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SNO 25/4/284 (3117)

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Enquiries
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A G WEST

Departement van Omgewing- en Kultuursake en Sport
Department of Environmental and Cultural Affairs and Sport
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Docum
Date
Umhla

22/06/00

Country Hospitality East Cape (Pty) Ltd
P O Box 16
SOMERSET WEST
7129

Attention: Mr D Gant

**EXEMPTION FROM THE REGULATIONS FOR A CHANGE IN LAND USE:
AMENDMENT TO THE APPROVED SUBDIVISIONAL PLAN ON PORTIONS
21, 22 AND 28 OF THE FARM BRAKKLOOF NO 443, PLETTENBERG BAY**

In terms of Section 28A and by virtue of the powers delegated by the Minister in terms of Sections 28 and 33 of the Environmental Conservation Act (Act 73 of 1989), the Department of Environmental and Cultural Affairs and Sport hereby exempts the following activity:

- *a change in land use, being an amendment to the approved subdivisional plan on portions 21, 22 and 28 of the Farm Brakkloof 443, Plettenberg Bay*

Enclosed please find the Record of Decision and the conditions under which the application was exempted. This decision should also be seen as this Department's official comment on the application in terms of the Land Use Planning Ordinance (No. 15 of 1985).

Queries regarding the exemption can be forwarded to the officer indicated above at the *Environmental Impact Management Unit*, Department of Environmental and Cultural Affairs, Tel. (044) 8742160, Fax (044) 8741567, E-mail scapeimu@mweb.co.za.

Yours faithfully

HEAD OF DEPARTMENT

PP

Copies for information:

- 1) **Plettenberg Bay Municipality: The Senior Town Planner**
(Fax: 044-5333487)

- 2) **Hilland Associates: C Avierinos**
(Fax: 044-8733793)

ENVIRONMENTAL EXEMPTION RECORD OF DECISION

Date: 22/6/00

Reference: IEM 2000/0066

Description of activity:

Application is made for amendment to the approved residential development comprising of 346 single residential erven, a group housing site, roads, private and public open space. An application for extension of the period of validity of the original subdivisional approval, up to 29/11/2001, has been granted by the Plettenberg Bay Municipal Council.

The site is located on a prominent ridge, known as Bracken Ridge, between the Piesangs River Valley, Plettenberg Bay Golf Course and a residential development extending out along Robberg beach. The Klein Piesangs River forms the south eastern boundary of the site. The three properties have a total extent of 124,26 ha. The revised layout plan has been reduced to 280 single residential erven in favour of a reduced density and overall visual impact and also to avoid steep slopes (greater than 1:4). The applicant intends to develop in harmony with the natural environment and leave natural drainage lines and valleys unimpeded, as well as conserving manageable areas of indigenous fynbos as open space.

Applicant: DAVID GANT (for Bracken Ridge)
Country Hospitality East Cape (Pty) Ltd
P O Box 16
SOMERSET WEST
7129

Consultant: No independent environmental consultant was appointed. Hilland Associates were however appointed to handle the bulk services aspect and the general application for exemption under the Act.

Meetings: An initial meeting was held on 20 April 1999 between Mr Johan Prinsloo of the Planning Partnership and Mr A West of the Department. A follow-up meeting took place on 19 November 1999 in George between Mr A Wain (Planning Partnership), Ms C Avierinos (Hilland Associates) and A West (Department). Another meeting was held in Plettenberg Bay on 3 December, 1999 with Ms E Burger (Plettenberg Bay Environmental Forum) also present.

Decision: Exemption is granted subject to the following conditions:

Condition 1 It is understood that:

- development will follow the principles of an eco-estate, with a much lower density of dwellings, characterised by the retention of substantial areas of natural veld.
- the estate will comprise of 280 single residential erven.
- a total of 66,97ha of private open space is provided for in the development layout.

Condition 2 An Environmental Management Plan (EMP) must be drawn up by a suitably qualified person (in this case, Planning Partnership may make use of "in-house" expertise) for both the construction and operational phases of the development. Such an EMP must include, but not exclusively, the following aspects:

- A comprehensive and scheduled alien vegetation eradication programme.
- Fire management and protection.
- A rehabilitation programme for all disturbed areas including a list of suitable indigenous plant species to be used on various sites, storing of topsoil, nursery facilities, etc. The methodology must also be clearly explained.
- Sewerage and stormwater management and control.
- Environmental awareness training for contract workers and all staff involved with the project.
- Environmental monitoring and auditing programme.

The EMP must be compiled and submitted to this Department for approval before the commencement of any construction or earthworks.

Condition 3 Water supply: An adequate water connection and reservoir site at the existing Castleton-development has been allocated to the Bracken Ridge Estate development by the Municipality. Water from the new reservoir will be provided by means of a gravity feed down the Piesangs Valley road under the existing power lines. From here it will follow the left hand side of the road until a point where it crosses the road to avoid conflict with landowners properties and gardens. On the right hand side of the road it will cross the entrance roads to Golden View, as well as the Plettenberg Bay Country Club, and will necessitate the disturbances of these accesses during construction and their reinstatement once complete. The crossing of the Piesangs River must take place on the right hand side of the road, finally connecting to the site at the existing sewerage pump station.**Condition 4** All services are to be installed in an environmentally sensitive manner, with minimum visual impact. Disturbance of the natural environment is to

be kept to a minimum and to be followed, as soon as practicable, by rehabilitation appropriate to the site.

- Condition 5** All relevant sections and regulations contained in the National Water Act, 1998 (Act 36 of 1998) regarding water pollution shall be strictly adhered to.
- Condition 6** Stormwater management and control must be adequately addressed in the EMP in order to guide the contractor regarding measures to prevent erosion resulting from an increase in flow of stormwater caused by the presence of temporary and permanent works.
- Condition 7** The release of pollutants, such as oils and fuels into natural drainage courses or within the indigenous fynbos must be prevented. The contractor must provide conservancy tanks into which pollutants can be released. Work vehicles must be stored, serviced and refuelled only at designated areas demarcated on site in conjunction with the Resident Engineer and the appointed Environmental Control Officer (ECO).
- Condition 8** A fire management plan must be an integral part of the EMP in order to ensure the long-term survival of the indigenous fynbos in an ecologically acceptable way.
- Condition 9** An ECO must be appointed to ensure the effective implementation of the EMP during and after the construction phase. The role and responsibilities of the ECO must be clearly spelt out in the EMP. Environmental monitoring must be undertaken by the ECO on a weekly basis and monthly reports submitted to Council and this Department for evaluation.
- Condition 10** An environmental audit must be conducted every year by an independent environmental consultant and an audit report submitted to the local authority and this Department for review.
- Condition 11** An Environmental Monitoring Committee (EMC) must be established and meet on a regular basis in order to detect any deviations from the relevant approvals and the EMP. Such an EMC must have a representative from the Developer, Council, this Department as well as the ECO and at least 2 representatives from recognized N.G.O. groups.
- Condition 12** The visual aspects of the development must be addressed in detail in the EMP and the Home Owners Association (HOA) manual. The architectural design must be controlled in the interest of the general aesthetics of the Estate and the visual impact of the development as a whole. Specific attention must be given to height restrictions in order to avoid skyline pollution as well as to the use of non-reflective paints and

roofing material. The dwellings must blend with the natural environment and backdrop specific to this development.

Condition 13 The Departmental Standard Conditions, which are attached, also apply.

Key factors affecting the decision:

The new owners of Bracken Ridge Estate are committed to a development of high quality and have reduced the original approved density, with a greater emphasis on the retention of a substantial natural component in the Estate. This particular property already has subdivisional rights, the amended proposal being an improvement of the original one, allowing for more private open space. Sufficient public and authority scoping has taken place and the applicant has committed himself to compiling and following a detailed EMP, the draft of which has already been compiled, and noted to have addressed most of the major environmental aspects associated with the proposed project.

Duration and date of expiry:

The exemption will be valid for 2 years.

Appeal: Formal appeals can be directed to the Minister for Environmental and Cultural Affairs of the Western Cape Province, within 30 days of receipt of this exemption.

Minister for Environment
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CAPE TOWN
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