

**Rules of Procedure:**  
**Environmental Management Committee of Brackenridge Estate**

Version 3, 08 January 2024

## **1. Preamble**

The Environmental Management Committee was established in accordance with Condition 11 of the Environmental Exemption granted for the development of Brackenridge Estate. In this context the following conditions specified in the original Record of Decision of 22.06.2000, Reference IEM 2000/0066 continue to be of particular relevance:

- Condition 2: "An Environmental Management Plan (EMP) must be drawn up by a suitably qualified person (...) for both the construction and operational phases of the development." Specific criteria to be addressed in the EMP, as well as the procedure for the EMP's approval by the Department of Environmental Affairs, Culture and Sport (DECAS) are listed in the following.
- 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 (Environmental Control Officer) must be appointed to ensure the effective implementation of the EMP during and after the construction phase. (...) Environmental monitoring must be undertaken by the ECO on a weekly basis (...)."
- Condition 10: "An environmental audit must be conducted every year by an independent environmental consultant (...)."
- 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 (...)."

## **2. Name**

The name of the committee is the Brackenridge Environmental Management Committee (hereafter: EMC).

## **3. Definitions**

In these Rules of Procedure unless inconsistent with the text:

- a) "Authorising Agencies" means Bitou Municipality and the Western Cape Department of Environmental Affairs and Development Planning.
- b) "Board" means the Board of Trustees of the Brackenridge HOA.
- c) "Council" means the local authority, Bitou Municipality or its successors in title.
- d) "DECAS" means Department of Environmental Affairs, Culture and Sport.
- e) "ECO" means the Environmental Control Officer, an independent qualified person to be appointed by the Board of the Brackenridge HOA.
- f) "EMC" means the Environmental Management Committee.
- g) "EMP" refers to both the Construction and Operational Environmental Management Plans
- h) "HOA" means the Brackenridge Estate Home Owners Association.
- i) "Management" means the Manager of Brackenridge Estate, a person appointed by the Board.
- j) "Natural Environment" means the undeveloped private open spaces on Brackenridge Estate which account for 66.97 ha of the total estate area of 124.26 ha.
- k) "Environmental Interest Group" means a group of Brackenridge Residents who meet on a regular basis in order to become active in terms of a Brackenridge-specific and clearly defined environmental interest and/or concern.

## **4. Role of the EMC**

4.1 The primary functions of the EMC are:

- To ensure the effective environmental management of all Erven, of the commonly owned

built spaces, and of the Natural Environment on Brackenridge Estate by ensuring the implementation of the EMPs (construction and operational phases) and the commissioning of independent reviews of compliance with the EMPs.

- To review and approve proposed changes to the EMP documents and to recommend to the Board changes to environmental strategies where applicable on site.
- To liaise with and assist the Board, Management, individual Brackenridge property owners, Authorising Agencies, Council and relevant environmental action groups on issues of environmental management.
- To receive regular reports of environmental management on site from the ECO.
- To assess, at agreed intervals, owners' compliance with the EMP and to provide input on associated matters, when required through evaluation of the independent review report.
- To ensure that regular review of the EMPs are carried out.
- To ensure the implementation of the audit and subsequent review recommendations, where applicable.
- To act within the parameters outlined in the conditions of rezoning and the DECAS authorization.
- To ensure the funding of the management of the Natural Environment according to an annual budget, to be prepared by the Manager and approved by the EMC.
- To recommend to the Board actions and steps against non-compliance in respect of the EMPs.
- To raise awareness of environmental issues and the profile of the EMC in the broader Brackenridge Estate community.

## 5. Structure and Operation

- 5.1 The EMC shall consist of representatives of each of the following:
- Brackenridge Estate home owners: Three individuals, to be appointed by the Board.
  - *Ex officio*: the manager of Brackenridge Estate
  - *Ex officio*: a Board member appointed by the Board

These EMC members will have voting rights, each having one vote only. Other individuals or representatives agreed to by the EMC may attend meetings, but without voting rights.

- 5.2 The EMC shall elect from amongst its three home owner members a chairperson at the first meeting and as often as the office of chairperson shall become vacant. If the chairperson of the EMC is not present at a meeting, the members of the EMC present shall elect one of their numbers to act as chairperson for that meeting.

- 5.3 The regular terms of office of EMC members shall be
- Brackenridge Estate home owner members: Three years from the date of appointment
  - *ex officio* members: For as long as the person holds the position of either Manager, or Board member appointee.

In the interest of continuity, in the case of all EMC members having been appointed at the same time, the term of office for the three Brackenridge Estate home owner committee members shall be as follows:

- Three years for the elected Chairperson.
- Two years for the first remaining person in alphabetical order.
- One year for the second person remaining in alphabetical order.

EMC members may be re-appointed when their term of office has expired.

- 5.4 The EMC shall elect a secretary at the first meeting and as often as the office of secretary becomes vacant. If the secretary of the EMC is not able to be present at any meeting he/she

shall ensure that adequate secretarial services are provided for that meeting.

- 5.5 The secretary shall keep the minutes of every meeting to be circulated to all members of the EMC prior to the following meeting. Minutes from the previous meeting are to be confirmed as correct at the start of each meeting.
- 5.6 The secretary shall ensure that full copies of all minutes are properly kept.
- 5.7 The EMC shall hold such meetings as it may deem fit and may adjourn a meeting from time to time, provided that it shall meet at least once every three months.
- 5.8 The EMC shall decide the date, place, and hour of the next meeting of the EMC at each meeting, failing which the chairperson shall so decide.
- 5.9 The chairperson shall at least 7 days before a meeting of the committee notify all members of the place, date and hour of such meeting.
- 5.10 Should a meeting be cancelled or postponed the chairperson must inform the members timeously.
- 5.11 50% of the voting members of the EMC shall form a quorum and no business shall be transacted unless a quorum is present.
- 5.12 Decisions of the EMC will generally be by consensus, unless a voting member calls for a vote for a motion. If a vote is called for, a motion must be passed by a two-thirds majority of the voting members present.
- 5.13 If a member of the EMC is absent without leave from 3 consecutive meetings, the EMC shall inform the Board and request the re-nomination of a member.
- 5.14 Any member of the EMC who desires to resign shall inform the organisation he/she represents, at the same time informing the secretary of his/her intention.

## **6. Concerns, complaints and general communication**

- 6.1 Construction Phase:
  - Complaints from the public shall be submitted in writing to the Manager.
  - The Manager is to record the complaint in a register stating the name of the complainant, the nature of the complaint and the date.
  - The Manager is to attach the current register to monthly reports and forward to EMC.
  - The EMC shall discuss all complaints reported to it with the Manager at its next regular meeting and, where a complaint is found to be justified and relevant in terms of the EMP, advise the Manager and/or the Board to take suitable action.
  - In the case of an action being advised, copies of the relevant responses by the Board/Management to the EMC are to be filed for record purposes.
- 6.2 Operational Phase:
  - Complaints, comments and/or submissions from the public shall be submitted in writing to the EMC.
  - The EMC will respond to the communicant timeously.
  - The EMC shall discuss all complaints reported to it by the Manager at its next regular meeting and, where a complaint is found to be justified and relevant in terms of the EMP, advise the Manager and/or the Board to take suitable action.
  - In the case of an action being advised, copies of the relevant responses by the Board/Management to the EMC are to be filed for record purposes.

## **7. Promotion of Brackenridge Residents' Environmental Interest Groups**

The EMC shall promote and actively support the formation of Environmental Interest Groups by Brackenridge Residents and publicize their activities via appropriate channels at its disposal, including the EMC website [thegreenridge.co.za](http://thegreenridge.co.za), its associated Facebook page, its GloVent listing and the Brackenridge WhatsApp-info group.

EMC approved interest groups must appoint an individual resident as interest group lead and contact person. Interest group leads are encouraged to:

- Be familiar with the Greenridge structure, policies, and functions.
- Aim for regular activity and arrange for continuity during long absences.
- Notify both Brackenridge Management and the EMC of any planned activities that residents might be interested in, for posting on the channels listed above.
- Post a monthly brief outline to the EMC, to be edited by the EMC where applicable and disseminated via the channels listed above.

## **8. Amendments / Changes to the Rule of Procedures**

- 8.1 All members of the EMC are to be notified of any proposed changes or amendments to these Rules of Procedure.
- 8.2 An amendment to / change of these Rules of Procedure must be approved by a two-thirds majority of those present at the EMC meeting following notification of the proposal.
- 8.3 The Board is to be notified in the event of any changes to the constitution.

Thus adopted by the Brackenridge EMC at its meeting on 8 January 2024:

  
(Dr. Jan Christoph Meiste / Chairperson EMC)