all interested and affected parties where the decision can be accessed; and
 - 1.4.3 informs all interested and affected parties that an appeal may be lodged against the decision in terms of Chapter 7 of the Regulations;
- 2. One week's written notice must be given to the Directorate: Land Management (Region 3), before commencement of construction activities. The said notice must also include proof of compliance with Condition 1 described in Section C of this Addendum to Environmental Authorisation.

D. APPEALS:

Appeals must comply with the provisions contained in Chapter 7 of the Environmental Impact Assessment Regulations, 2010.

- 1. An appellant must –
 - 1.1. submit a notice of intention to appeal to the Minister, within 20 (twenty) calendar days of the date of the decision;
 - 1.2. submit the appeal within 30 (thirty) calendar days after the lapsing of the 20 (twenty) calendar days contemplated in regulation 60(1), for the submission of the notice of intention to appeal; and
 - 1.3. within 10 (ten) calendar days of having lodged the notice of intention to appeal, provide each person and organ of state registered as an interested and affected party in respect of the application, or the applicant, with –
 - 1.3.1. a copy of the notice of intention to appeal form; and
 - 1.3.2. a notice indicating where and for what period the appeal submission will be made available for inspection by such person, organ of state, or applicant, on the day of lodging it with the Minister, and that a responding statement may be made on the appeal within 30 (thirty) calendar days from the date the appeal submission was lodged with the Minister.
- 2. A person, organ of state or applicant who submits a responding or answering statement in terms of regulation 63 must within 10 (ten) calendar days of having submitted the responding or answering statement, serve a copy of the statement on the other party.

3. If the person, organ of state or applicant fails to meet a timeframe with respect to the requirements as detailed above, the person, organ of state or applicant must immediately submit a written explanation to the Ministry providing a concise explanation for the non-compliance.
4. All notice of intention to appeal and appeal forms must be submitted by means of one of the following methods:

By post: Western Cape Ministry of Local Government, Environmental Affairs and Development Planning
Private Bag X9186
CAPE TOWN
8000

By facsimile: (021) 483 4174; or

By hand: Attention: Mr J. de Villiers
Room 305 A
3rd Floor Leeusig Building (Entrance at: Utilitas Building, 1 Dorp Street, Cape Town, 8001)

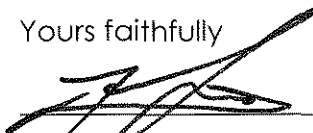
5. A prescribed notice of intention to appeal form and appeal form as well as assistance regarding the appeal processes is obtainable from the office of the Minister at: Tel. (021) 483 3721, E-mail Jaap.deVilliers@pgwc.gov.za or URL <http://www.westerncape.gov.za/eadp>.

E. DISCLAIMER

The Western Cape Government, the Local Authority, committees or any other public authority or organisation appointed in terms of the conditions of this Addendum to Environmental Authorisation shall not be responsible for any damages or losses suffered by the holder, developer or his/her successor in any instance where construction or operation subsequent to construction is temporarily or permanently stopped for reasons of non-compliance with the conditions as set out herein or any other subsequent document or legal action emanating from this decision.

Your interest in the future of our environment is appreciated.

Yours faithfully



MR. ROBUS MUNRO
DIRECTOR: LAND MANAGEMENT (REGION 3)

DATE OF DECISION: 26.2.2013

Copied to: Mr. Dupre Lombaard (EAP)

Fax: 086 5181285



**Western Cape
Government**

Environmental Affairs and
Development Planning

Land Management
(Region 3)

REFERENCE: EG12/2/3/2/D2/11-1192/08

ENQUIRIES: Shireen Pullen

DATE OF ISSUE: 2012-09-04

The Director

Laritza Investments 183 (Pty) Ltd

P.O. Box 4628

GEORGE EAST

6539

Attention: Mr. Chris Roodt

Tel: (044) 805 7112

Fax: (044) 871 0086

Dear Sir

**ACCEPTANCE OF THE ENVIRONMENTAL MANAGEMENT PROGRAMME FOR THE
PROPOSED DEVELOPMENT ON PORTION 22 OF FARM KRAAIBOSCH NO. 195 AND ERF
23333, GEORGE**

1. The abovementioned Environmental Management Programme dated, May 2012 and received by the Directorate: Land Management (Region 3) (hereinafter referred to as "this Directorate") on 20 June 2012 refers.
2. This letter serves to inform you that the abovementioned document has been reviewed and accepted by this Directorate, subject to the following conditions:
 - 2.1 All requirements or specifications contained and stipulated in the Environmental Management Programme ("EMP") are strictly implemented and adhered to by all construction and rehabilitation personnel.
 - 2.2 Any failures or inability to comply with any of the prescribed requirements of the Environmental Management Plan must be reported or communicated beforehand with the appointed Environmental Control Officer ("ECO").
 - 2.3 The appointed ECO must report any modification to the approved EMP to this Directorate, prior to the undertaking such modifications.

3. This Department further takes note that all construction activities currently taking place on the site constitutes the implementation of the Environmental Authorizations pertaining to Blue Mountain Village and Blue Mountain Gardens.
4. It is further acknowledged that Mr. Duprè Lombaard was appointed as the Environmental Control Officer ("ECO"). Please provide this Directorate with a copy of the appointment letter for record keeping purposes.
5. This Directorate reserves the right to revise initial comments and may request further information from the applicant based on the revised information received.

Yours faithfully


HEAD OF DEPARTMENT

CC: Mr. D. Lombaard

Fax: 086 518 1285

Broadcast Report

P 1
04/09/2012 14:35
Serial No. AOPN041001480
TC: 72937

Destination	Start Time	Time	Prints	Result	Note
0865181285	09-04 14:20	00:02:30	002/002	OK	
0448710086	09-04 14:34	00:00:56	000/002	No Ans	

Note TMR: Timer TX, POL: Polling, ORG: Original Size Setting, FME: Frame Erase TX,
MLX: Mixed Original TX, CALL: Manual TX, CSRC: CSRC, FWD: Forward, PC: PC-Fax,
BND: Double-Sided Binding Direction, SP: Special original, FCODE: F-code, RTX: Re-TX,
RLY: Relay, MBX: Confidential, BUL: Bulletin, SIP: SIP Fax, IPADR: IP Address Fax,
I-FAX: Internet Fax

Result OK: Communication OK, S-OK: Stop Communication, PW-OFF: Power Switch OFF,
TEL: RX from TEL, NG: Other Error, Cont: Continue, No Ans: No Answer,
Refuse: Receipt Refused, Busy: Busy, M-Full: Memory Full,
LOVR: Receiving length Over, POVER: Receiving page Over, FIL: File Error,
DC: Decode Error, MDN: MDN Response Error, DSN: DSN Response Error.



Land Management
(Region 3)

REFERENCE: EG12/2/3/2/D2/11-1192/08
ENQUIRIES: Shireen Pullen
DATE OF ISSUE: 2012 -09- 04.

The Director
Laritza Investments 183 (Pty) Ltd
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GEORGE EAST
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 - 2.2 Any failures or inability to comply with any of the prescribed requirements of the Environmental Management Plan must be reported or communicated beforehand with the appointed Environmental Control Officer ("ECO").
 - 2.3 The appointed ECO must report any modification to the approved EMP to this Directorate, prior to the undertaking such modifications.



DEPARTMENT of
ENVIRONMENTAL AFFAIRS
& DEVELOPMENT PLANNING

Provincial Government of the Western Cape

Directorate Land Management

(Region 1)

tel: +27 44 805 8616 fax: +27 448 742423

York Park Building, York Street,

P/Bag x6509, George, 6530

www.capegateway.gov.za

REFERENCE: EG12/2/3/2-D2/11/1192/08

ENQUIRIES: Shireen Pullen

DATE: 2011-08-22

The Director

Laritza Investments 183 (Pty) Ltd

P.O. Box 4628

GEORGE-EAST

6539

Attention: Mr. Chris Roodt

Tel: (044) 805 7112

Fax: (044) 871 0086

Dear Sir

**APPLICATION: PROPOSED DEVELOPMENT ON PORTION 22 OF FARM KRAAIBOSCH
NO. 195 AND ERF 23333, GEORGE**

With reference to your application, find below the environmental authorization in respect of this application.

ENVIRONMENTAL AUTHORISATION

A. DESCRIPTION OF ACTIVITY:

The proposal is for the construction of a mixed development comprising of Portion 1 - Business Zone III (i.e. offices, townhouses, flats, residential buildings, places of assembly, entertainment and supermarkets), Portion 2 - Public Open Space (i.e. remains open space), Portion 3 - Authority Zone (remains as before), Portion 4 - Residential Zone III (accommodates the N2 interchange), Portions 5, 6 and 9 - Business Zone I (business premises, by consent townhouses, flats, residential buildings, place of assembly, place of entertainment, institution, bottle offices, supermarket and service trades etc.), Portion 7 - Transport Zone III, Portion 8 - Business Zone I (building height limited to two storeys), Portion 10 -

Business Zone I (building height is limited to three storeys), Portion 11 – Business Zone II (i.e. shop, townhouses by consent, flats, residential buildings, places of assembly, offices, supermarkets and restaurants) on the respective portions, of which the total area proposed for building construction covers approximately 240 000m². Portions 1 – 11 collectively represent the subject property, namely portion 22 of Farm Kradibosch and Erf 23333, George.

The following listed activities are identified in Government Notice No. R386 of 21 April 2006, being

Activity 1(k): The construction of facilities or infrastructure, including associated structures or infrastructure, for the bulk transportation of sewage and water, including storm water, in pipelines with -
(i) an internal diameter of 0,36 metres or more; or
(ii) a peak throughput of 120 litres per second or more;

Activity 15: The construction of a road that is wider than 4 metres or that has a reserve wider than 6 metres, excluding roads that fall within the ambit of another listed activity or which are access roads of less than 30 metres long.

Activity 16: The transformation of undeveloped, vacant or derelict land to –
(a) establish infill development covering an area of 5 hectares or more, but less than 20 hectares; or
(b) residential, mixed, retail, commercial, industrial or institutional use where such development does not constitute infill and where the total area to be transformed is bigger than 1 hectare.

Activity 20: The transformation of an area zoned for use as public open space or for a conservation purpose to another use.

The following listed activities are identified in Government Notice No. R387 of 21 April 2006, being:

Activity 2: Any development activity, including associated structures and infrastructure, where the total area of the developed area is, or is intended to be, 20 hectares or more.

Activity 5: The route determination of roads and design of associated physical infrastructure, including roads that have not yet been built for which routes have been determined before the publication of this notice and which has not been authorised by a competent authority in terms of the Environmental Impact Assessment Regulations, 2006 made under section 24(5) of the Act and published in Government Notice No. R. 385 of 2006, where–

- (a) it is a national road as defined in section 40 of the South African National Roads Agency Limited and National Roads Act, 1998 (Act No. 7 of 1998);
- (b) it is a road administered by a provincial authority;
- (c) the road reserve is wider than 30 metres; or
the road will cater for more than one lane of traffic in both directions.

The following activity identified in terms of Government Notice R544 of 18 July 2010 was also considered during the assessment process. These are:

Activity 23: *The transformation of undeveloped, vacant or derelict land to –*

- (i) *residential, retail, commercial, recreational, industrial or institutional use, inside an urban area, and where the total area to be transformed is 5 hectares or more, but less than 20 hectares, or*
- (ii) *residential, retail, commercial, recreational, industrial or institutional use, outside on urban area and where the total*

area to be transformed is bigger than 1 hectare but less than 20 hectares; -

Except where such transformation takes place –

- (i) for linear activities; or
- (ii) for purposes of agriculture or afforestation, in which case Activity 16 of Notice No. R. 545 apply.

The following activity as identified in terms of Government Notice R545 of 18 July 2010 was also considered during the assessment process. These are:

Activity 15: Physical alteration of undeveloped, vacant or derelict land for residential, retail, commercial, recreational, industrial or institutional use where the total area to be transformed is 20 hectares or more

Activity 18: The route determination of roads and design of associated physical infrastructure, including roads that have not yet been built for which routes have been determined before 03 July 2006 and which have not been authorised by a competent authority in terms of the Environmental Impact Assessment Regulations, 2006 or 2009, made under section 24(5) of the Act and published in Government Notice No. R. 385 of 2006,—

- (i) it is a national road as defined in section 40 of the South African National Roads Agency Limited and National Roads Act, 1998 (Act No. 7 of 1998);
- (ii) it is a road administered by a provincial authority;
- (iii) the road reserve is wider than 30 metres; or
- (iv) the road will cater for more than one lane of traffic in both directions.

The following activity as identified in terms of Government Notice R546 of 18 July 2010 was also considered during the assessment process. These are:

Activity 4: The construction of a road wider than 4 metres with a reserve less than 13,5 metres.

(d) In Western Cape:

- i. In an estuary;
- ii. All areas outside urban areas;
- iii. In urban areas:
 - (aa) Areas zoned for use as public open space within urban areas; and
 - (bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, or zoned for a conservation purpose

Activity 6: The construction of resorts, lodges or other tourism accommodation facilities that sleep 15 people or more.

(d) In Western Cape:

- i. In an estuary;
- ii. All areas outside urban areas;
- iii. In urban areas:
 - (aa) Areas seawards of the development setback line or within 1 kilometre from the high-water mark of the sea if no such development setback line is determined;
 - (bb) Areas on the watercourse side of the development setback line or within 100 metres from the edge of a watercourse where no such setback line has been determined.

Activity 9: The construction of facilities or infrastructure exceeding 1 000 metres in length for the bulk transportation of water, sewage or storm water with an internal diameter of 0,36 metres or more
(ii) with a peak throughput of 120 litres per second or more, excluding where:

- (a) such facilities or infrastructure are for bulk transportation of water, sewage or storm water or storm water drainage inside a road reserve; or
- (b) where such construction will occur within urban areas but further than 32 metres from a watercourse, measured from the edge of the watercourse.

Activity 10: The construction of facilities or infrastructure for the storage, or storage and handling of a dangerous good, where such storage occurs in containers with a combined capacity of 30 but not exceeding 80 cubic metres.

(e) In Western Cape:

- i. In an estuary;
- ii. All areas outside urban areas;
- iii. Inside urban areas:
 - (aa) Areas seawards of the development setback line or within 200 metres from the high-water mark of the sea if no such development setback line is determined;
 - (bb) Areas on the watercourse side of the development setback line or within 100 metres from the edge of a watercourse where no such setback line has been determined.

Activity 13: The clearance of an area of 1 hectare or more of vegetation where 75% or more of the vegetative cover constitutes indigenous vegetation, except where such removal of vegetation is required for:

- (1) the undertaking of a process or activity included in the list of waste management activities published in terms of section 19 of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008), in which case the activity is regarded to be excluded from this list.

- (2) the undertaking of a linear activity falling below the thresholds mentioned in Listing Notice 1 in terms of GN No 544 of 2010.

Activity 19: The widening of a road by more than 4 metres, or the lengthening of a road by more than 1 kilometre.

(d) In Western Cape:

- i. In an estuary;
- ii. All areas outside urban areas;
- iii. In urban areas:

(aa) Areas zoned for use as public open space within urban areas;

(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, or zoned for a conservation purpose, within urban areas.

hereinafter referred to as "the activity".

B. LOCATION:

The proposed site is located south of Knysna Road on portion 22 of the Farm Kraaibosch 195 and Erf 23333 George..

Co-ordinates:

Latitude (S): 33°59'53.08" Longitude (E): 22°29'12"

SG Digit codes: C02700000000019500022 & C02700020002333300000

hereinafter referred to as "the site."

C. APPLICANT:

The Director
Laritza Investments 183 (Pty) Ltd
P.O. Box 4628
GEORGE-EAST
6539
Tel: (044) 805 7112
Fax: (044) 871 0086

D. ENVIRONMENTAL ASSESSMENT PRACTITIONER:

Calidris Development Management Services
C/o Mr D. Lombaard
P.O. Box 1201
PLETTENBERG BAY
6600
Tel: (044) 544-0424
Fax: 086 518 1286

E. SITE VISIT(S):

No site visit was conducted. The case officer is familiar with the site. The information submitted in the application documentation (i.e. photographs and maps of the site) together with all 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 authorized to undertake the activities specified above, but excluding the construction of a filling station on portions 8 or 11 as part of this development.

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 and 2010, the Department hereby authorizes the activity described above, but excluding the construction of a filling station on portions 8 or 11 as part of this development.

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 refuses authorization for the construction of a filling station on portions 8 or 11 as part of this development.

The applicant has applied for Activity 18 listed in Government Notice No. R386 of 21 April 2006, being: *"The subdivision of portions of land 9 hectares or larger into portions of 5 hectares or less."* but as the new Environmental Impact Assessment Regulations, 2010 came into effect on 02 August 2010 this activity is no longer listed and is regarded as being withdrawn.

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 having received 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. The applicant, must, in writing, within 20 days of the issue of this authorisation, confirm acceptance of the conditions of this authorisation, failing which the Environmental Authorisation may be suspended until such time that these conditions of authorisation are accepted.

3. One week's notice, in writing, must be given to the Directorate: Land Management (Region I), (hereinafter referred to as "this Directorate"), before commencement of construction activities.

- 3.1 Such notice shall make clear reference to the site location details and reference number given above.

- 3.2 The said notice must also include proof of compliance with the following conditions described herein:

Conditions: 1, 2, 4, 6, 12, 13, & 16

4. A minimum buffer of 40 meters must be maintained on either side of the natural drainage lines that occur on the property. These areas must be demarcated prior to commencement of construction activities.
5. No development must take place on 1:4 slopes, as well as slopes steeper than 1:4 along the Meul River and its tributary.
6. A final layout plan that shows all the components of the proposed development must be submitted to this Department, prior to the commencement of construction activities. It should be noted that the proposed layout plan should take due cognizance of the limitation on the development phases that can be accommodated at a specific stage, based on the traffic requirements stipulated in Section H of this environmental authorization.
7. The final lay-out plan must make provision for high density residential units (middle to low income to the satisfaction of the Town Planning component of the local authority.
8. Preference must be given to large scale commercial undertakings such as warehousing, which cannot be accommodated within the Central Business District or in the industrial area of George due to its scale.
9. Provision must be made for the utilization of local labour as far as possible. This may include, but need not be restricted to, the establishment of a local labour registration office and preferential employment and training policy.

10. The following recommendations as contained in the Traffic Impact Assessment dated January 2010 must be strictly implemented and adhered to:
 - 10.1 A pedestrian pathway must be provided along the southern boundary of the site and sidewalks along the internal roads must be constructed for pedestrians and cyclists;
 - 10.2 Minibus-taxi off-loading and pick-up bays with proper facilities must be provided along Park Drive in the proximity of the high traffic generators;
 - 10.3 The proposed new interchange must accommodate sufficient facilities for pedestrians and adequate pedestrian links must be created.
11. An architectural guideline must be developed to the satisfaction of the visual specialist and all the recommendations of the Visual Impact Assessment pertaining to height restrictions on the different portions that will be developed must be strictly adhered to and implemented.
12. The Environmental Management Programme ("EMP") submitted as part of the application for environmental authorisation must be amended. The contents of such an EMP must:
 - 12.1 be approved by the Department before the commencement of any construction activities;
 - 12.2 be submitted to the Department for consideration at least three weeks prior to the commencement of construction activities;
 - 12.3 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;
 - 12.4 incorporate the conditions of authorisation given in this Environmental Authorisation;
 - 12.5 set out an environmental policy, objectives and targets;

- 12.6 set out how the applicant and management body of the proposed development will adopt and implement the approved Environmental Management Programme;
- 12.7 identify and allocate environmental management roles, responsibilities and accountability within the organisation, as well as funding requirements, measurable targets and timeframes for the implementation of the EMP;
- 12.8 include environmental procedures which cover the construction activities for every phase of the development (Construction Environmental Management Programme ("CEMP")) pertaining to major services (e.g. roads, water, sewage and electricity);
- 12.9 describe the method and program, including clear targets and remedies for Invasive alien vegetation clearance within five years of commencement of construction activities;
- 12.10 make provision for the compilation of method statements to the satisfaction of the appointed Environmental Control Officer ("ECO");
- 12.11 include and describe stormwater management measures, such as swales, artificial wetlands, retention dams, etc. These management measures must be to the satisfaction of George Municipality, prior to submission thereof to this Department for consideration;
- 12.12 provide for the utilisation of local labour as far as possible. This must include, but need not be restricted to the establishment of a local labour registration office, recordkeeping and reporting procedures for monitoring purposes;
- 12.13 make provision for preferential employment and environmental training of staff, including contractors/service providers both for the construction phase and in relation to on-going operations;
- 12.14 include architectural guidelines for the construction of all buildings;
- 12.15 detail visual resource management guidelines and mitigation measures. These must incorporate, but need not be restricted to, those mitigation measures as detailed in the Visual Impact Assessment, September 2007, as compiled by VRM Africa.
- 12.16 include procedures for the search and rescue of conservation worthy vegetation. These procedures must detail the compilation of an

inventory of plants, especially bulbous species, by a qualified botanist to inform the search and rescue program;

12.17 include operating activities (Operational Environmental Management Programme) which includes, but is not limited to:

- management of the built environment;
- utilisation of resource conservation measures, including rainwater harvesting from hardened surfaces and solar heating devices;
- an integrated waste management approach which is based on waste minimisation and incorporates reduction, recycling, re-use and disposal where appropriate;
- waste management and pollution control measures, including disposal of any solid waste which 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 Notional Environmental Management: Waste Act (Act No. 59 of 2008);
- management of stormwater;
- management of the open space;
- management of landscaped areas; and

12.18 include procedures for communication and reporting on environmental performance;

12.19 include corrective action procedures;

12.20 be included in all contract documentation for the construction phase of the development;

12.21 describe the level and type of competency required of the Environmental Control Officer, ("ECO");

12.22 define and allocate the roles and responsibilities of the ECO referred to above, and the Environmental Site Agent where applicable;

12.23 determine the frequency of site visits; and

12.24 include detail on Preferential Employment and Skills Training.

13. The holder of the authorisation must appoint a suitable Environment Control Officer for the development, before commencing activities to

this environmental authorisation, which relates to the construction phase of the proposed development.

14. Should any heritage remains be discovered 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 or archaeological remains uncovered or disturbed during earthworks must not be disturbed further until the necessary approval has been obtained from Heritage Western Cape.

- 14.1 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.

- 14.2 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.

15. The holder of this 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.

- 15.1 The audit report must indicate the date on which the construction commenced, and detail compliance with the conditions of this authorisation and the status of the rehabilitation programme.

- 15.2 The audit must be conducted by a suitably qualified independent person.

- 15.3 This Directorate may require remedial action should the audit report reflect that rehabilitation is inadequate.

- 15.4 If the audit report is not submitted, this Directorate may give 30 days written notice and may have such an audit undertaken at the

inventory of plants, especially bulbous species, by a qualified botanist to inform the search and rescue program;

12.17 include operating activities (Operational Environmental Management Programme) which includes, but is not limited to:

- management of the built environment;
- utilisation of resource conservation measures, including rainwater harvesting from hardened surfaces and solar heating devices;
- an integrated waste management approach which is based on waste minimisation and incorporates reduction, recycling, re-use and disposal where appropriate;
- waste management and pollution control measures, including disposal of any solid waste which 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 Notional Environmental Management: Waste Act (Act No. 59 of 2008);
- management of stormwater;
- management of the open space;
- management of landscaped areas; and

12.18 include procedures for communication and reporting on environmental performance;

12.19 include corrective action procedures;

12.20 be included in all contract documentation for the construction phase of the development;

12.21 describe the level and type of competency required of the Environmental Control Officer, ("ECO");

12.22 define and allocate the roles and responsibilities of the ECO referred to above, and the Environmental Site Agent where applicable;

12.23 determine the frequency of site visits; and

12.24 include detail on Preferential Employment and Skills Training.

13. The holder of the authorisation must appoint a suitably experienced Environment Control Officer for the construction phase of the development, before commencement of any land clearing or construction activities to ensure compliance with the mitigation/rehabilitation measures stipulated in the environmental management programme and provisions of

expense of the applicant and may authorise any person to take such measures necessary for this purpose.

16. The applicant must in writing, within 12 (twelve) calendar days of the date of the decision on the application –

16.1 notify all registered interested and affected parties of –

16.1.1 the outcome of the application;

16.1.2 the reasons for the decision; and

16.1.3 the date of the decision;

16.2 Inform all registered interested and affected parties of the appeal procedure provided for in Chapter 7 of the Regulations.

16.3 Inform all registered interested and affected parties of the manner in which they can access the decision;

16.4 Advise all registered interested and affected parties that, should they wish to appeal, they must lodge a notice of intention to appeal with the Minister within 20 (twenty) days of date of the Department's decision and must submit their appeal within 30 (thirty) days after the lapsing of the 20 (twenty) days contemplated in regulation 60(1), for the lodging of the notice of intention to appeal.

16.5 Inform all registered interested and affected parties that the prescribed Notice of Intention to Appeal form and Appeal form are obtainable from the Minister's office at telephone number (021) 483 3721, email jgpp.deVilliers@pgwc.gov.za or via the URL <http://www.capegateway.gov.za/eadp>.

16.6 Inform all registered interested and affected parties that should they wish to appeal, the appellant must serve on the applicant, within 10 (ten) days of having submitted the notice of intent to appeal with the Minister, a copy of the Notice of Intention to Appeal form as well as a notice indicating where and for what period the appeal submission will be available for inspection by the applicant.

16.7 If the applicant should decide to appeal the decision, the applicant must –

16.7.1 lodge a notice of intention to appeal with the Minister, within 20 (twenty) days after the date of the decision.

- 16.7.2 submit the appeal within 30 (thirty) days after the lapsing of the 20 (twenty) days contemplated in regulation 60(1), for the lodging of the notice of intention to appeal.
- 16.7.3. within 10 (ten) days of having lodged the notice of intention to appeal, provide each person and organ of State registered as an interested and affected party in respect of the application, with –
 - 16.7.3.1 a copy of the Notice of Intention to appeal form; and
 - 16.7.3.2 a notice indicating where and for what period the appeal submission will be made available for inspection by such person or organ of State, on the day of lodging it with the Minister, and that a responding statement may be made on the appeal within 30 (thirty) days from the date the appeal submission was lodged with the Minister. A person, organ of state or applicant who submits a responding statement in terms of regulation 63(1) must within 10 (ten) days of having submitted the responding statement, serve a copy of the statement on the appellant.
- 17. The holder of this 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 this authorisation.
- 18. Any changes to, or deviations from the project description (phase 1) 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.

19. The holder of this 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.
20. A copy of this authorisation must be kept at the property where the activities 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.
21. 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.
22. 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.
23. 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 manner:
 - (i) The current holder of the environmental authorisation must submit an original signed letter to the Department stating that he 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 activities was lawfully commenced with), (b) the contact details of the person to whom the rights and obligations ore to be transferred, and (c) the reasons for the requested transfer.
 - (ii) The person to whom the rights and obligations are to be transferred must also submit on 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.

24. Departmental officials shall be given access to the property referred to in section 8 above for the purpose of assessing and/or monitoring compliance with the conditions contained in this environmental authorisation, at all reasonable times.
25. The activities which are authorised may only be carried out at the property indicated above.
26. 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.
27. The activities must commence within a period of **five (5) years** from the date of issue of this authorization. If commencement of the activities do not occur within this period, this authorization lapses and a new application for environmental authorization must be made in order for the activities to be undertaken, unless the holder of this environmental authorization has lodged a valid application for the amendment of the duration of expiry of this authorization before the expiry of this authorization, in which case, the validity of this environmental authorization is automatically extended from the day before this environmental authorization would otherwise have expired until the amendment application for extension is decided ("the period of automatic extension"). The activities including site preparation may not commence during the period of automatic extension.

H. REASONS FOR THE DECISION:

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

- a) The information contained in the Final Scoping Report, Amended Final Environmental Impact Report and Environmental Management Programme;

- b) Findings and recommendations of the Visual Impact Assessment submitted as part of the application for Environmental Authorisation;
- c) Findings and recommendations of the specialist Geotechnical Study submitted as part of the application for Environmental Authorisation;
- d) The comments received from interested and affected parties during the assessment process; and
- e) 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).

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:

Biophysical Environment

The development site forms part of a site where the following developments were approved and municipal services installed.

1. (Blue Mountain Villiage (EG12/2/1-37- Farm Kraaibasch 195/2 & 71, George (4855)):
 - Consisting of unspecified volume of business uses, an institutional use (church) and 414 Residential Zone 1 (single dwelling) units, 348 Residential Zone 3 (group housing retirement village) units, 245 Residential Zone 4 (flats or town houses) units were approved on the western portion of the property; and
2. Blue Mountain Gardens EG12/2/i-AG3 - Farm Kraaibosch 195/22, George (5571)):
 - Consisting of roughly 9 hectares of Residential Zone 1,6ha Residential Zone 2,13ha Residential Zone 3,7ha Residential Zone 4 and 5ha of Open Space Zone 2 (private open space) with inclusionary housing (housing aimed at the lower and lower middle income groups with average household incomes between R3 500,00 and R18 500,00 per month)

Due to historical disturbance (forestry, vegetation clearance and the most recent construction of the existing Kraaibosch Blue Mountain Retirement Village), the site is considered to be highly transformed. At present, the vegetation cover on the site is dominated by grass (*Urochloa* sp. & *Melinis* sp.) and *Helichrysum* species (*Helichrysum perfolare* & *Helichrysum cymosum*). According to the Fine Scale Biodiversity mapping conducted for the Garden Route, the site is neither recognised as part of a Critical Biodiversity or Ecological Support Area. The vegetation on-site is considered to be of very low conservation value and does not form part of any riparian habitat or conservation worthy indigenous vegetation. Natural vegetation on the site is limited to the river corridor of the Meul River, as is the case with the entire surrounding area (1 500 m radius).

The site is characterised by moderate slopes with a substantial slope down towards the natural drainage watercourses to the south east / the N2 (in Blue Mountain Gardens) and the north / Knysna Road (in Blue Mountain Village). The small drainage lines transversing the subject properties feed the Klipkuilen River, which is still a relatively healthy river from an ecological perspective and the water quality and aquatic life still resembles a river that is in a good natural state. Previous vegetation surveys or overviews indicated no vegetation that is of conservation significance.

Social Environment

The areas surrounding the development consist of a mixture of low and middle income (e.g. Lawaalkamp, Conville, Thembaletu, Rosemoore, Parkdene and Lavalia) to high income (e.g. Blue Mountain Village, Blue Mountain Gardens and Kraaibosch Country Estate) residential establishments. The components of this development will offer employment opportunities to residents in the surrounding low income areas with the main focus on the operational components, which will offer sustainable benefits to the local residents over the long time.

Economic Environment

The Central Business District ("CBD") of George has gradually experienced more competition from decentralised nodes, as the economy grows and competition for space becomes limited in the CBD. This has led to nodal development outside the CBD, such as the Garden Route Mall, Destiny Africa and the proposed development. However, there is a difference between the business targets of the CBD and the proposed development. The CBD targets to a large extent smaller businesses, which can afford lower rent, while the proposed development is aimed towards attracting large national and corporate businesses that can afford higher rental. The proposed development will further strengthen the George regional node, based on the assumption that there is steady growth in the region's population. This Department further submits that the CBD of George cannot accommodate this type of commercial and industrial economic activity, both in terms of scale and magnitude, due to the limited space and land available within the CBD area.

Regional/Planning Context

The proposed site is located within the urban edge of George. The delineation of this section of the urban edge is supported by this Department's Directorate: Environmental and Spatial Planning.

The George Municipality has stated in their letter dated the 20 December 2010 that the proposed site is located within an area identified as a Regional Node in the Spatial Development Framework ("SDF") and it is envisaged that this area will be used for large scale commercial undertakings, which cannot be easily accommodated in the Central Business District. The Directorate: Environmental and Spatial Planning further concurs with George Municipality not to have land uses in the CBD area, which undermines the functioning of the CBD. Therefore, Spatial Planning supports the development on condition that only large businesses and office types are accommodated within the development proposal, which cannot be accommodated in the CBD. The proposed development should therefore provide land for large scale commercial undertakings,

which alleviates the pressure on industrial_zoned land within the CBD to accommodate such uses.

Traffic

The Traffic Impact Assessment ("TIA") dated January 2010 done by ITS Engineers (Pty) Ltd and submitted as part of the final Environmental Impact Report showed that the surrounding road network, even if expanded to its maximum capacity, will only be able to accommodate 80% of the proposed development. It further states that the existing road network, with minor adjustments, would be able to accommodate the first phase of the proposed development (120 000m²) and that the rest of the development can only take place in phases over the next 10-12 years, depending on the road infrastructure with time.

Furthermore, the Traffic Impact Assessment indicates that 100% of the traffic from the first 50% of the development could be accommodated with:

- extension of Park Drive by adding dual lanes per direction to the second roundabout of the Garden Route Mall;
- provision of turning lanes on all approaches to the intersection of the Knysna and Saosveld Roads; and
- Installation of a traffic signal and minor widening of the Knysna Road/N2 On-Ramp intersection.

The other 50% of the development can be accommodated by implementing one of the following three alternatives:

- The construction of a new interchange with the N2 and a connector road from the extension of Park Drive. The N2 interchange will provide the best joint access to the GRE / Eden Meander and the Destiny Africa developments, according to the TIA, should Destiny Africa be implemented.
- The extension of the Servitude Road to Sandkraal Road;
- Widening of Knysna Road to three lanes pre-direction; or

Taking the above into consideration all the recommendations from the Traffic Impact Report, 100% of the proposed development can be accommodated in phases over next 10 – 12 years.

Heritage

Section 38(3)(d) of the National Heritage Resources Act ("NHRA") refers to the impact of development on heritage resources in relation to the sustainable social and economic benefit to be derived from the development. According to the Heritage Impact Assessment the proposed development will contribute to the growth of the town's economy and create job opportunities.

Visual Impact Assessment

The results of the visual impact assessment indicate that the development will be visible in the critical 1km range, particularly along the N9 and N2 for northern and southern portions respectively. It is further stated that the proposed development will have a moderate to high impact on the landscape at the local level, causing noticeable change to the visual environment.

However, the proposed development and the already approved high density development (assessed as the no-go alternative) are categorised in the same manner, as they would similarly detract from the visual attraction of the area.

It is further submitted that the implementation of an approved architectural guideline, the enhancement of the landscape and architectural character of the buildings, as well as the limitations on building heights will mitigate any potential visual impacts to an acceptable level. The proposed development is within the regional node as identified in the Spatial Development Framework ("SDF")

Services

Water Services: According to the Bulk Services study that was completed by KV3 Engineers (2009), it was established that the George Municipality will have sufficient capacity to supply the proposed development in terms of water demand. According to the assessment, the available municipal

services (e.g. water supply, sewage and waste disposal) are sufficient for the proposed development.

Filling Station

There are existing approved filling station in proximity of the proposed development. The impact of this filling station on the proposed filling station was not cumulatively assessed during this EIA process and therefore this Department refuses the construction of a filling station as part of this development.

Need and Desirability

The proposed development will strengthen the regional node and further enhance economic growth of the town. The aim of the proposed development is not to compete with the CBD, but rather to attract a different market. Due to the location of the proposed development, the development will further attract motorists and tourists to the area. This may potentially lead to further investment and spending and subsequently stimulate economic growth in the area. The development will be located in close proximity of Thembaletu, Borchers, Rosemoore, Lavalia and Parkdene and may potentially create much needed employment opportunities, which in turn may contribute to increase household income, poverty alleviation and skills development.

The development has the potential to contribute positively towards the local economy in a substantial manner. It will not only contribute in terms of infrastructure and services, but will also have a positive impact on the living conditions of the community of George and surrounding areas as a whole. The proposal will also create nodal strength, which would encourage economies of scale and agglomeration of business activities. It is further submitted that the proposed development will also significantly increase municipal rates income.

Alternatives

Applicants Preferred Alternative

The development proposal entails the construction of a mixed use development of approximately 450 Residential Units consisting of Residential Buildings, Townhouses and Flats , retail components, an auto-Boutique, an office park, a hotel, a Conference facility, a Restaurant, Private Hospital , a Filling Station, Industrial components, Commercial Market, institutional uses, parking and open space according to the following:

- Portion 1 is proposed for Business Zone III, i.e. primarily for offices with consent for the erection of townhouses, flats, residential buildings, places of assembly, places of entertainment and supermarkets. The suggested building height is two storeys and coverage of 30% is envisaged.
- Portion 2 is proposed for the development of public open space.
- Portion 3 is proposed for the establishment of an Authority Zone the construction of access infrastructure and electrical substations.
- Portion 4 remains as is – Residential Zone III and accommodates the N2 interchange.
- Portions 5, 6, and 9 are proposed for Business Zone I. This zoning allows the establishment of business premises in terms of the business uses allowed by the relevant zoning scheme, and by consent townhouses, flats, residential buildings, place of assembly, place of entertainment, place of instruction, institution, bottle offices, supermarket and service trades. A building height of three storeys and coverage of 50% are proposed for Portions 5 and 6 whilst a building height of five storeys and coverage of 65% are proposed for Portion 9.
- Portion 7 is proposed for Transport Zone III, i.e. public parking.
- Portion 8 is similarly indicated for Business Zone I, however the building height is limited to two storeys and the coverage is limited to 50%.
- Portion 10 is also indicated for Business Zone I, however the building height is limited to three storeys and the coverage is limited to 40%.
- Portion 11 – Business Zone II, which allows for a shop as primary use and by consent townhouses, flats, residential buildings, places of assembly, offices, supermarkets and restaurants, with a proposed coverage of 100% and a height of two storeys.

The total area proposed for building construction covers approximately 240 000 m². It is proposed to phase the development over a 10 year period, with the first phase consisting of approximately 120 000 m², which is to proceed immediately after authorisation of the development. The first buildings are proposed to be erected on various portions, depending on the market demand.

High Density Residential Development Alternative

This alternative entails the construction of a higher density residential development consisting of 1,900 units and a business development component of approximately 1,5ha in extent. This alternative was decided against as the development in this form will not contribute to the economic well-being of the town.

No-Go Alternative

This alternative entails the current status quo with residential expansion consisting of 1 283 units and business development of approximately 1,5ha in extent.

Departmental Approved Alternative

The Departmental approved alternative includes the construction of a mixed use development as described under the preferred alternative, which will include residential uses, retail components, industrial components, commercial market, institutional uses, parking and open space, but excluding the filling station proposed on portion 8 or 11. This alternative was considered by the Department as the most preferred option as other filling stations exists in close proximity of the site where the filling station is proposed. The cumulative impacts thereof on the proposed filling station were not assessed.

Public Participation

The public participation process entailed the following:

- Consultation with key government departments and other authorities such as, the Department of Health, South African Roads Agency Limited, Heritage Western Cape, Department of Water Affairs and Forestry, CapeNature, Eden District Municipality, District Roads Engineer, Department of Transport and Public Works, George Municipality, Department of Agriculture, etc.;
- The development was first advertised in the George Herald on 05 February 2009;
- Placement of Notices on-site;
- Issuing of registered notices to adjacent land owners and relevant stakeholder institutions;
- All residents within 100m of the proposed site (whose addresses could be obtained from the municipal resources) were notified of the proposed activity, together with other role-players.
- The draft Scoping Report was made available in the George library, town planning section of the Municipality and "Cuppachinos" at the Garden Route Mall on 3 July 2009.
- Notice was sent to registered I & APs on 29 April 2010 indicating the availability of the draft EIR.
- A Public meeting was held on 20 May 2010 to discuss the Draft Environmental Impact Report ("EIR").

The public participation process did not elicit notable input from the local residents of George. However, the Central Business District of George was well represented by Setplan, who has raised several concerns regarding the alleged negative impact that the development will have on the Central Business District of George. According to Setplan, the specialist assessment of the economic impact study does not address the effect of the proposed development on the George CBD and does not acknowledge the impact. Setplan also submits that the proposed development does not offer any mitigation for the impact on the CBD. In response Demacon argued that all development is not equal and that development of this scale and nature cannot be accommodated in the

CBD. This opinion was supported by the Spatial Planning component of this Department and George Municipality.

Setplan also indicated that the proposal requires an amendment of the Kraaibosch Roads Masterplan, but comment from George Municipality shows the contrary at this location.

Comments from George Municipality and the Directorate: Spatial Planning of this Department indicated that the proposal is compatible with the George Spatial Development Framework (GSDF), which makes provision for large scale commercial undertaking, such as warehousing at this location.

CapeNature indicated that they do not support development on steep slopes and within watercourses. This was taken into account in the decision making process and in the conditions of this authorisation.

In view of the above, this Directorate is satisfied that, subject to compliance with the conditions contained in this 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 as approved by the department can be mitigated to acceptable levels.

I APPEAL:

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

If the applicant should decide to appeal, the applicant must, in terms of, regulation 60(1), lodge a notice of intention to appeal with the Minister, within 20 (twenty) days after the date of the decision, and must within 10 (ten) days of having submitted the notice contemplated in regulation 60(1), provide each person and organ of State registered as an interested and

affected party in respect of the application with a copy of the Notice of Intention to Appeal; a notice indicating where and for what period the appeal submission will be made available for inspection by such person or organ of State on the day of lodging it with the Minister, and indicate that a responding statement may be made on the appeal within 30 (thirty) days from the date the appeal submission was lodged with the Minister.

A person, organ of state or applicant who submits a responding statement in terms of regulation 63(1) must within 10 (ten) days of having submitted the responding statement, serve a copy of the statement on the appellant.

If the applicant should decide to appeal, the applicant must submit the appeal within 30 (thirty) days after the lapsing of the 20 (twenty) days contemplated in regulation 60(1), for the lodging of the notice of intention to appeal.

Should any other person, or an interested and affected party, decide to appeal, they must, in terms of, regulation 60(1), lodge a notice of intention to appeal with the Minister, within 20 (twenty) days after the date of the decision. An appeal must be submitted within 30 (thirty) days after the lapsing of the 20 (twenty) days contemplated in regulation 60(1).

The appellant must provide the applicant, within 10 days of having lodged the notice contemplated in regulation 60(1), with a copy of the notice referred to in regulation 60(1), and a notice indicating where and for what period the appeal submission will be available for inspection by the applicant. A responding statement may be made on the appeal within 30 (thirty) days from the date the appeal submission was lodged with the Minister.

The prescribed Notice of Intention to Appeal form and Appeal form are obtainable from the Minister's office, as well as assistance regarding the appeal processes, at telephone number (021) 483 3721, email jaap.deVilliers@pgwc.gov.za or via the URL <http://www.capegateway.gov.za/eadp>.

All Notice of Intention to Appeal and Appeal forms must be submitted by means of one of the following methods:

By post: Western Cape Ministry of Local Government, Environmental Affairs
and Development Planning
Private Bag X9186
CAPE TOWN
8000

By facsimile: (021) 483 4174; or

By hand: Attention: Mr. Jaap de Villiers
3rd Floor Leeusig Building (Entrance Utilitas Building)
1 Darp Street
CAPE TOWN
8001

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

Yours faithfully



AYUB MOHAMED

DIRECTOR: LAND MANAGEMENT (REGION 1)

DATE OF DECISION: 22/08/2011

Copies: Mr D. Lombaard Environmental Assessment Practitioner
DEA&DP George

Fax: 086 518 1285

Fax: (044) 874-2423



DEPARTMENT of
ENVIRONMENTAL AFFAIRS
& DEVELOPMENT PLANNING

Provincial Government of the Western Cape

Directorate:
Land Management (Region 1)
tel: +27 44 805 8616; fax: +27 44 8742423
Private bag X6509 George, 6530
93 York Street, George
www.capegateway.gov.za

REFERENCE: EG 12/2/3/2-D2/11/1192/08

ENQUIRIES: Shireen Pullen

DATE OF ISSUE: 29 AUG 2011

The Director

Laritza Investments 183 (Pty) Ltd

P.O. Box 4628

GEORGE-EAST

6539

Attention: Mr. Chris Roodt

Tel: (044) 805 7112

Fax: (044) 871 0086

**CORRECTION NOTICE: PROPOSED DEVELOPMENT ON PORTION 22 OF FARM KRAAI BOSCH
NO. 195 AND ERF 23333, GEORGE**

1. The Environmental Authorisation ("EA") issued on 22 August 2011 for the abovementioned development, refers.
2. Please be informed that in terms of Section 47A(1)(b) of the National Environmental Management Act, 1998 (Act no. 107 of 1998, as amended) the following errors in the aforementioned EA are hereby corrected:

2.1. Condition 12.15 under Section G of must read as follows:

"detail visual resource management guidelines and mitigation measures. These must incorporate, but need not be restricted to, those mitigation measures as detailed in the Visual Impact Assessment, 27 April 2010, as compiled by New World Associates."

2.2. The paragraph on page 24 under the heading "Filling Station", must read as follows:

"Approved filling stations exist in close proximity of the proposed development. The impact of this filling station on the existing filling stations in the area was not

cumulatively assessed during the EIA process and therefore this Department refuses the construction of a filling station as part of this development."

2.3. The word "in" must be omitted from the third paragraph on page 28 to read as follows:

"Comments from George Municipality and the Directorate: Spatial Planning of this Department indicated that the proposal is compatible with the George Spatial Development Framework (GSDF), which makes provision for large scale commercial undertakings, such as warehousing at this location."

3. Please make the necessary corrections to your records and ensure that appropriate reference is made to this correction notice in all future correspondence and that the notice is at all times attached to the environmental authorisation when distributed.
4. The Department apologise for any inconvenience caused.

Yours faithfully



AYUB MOHAMED

DIRECTOR: LAND MANAGEMENT (REGION 1)

DATE OF DECISION: 24/08/2011

Copied to: Mr D. Lombaard Environmental Assessment Practitioner Fax: 086 518 1285

DEA&DP (George office)

Fax: 044 874 2423