



Directorate: Development Management (Region 2)

TP-A Theart (H Olivier)

REFERENCE: 16/3/3/5/E2/14/1008/15

ENQUIRIES: D'mitri Matthews

DATE OF ISSUE: 2015-10-01

The Board of Directors
 Suppliers to all (Pty) Ltd. t/a Motlekar Overstrand
 PO Box 4697
DURBANVILLE
 7551

| |
|--------------------------------|
| FILE NO: <i>Erh, erven 422</i> |
| <i>424Haw</i> |
| SCAN NO: <i>19</i> |
| COLLABORATOR NO: <i>845509</i> |

Attention: Mr. R. van Rooyen

Tel.: (083) 253 7587

Fax: (021) 976 0984

Dear Sir

APPLICATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 FOR THE AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 19 JUNE 2015: PROPOSED HAWSTON EAST AND HAWSTON WEST LOW COST HOUSING PROJECT ON PORTION OF ERF NO. 1 AND ON ERVEN NO. 422, 423 AND 424, HAWSTON

With reference to your application for the abovementioned, find below the outcome with respect to this application.

ENVIRONMENTAL AUTHORISATION

A. DECISION

By virtue of the powers conferred on it by the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA") and the Environmental Impact Assessment ("EIA") Regulations, 2014, the Department herewith **grants** the amendment of the Environmental Authorisation issued on 19 June 2015 (DEA&DP Ref.: 16/3/1/1/E2/14/2067/14 attached as Appendix A) in terms of Part 1 of the EIA Regulations, 2014.

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Private Bag X9086, Cape Town, 8000
 www.westerncape.gov.za/eadp

TP

5 OCT 2015

6 OCT 2015

The Environmental Authorisation is amended as set out below:

"Section B"

The Hawston East Low Cost Housing Development will include, *inter alia*, the following:

- A combination of single and double storey units;
- 106 Erven of approximately 170m²;
- 392 Erven of approximately 130m² for Integrated Rural Development Plan ("IRDP") housing;
- Two (2) Erven for Local Business Use;
- Two (2) Erven for Community Use;
- 16 Erven for Public Open Space areas;
- One (1) main access road off the R43 Regional Road and two (2) additional access roads will be provided by extending Sea View and Mount View Drive;
- Internal roads; and
- A detention pond will be accommodated within a fenced-off Public Space area which will accommodate the 1:50 year flood line.

"2. Alternatives:" is amended to read:

Hawston East

ALTERNATIVE 1: (Preferred Layout- Herewith Authorised)

The Hawston East Low Cost Housing Development of approximately 13.76ha in extent on Erf 1 will include, *inter alia*, the following:

- A combination of single and double storey units;
- 106 Erven of approximately 170m²;
- 392 Erven of approximately 130m² for Integrated Rural Development Plan ("IRDP") housing;
- Two (2) Erven for Local Business Use;
- Two (2) Erven for Community Use;
- 16 Erven for Public Open Space areas;
- One (1) main access road off the R43 Regional Road and two (2) additional access roads will be provided by extending Sea View and Mount View Drive;
- Internal roads; and
- A detention pond will be accommodated within a fenced-off Public Space area which will accommodate the 1:50 year flood line.

B. REASONS FOR THE DECISION

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

1. The amendment applied for is in terms of Part 3 of the EIA Regulations, 2014 and will not change the scope of the Environmental Authorisation issued on 19 June 2015.
2. The environment and the rights and interests of Interested and Affected Parties ("I&APs") will not be adversely affected by the decision to amend the Record of Decision.

C. CONDITIONS

1. The applicant must in writing, within 14 (fourteen) calendar days of the date of this decision-
 - 1.1 notify all I&APs of -
 - 1.1.1. the outcome of the application;

- 1.1.2. the reasons for the decision as included in Section B;
- 1.1.3. the date of the decision; and
- 1.1.4. the date when the decision was issued.

1.2 draw the attention of all registered I&APs to the fact that an appeal may be lodged against the decision in terms of National Appeals Regulations, 2014 detailed in Section D below;

1.3 draw the attention of all registered I&APs to the manner in which they may access the decision;

1.4 provide the registered I&APs with:

- 1.4.1 the name of the holder (entity) of this Environmental Authorisation;
- 1.4.2 name of the responsible person for this Environmental Authorisation;
- 1.4.3 postal address of the holder;
- 1.4.4 telephonic and fax details of the holder;
- 1.4.5 e-mail address, if any, of the holder; and
- 1.4.6 the contact details (postal and/or physical address, contact number, facsimile and e-mail address) of the decision-maker and all registered I&APs in the event that an appeal is lodged in terms of the 2014 National Appeals Regulations.

2. The conditions contained in the Record of Decision issued on 19 June 2015, hereto attached, remain in force.

D. APPEALS

Appeals must comply with the provisions contained in the National Appeal Regulations, 2014.

1. An appellant (if the applicant) must –

- 1.1. Submit an appeal in accordance with Regulation 4 to the appeal administrator and a copy of the appeal to any registered I&APs, any Organ of State with interest in the matter and the decision maker within 20 (twenty) calendar days from the date the applicant was notified by the Department of this decision:

2. An appellant (if NOT the applicant) must –

- 2.1. Submit an appeal in accordance with Regulation 4 to the appeal administrator, and a copy of the appeal to the applicant, any registered I&AP, any Organ of State with interest in the matter and the decision maker within 20 (twenty) calendar days from the date the applicant notified the registered I&APs of the this decision:

3. The applicant (if not the appellant), the decision-maker, I&AP and Organ of State must submit their responding statements, if any, to the appeal authority and the appellant within 20 (twenty) calendar days from the date of receipt of the appeal submission.

4. This appeal and responding statement must be submitted to the address listed below:

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 (Tel: 021 483 3721)
Room 809
8th Floor Utilitas Building, 1 Dorp Street, Cape Town, 8001

Note: You are also requested to submit an electronic copy (Microsoft Word format) of the appeal and any supporting documents to the Appeal Administrator to the address listed above and/ or via e-mail to Jaap.DeVilliers@westerncape.gov.za.

- 5. A prescribed 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@westerncape.gov.za or URL <http://www.westerncape.gov.za/eoadp>.

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 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. JEREMY BENJAMIN
ACTING DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 2)

DATE OF DECISION: 01/10/2015

- CC: (1) Mr. A. Withers (Withers Environmental Consultants (Pty) Ltd.)
(2) Mr. R. Kuchar (Overstrand Municipality)
(3) Mr. A. Oosthuizen (DEA&DP: Development Facilitation)

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EIA REFERENCE NUMBER: 16/3/3/5/E2/14/1008/15

Appendix A



**Western Cape
Government**
Environmental Affairs and
Development Planning

**DIRECTORATE: DEVELOPMENT MANAGEMENT
REGION 1**

EIA REFERENCE: 16/3/1/1/E2/14/2067/14

ENQUIRIES: AYESHA HAMDULAY

DATE OF ISSUE: 2015-05-19

The Board of Directors
Suppliers to All (Pty) Ltd trading as Motlekar Overstrand
P O Box 4697
DURBANVILLE
7551

Attention: Mr R. van Rooyen

Tel.: (086) 144 4489

Fax: (021) 976 0984

Dear Sir

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998), THE ENVIRONMENTAL IMPACT ASSESSMENT AMENDMENT REGULATIONS, 2010 AND THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014: THE PROPOSED HAWSTON EAST AND HAWSTON WEST LOW COST HOUSING PROJECT ON PORTION OF ERF 1, AND ON ERVEN 422, 423 AND 424, HAWSTON

With reference to your application for the abovementioned, find below the outcome with respect to this application.

ENVIRONMENTAL AUTHORISATION

DECISION

By virtue of the powers conferred on it by the National Environmental Management Act, 1998 (Act No. 107 of 1998), the Environmental Impact Assessment Amendment Regulations, 2010 and the Environmental Impacts Assessment Regulations, 2014, ("NEMA EIA Regulations") the Competent Authority herewith **grants Environmental Authorisation** to the applicant to undertake the list of activities specified in Section B below with respect to the preferred Alternatives for Hawston East and Hawston West described in the final Basic Assessment Report ("BAR") dated 21 January 2015.

The granting of this Environmental Authorisation is subject to compliance with the Conditions set out in Section E below.

10th Floor, 1 Dorp Street, Cape Town, 8001
Tel.: +27 21 483 0756/3185 Fax: +27 21 483 4372
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www.westerncape.gov.za/eqdp

A. DETAILS OF THE APPLICANT FOR THIS ENVIRONMENTAL AUTHORISATION

The Board of Directors
 Suppliers to All (Pty) Ltd trading as Motlekar Overstrand
 % Mr R. van Rooyen
 P O Box 4697
DURBANVILLE
 7551

Tel.: (086) 144 4489
 Fax: (021) 976 0984

The abovementioned Applicant is the holder of this Environmental Authorisation and is hereinafter referred to as "the applicant".

B. LIST OF ACTIVITIES AUTHORISED

Government Notice No. R544 of 18 June 2010 –

Activity Number: 9

Activity Description:

"The construction of facilities or infrastructure exceeding 1000 metres in length for the bulk transportation of water, sewage or storm water -

- (i) with an internal diameter of 0,36 metres or more; or*
- (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 Number: 11

Activity Description:

"The construction of:

- (i) canals;*
- (ii) channels;*
- (iii) bridges;*
- (iv) dams;*
- (v) weirs;*
- (vi) bulk storm water outlet structures;*
- (vii) marinas;*
- (viii) jetties exceeding 50 square metres in size;*
- (ix) slipways exceeding 50 square metres in size;*
- (x) buildings exceeding 50 square metres in size; or*
- (xi) infrastructure or structures covering 50 square metres or more*

where such construction occurs within a watercourse or within 32 metres of a watercourse, measured from the edge of a watercourse, excluding where such construction will occur behind the development setback line."

Activity Number: 18

Activity Description:

"The infilling or depositing of any material of more than 5 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 5 cubic metres from:

- (i) a watercourse;
 - (ii) the sea;
 - (iii) the seashore;
 - (iv) the littoral active zone, an estuary or a distance of 100 metres inland of the high-water mark of the sea or an estuary, whichever distance is the greater -
- but excluding where such infilling, depositing, dredging, excavation, removal or moving:
- (a) is for maintenance purposes undertaken in accordance with a management plan agreed to by the relevant environmental authority; or
 - (b) occurs behind the development setback line."

Activity Number: 23

Activity Description:

"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 an 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 applies."

Government Notice No. R546 of 18 June 2010 -

Activity Number: 12

Activity Description:

"The clearance of an area of 300 square metres or more of vegetation where 75% or more of the vegetative cover constitutes indigenous vegetation.

- (a) Within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA or prior to the publication of such a list, within an area that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004;
- (b) Within critical biodiversity areas identified in bioregional plans;
- (c) Within the littoral active zone or 100 metres inland from high water mark of the sea or an estuary, whichever distance is the greater, excluding where such removal will occur behind the development setback line on even in urban areas."

Activity Number: 13

Activity Description:

"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.
- (a) Critical biodiversity areas and ecological support areas as identified in systematic biodiversity plans adopted by the competent authority.
- (b) National Protected Area Expansion Strategy Focus areas.
- (c) In Eastern Cape, Free State, KwaZulu-Natal, Limpopo, Mpumalanga, Northern Cape and Western Cape:
- i. In an estuary;
 - ii. Outside urban areas, the following:
 - (aa) A protected area identified in terms of NEMPAA, excluding conservancies;
 - (bb) National Protected Area Expansion Strategy Focus areas;
 - (cc) Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;
 - (dd) Sites or areas identified in terms of an International Convention;
 - (ee) Core areas in biosphere reserves;
 - (ff) Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core area of a biosphere reserve;
 - (gg) 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.
 - iii. In urban areas, the following:
 - (aa) Areas zoned for use as public open space;
 - (bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose;
 - (cc) Areas seawards of the development setback line;
 - (dd) 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."

Similarly listed activities in terms of the NEMA EIA Regulations, 2014:

Government Notice No. R983 of 08 December 2014 –

Activity Number: 19

Activity Description:

"The development of infrastructure exceeding 1000 metres in length for the bulk transportation of water or storm water—

- (i) with an internal diameter of 0.36 metres or more; or
- (ii) with a peak throughput of 120 litres per second or more;

excluding where—

- (a) such infrastructure is for bulk transportation of water or storm water or storm water drainage inside a road reserve; or
- (b) where such development will occur within an urban area."

Activity Number: 12

Activity Description:

"The development of—

- (i) canals exceeding 100 square metres in size;*
- (ii) channels exceeding 100 square metres in size;*
- (iii) bridges exceeding 100 square metres in size;*
- (iv) dams, where the dam, including infrastructure and water surface area, exceeds 100 square metres in size;*
- (v) weirs, where the weir, including infrastructure and water surface area, exceeds 100 square metres in size;*
- (vi) bulk storm water outlet structures exceeding 100 square metres in size;*
- (vii) marinas exceeding 100 square metres in size;*
- (viii) jetties exceeding 100 square metres in size;*
- (ix) slipways exceeding 100 square metres in size;*
- (x) buildings exceeding 100 square metres in size;*
- (xi) boardwalks exceeding 100 square metres in size; or*
- (xii) infrastructure or structures with a physical footprint of 100 square metres or more;*

where such development occurs—

- (a) within a watercourse;*
- (b) in front of a development setback; or*
- (c) if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse; —*

excluding—

- (aa) the development of infrastructure or structures within existing ports or harbours that will not increase the development footprint of the port or harbour;*
- (bb) where such development activities are related to the development of a port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies;*
- (cc) activities listed in activity 14 in Listing Notice 2 of 2014 or activity 14 in Listing Notice 3 of 2014, in which case that activity applies;*
- (dd) where such development occurs within an urban area; or*
- (ee) where such development occurs within existing roads or road reserves."*

Activity Number: 19

Activity Description:

"The infilling or depositing of any material of more than 5 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 5 cubic metres from—

- (i) a watercourse;*
- (ii) the seashore; or*
- (iii) the littoral active zone, an estuary or a distance of 100 metres inland of the high-water mark of the sea or an estuary, whichever distance is the greater—*

but excluding where such infilling, depositing, dredging, excavation, removal or moving—

- (a) will occur behind a development setback;*
- (b) is for maintenance purposes undertaken in accordance with a maintenance management plan; or*
- (c) falls within the ambit of activity 21 in this Notice, in which case that activity applies."*

Activity Number: 27

Activity Description:

"The clearance of an area of 1 hectares or more, but less than 20 hectares of indigenous vegetation, except where such clearance of indigenous vegetation is required for—

- (i) the undertaking of a linear activity; or
- (ii) maintenance purposes undertaken in accordance with a maintenance management plan."

Activity Number: 28

Activity Description:

"Residential, mixed, retail, commercial, industrial or institutional developments where such land was used for agriculture or afforestation on or after 01 April 1998 and where such development:

- (i) will occur inside an urban area, where the total land to be developed is bigger than 5 hectares; or
- (ii) will occur outside an urban area, where the total land to be developed is bigger than 1 hectare;

excluding where such land has already been developed for residential, mixed, retail, commercial, industrial or institutional purposes."

Government Notice No. R985 of 08 December 2014 -

Activity Number: 12

Activity Description:

"The clearance of an area of 300 square metres or more of indigenous vegetation except where such clearance of indigenous vegetation is required for maintenance purposes undertaken in accordance with a maintenance management plan.

- (a) In Eastern Cape, Free State, Gauteng, Limpopo, North West and Western Cape provinces:
 - i. Within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA or prior to the publication of such a list, within an area that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004;
 - ii. Within critical biodiversity areas identified in bioregional plans;
 - iii. Within the littoral active zone or 100 metres inland from high water mark of the sea or an estuarine functional zone, whichever distance is the greater, excluding where such removal will occur behind the development setback line or even in urban areas; or
 - iv. On land, where, at the time of the coming into effect of this Notice or thereafter such land was zoned open space, conservation or had an equivalent zoning."

The abovementioned list is hereinafter referred to as "the listed activities".

The applicant is herein authorised to undertake the following alternative related to the listed activities:

The development proposal (Preferred Alternative 1), as described in the final BAR, entails the development of two affordable housing developments consisting of a combination of single and double story units with associated infrastructure, namely: Hawston East Low Cost Housing Development of approximately 13.76ha in extent on Erf 1 and Hawston West Low Cost Housing Development of approximately 2.39ha in extent on Erven 422, 423 and 424.

The Hawston East Low Cost Housing Development will include, *inter alia*, the following:

- 192 Erven of approximately 170m² for GAP housing (approximately 3.22ha in extent);
- 292 Erven of approximately 130m² for the Integrated Rural Development Plan ("IRDP") housing (approximately 3.72ha in extent);
- Four (4) Erven for mixed-use residential housing (approximately 0.15ha in extent);
- Three (3) Erven for community facilities (approximately 1.34ha in extent);
- 16 Erven for Public Open Space areas (approximately 1.54ha in extent);
- One (1) main access road off the R43 Regional Road and two (2) additional access roads will be provided by extending Sea View and Mount View Drive;
- Internal roads (approximately 3.62ha in extent); and
- A detention pond (approximately 0.17ha in extent) will be accommodated within a fenced-off Public Open Space area which will accommodate the 1:50 year flood line.

The Hawston West Low Cost Housing Development will include, *inter alia*, the following:

- 65 Erven of between 150m² and 165m² for housing units (approximately 1.07ha in extent);
- One (1) Public Open Space area (approximately 0.11ha in extent);
- One (1) Erf for the South African Police Department ("SAPD") (approximately 0.45ha in extent);
- One (1) community facility i.e. a crèche (approximately 0.45ha in extent);
- Two (2) access roads will be provided off Vlei Road;
- Internal roads (approximately 0.31ha in extent); and
- The moving and upgrading of the concrete-lined open stormwater channels to contain all stormwater from the proposed development.

The Hawston East and Hawston West Low Cost Housing Developments will make use of water supply, electricity supply, solid waste and wastewater disposal services provided by the Overstrand Municipality. Services infrastructure will be installed within the road reserves for the Hawston East and Hawston West Low Cost Housing Developments to link to these existing services.

All internal roads within the proposed developments will be surfaced with tarmac and will have kerbs. The roads reserves will be 8m, 10m, and 13m with asphalt widths of 4.5m, 5m and 10m respectively. Subsurface drains will be installed for both Low Cost Housing Developments, where required, to direct stormwater into the stormwater system for the development proposals.

C. PROPERTY DESCRIPTION AND LOCATION

The listed activities will take place on Portion of Erf 1, and on Erven 422, 423 and 424, Hawston.

The SG 21 digit codes are:

| | |
|---------------|----------------------|
| Hawston East: | C0130012000000100000 |
| Hawston West: | C0130012000004220000 |
| | C0130012000004230000 |
| | C0130012000004240000 |

Co-ordinates:

| | | | | | | | |
|---------------|-----|-----|--------|-------|-----|-----|-------------|
| Hawston East: | 34° | 23' | 49" | South | 19° | 08' | 19.34" East |
| Hawston West: | 34° | 23' | 33.77" | South | 19° | 08' | 03.14" East |

Hereinafter referred to as "the site".

D. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER ("EAP")

Withers Environmental Consultants (Pty) Ltd
% C. D. Cilliers
P O Box 6118
UNIEDAL
7612

Tel.: (021) 887 4000
Fax: (021) 883 2952

E. CONDITIONS OF AUTHORISATION

1. This Environmental Authorisation is valid for a period of **five (5) years** from the date of issue. The holder must commence with the listed activity/ies within the said period or this Environmental Authorisation lapses and a new application for Environmental Authorisation must be submitted to the Competent Authority, unless the holder has lodged a valid application for the amendment of the validity period of this Environmental Authorisation, at least three (3) months prior to the expiry of this Environmental Authorisation. The listed activities, including site preparation, may not commence during the period of administrative extension.

Please note that:

- 1.1 In terms of Regulation 28(2), failure to lodge an application for amendment at least three (3) months prior to the expiry of the validity period of the Environmental Authorisation may result in the Competent Authority being unable to process the application for amendment and in the lapsing of the Environmental Authorisation; and
- 1.2 It is an offence in terms of Section 49A(1)(a) of NEMA for a person to commence with a listed activity, unless the Competent Authority has granted an Environmental Authorisation for the undertaking of the activity.
2. The listed activities, including site preparation, must not commence within twenty (20) calendar days of the date of the notification of the decision being sent to the registered Interested and Affected Parties ("I&APs"). In the event that an appeal is lodged with the Appeal Administrator, the effect of this Environmental Authorisation is suspended until such time as the appeal is decided.
3. The applicant must in writing, within twelve (12) calendar days of the date of this decision and in accordance with Regulation 10(2)-
 - 3.1 Notify all registered I&APs of -
 - 3.1.1 The outcome of the application;
 - 3.1.2 The reasons for the decision as included in Annexure 1;
 - 3.1.3 The date of the decision; and
 - 3.1.4 The date of issue of the decision;

- 3.2 Draw the attention of all registered I&APs to the fact that an appeal may be lodged against the decision in terms of the National Appeals Regulations, 2014 detailed in Section F below;
- 3.3 Draw the attention of all registered I&APs to the manner in which they may access the decision;
- 3.4 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 ("PPP"), that –
 - 3.4.1 Informs all I&APs of the decision;
 - 3.4.2 Informs all I&APs where the decision can be accessed; and
 - 3.4.3 Informs all I&APs that an appeal may be lodged against the decision in terms of Chapter 7 of the Regulations;
- 3.5 Provide the registered I&APs with:
 - 3.5.1 The name of the holder (entity) of this Environmental Authorisation;
 - 3.5.2 Name of the responsible person for this Environmental Authorisation;
 - 3.5.3 Postal address of the holder;
 - 3.5.4 Telephonic and facsimile details of the holder;
 - 3.5.5 E-mail address, if any, of the holder; and
 - 3.5.6 The contact details (postal and/or physical address, contact number, facsimile and e-mail address) of the decision-maker and all registered I&APs in the event that an appeal is lodged in terms of the 2014 National Appeals Regulations.
4. A written notice of seven (7) calendar days, in writing, must be given to the Competent Authority before commencement of construction activities.
 - 4.1. The notice must make clear reference to the site details and EIA Reference number given above.
 - 4.2. The notice must include proof of compliance with the following Conditions described herein:

Conditions: 2, 3, 16, 21 and 22
5. The holder is responsible for ensuring compliance with the Conditions by any person acting on his/her behalf, including an agent, sub-contractor, employee or any person rendering a service to the holder.
6. Any changes to, or deviations from the scope of the description set out in Section B above must be accepted or approved, in writing, by the Competent Authority before such changes or deviations may be implemented. In assessing whether to grant such acceptance/approval or not, the Competent Authority 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 to apply for further authorisation in terms of the applicable legislation.

7. The applicant must notify the Competent Authority in writing, within 24 hours thereof if any condition herein stipulated is not being complied with.
8. The draft Environmental Management Programme ("EMPr") submitted as part of the application for Environmental Authorisation is hereby approved and must be implemented. This includes the implementation of the recommendations specified in the specialist studies included in the final BAR, i.e. the Botanical Impact Assessment Report, the Preliminary Geotechnical Report, the Heritage Impact Assessment Report, and the Traffic Impact Assessment Report.

The EMPr must be included in all contract documentation for all phases of implementation.
9. Should an amendment to the EMPr be required before an audit is undertaken in terms of this Environmental Authorisation, the applicant must:
 - 9.1. Notify the Competent Authority of its intention to amend the EMPr at least sixty (60) days prior to the submission of the application for amendment to the EMPr;
 - 9.2. Obtain comment from potential I&APs, including the Competent Authority, by using any of the methods provided for in the NEMA for a period of at least thirty (30) days; and
 - 9.3. Submit the amended EMPr to the Competent Authority for approval within sixty (60) days of inviting comments on the proposed amendments.
10. A copy of the Environmental Authorisation and the EMPr must be kept at the site where the listed activities will be undertaken. Access to the site referred to in Section C above must be granted and, the Environmental Authorisation and EMPr must be produced to any authorised official representing the Competent Authority who requests to see it for the purposes of assessing and/or monitoring compliance with the Conditions contained herein. The Environmental Authorisation and EMPr must also be made available for inspection by any employee or agent of the applicant who works or undertakes work at the site.
11. The applicant must submit an application for amendment of the Environmental Authorisation and/or EMPr to the Competent Authority in terms of Chapter 5 of the NEMA EIA Regulations, 2014 where any detail and/or change of scope with respect to the Environmental Authorisation and/or EMPr must be amended, added, substituted, corrected, removed or updated. However, such application for amendment shall not include the personal details of the holder of the Environmental Authorization.
12. Non-compliance with a Condition of this Environmental Authorisation or EMPr may result in suspension of this Environmental Authorisation and may render the holder liable for criminal prosecution.
13. The holder must appoint a suitably experienced Environmental Control Officer ("ECO") or site agent where appropriate, for all phases of implementation before commencement of any land clearing or construction activities to ensure compliance with the EMPr and the Conditions contained herein.

14. An integrated waste management approach, which is based on waste minimisation and incorporates reduction, recycling, re-use and disposal, where appropriate, must be employed. Any solid waste must be disposed of at a landfill licensed in terms of the applicable legislation.
15. No surface or ground water may be polluted due to any actions on the site. The applicable requirements with respect to relevant legislation pertaining to water must be met.
16. A Stormwater Management Plan for the Hawston East and Hawston West Low Cost Development sites must be compiled prior to the commencement of land clearing or construction works on the site. The Hawston East Low Cost Development must, *inter alia*, ensure that all runoff within the site is accommodated in a stormwater network for a 1:2 year flood occurrence period and that the 1:50 year floodline is contained within the stormwater system / retention pond. Litter traps must be placed at conspicuous places on the Hawston East and Hawston West Low Cost Housing Development sites and must be maintained and serviced by the applicant.
17. The applicant must ensure that run-off on the Hawston East Low Cost Housing Development site does not pollute the neighboring wetlands, including the Paddavlei Wetland System, and with particular attention given to protecting the ecological importance of wetlands associated with the Bot Estuary.
18. The existing stormwater drainage line adjacent to the Hawston East Low Cost Housing Development site must not be impacted upon by land clearing or construction works as must be clearly demarcated as a 'no-go' area.
19. The applicable requirements with respect to relevant legislation pertaining to cutting, damaging, disturbing or destroying protected trees must be adhered to. This includes the removal or moving of any Milkwood tree or protected tree on both proposed Low Cost Housing Development sites.
20. The 20m buffer of indigenous vegetation between the R43 Regional Road and the Hawston East Low Cost Housing Development site must be retained as a screening measure. This area must be demarcated a no-go area during pre-construction, construction and operational phases of the development.
21. A Fire Management Plan for the Hawston East Low Cost Housing Development site, which borders dense alien vegetation, must be compiled prior to the commencement of land clearing or construction works on the site and must consider the implementation of a fire break to the north and east of the site.
22. A Landscaping Plan for the Hawston East and Hawston West Low Cost Housing Developments must be compiled prior to the commencement of land clearing or construction works on the sites and be incorporated into the design and layout plans of the development proposal. Only locally endemic indigenous vegetation must be used for landscaping of Public Open Space areas.
23. The applicable requirements with respect to relevant legislation pertaining to occupational health and safety must be adhered to.

ANNEXURE E 17/28

24. The applicant must ensure that pedestrian facilities are adequately addressed and implemented upon establishment of pedestrian desire lines after the development proposal has matured and the upgrade of pedestrian facilities are necessitated.
25. A Hydrocarbon Spill Remediation Kit must be kept on site throughout the construction phase of the Hawston East and Hawston West Low Cost Housing Developments to ensure that hazardous substances do not pollute run-off or impact on the neighboring wetlands associated with the Bot Estuary.
26. Should any heritage remains be exposed during excavations or any actions on the site, these must immediately be reported to the Provincial Heritage Resources Authority of the Western Cape, Heritage Western Cape (in accordance with the applicable legislation). Heritage remains uncovered or disturbed during earthworks must not be further disturbed until the necessary approval has been obtained from Heritage Western Cape. Heritage remains include: archaeological remains (including fossil bones and fossil shells); coins; indigenous and/or colonial ceramics; any articles of value or antiquity; marine shell heaps; stone artifacts and bone remains; structures and other built features; rock art and rock engravings; shipwrecks; and graves or unmarked human burials.

A qualified archaeologist must be contracted where necessary (at the expense of the applicant and in consultation with the relevant Authority) to remove any human remains in accordance with the requirements of the relevant Authority.
27. The mitigation measures as recommended in the "Hawston Low-Cost Housing" Traffic Impact Assessment Report dated January 2015 must be implemented.
28. The mitigation measures as recommended in the Preliminary Geotechnical Investigation Report dated 08 August 2011 must be implemented.
29. A full Geotechnical Investigation must be undertaken prior to the commencement of land clearing or construction works on the Low Cost Housing Development sites in order to inform the design (and any change in the layout) of the Erven and to ensure the best practicable option is implemented for the development proposal.
30. No housing unit or recreation/community facility may be occupied until all service infrastructure has been completely and adequately installed and are fully operational.
31. Employment opportunities must be afforded to the local community of Hawston (as far as possible) during the construction phase of the development proposal.
32. The mitigation measures as recommended in the Botanical Specialist Report dated November 2014 must be implemented.
33. The recommendations in the "Hawston East Low Cost Housing Project" Civil Services Report dated July 2014 must be implemented.
34. The applicable general recommendations stipulated in the letter by the Breede-Gouritz Catchment Management Agency dated 07 August 2014 must be adhered to.

35. The applicable general recommendations stipulated in the letter by CapeNature dated 25 September 2014 must be adhered to.
36. The applicable recommendations and requirements stipulated in the letter by Eskom dated 12 September 2014 must be adhered to.
37. The applicable general recommendations stipulated in the letter by the Department of Human Settlements dated 08 September 2014 must be adhered to.
38. The applicable general recommendations stipulated in the letter by the Department of Health dated 29 August 2014 must be adhered to.
39. The applicable general recommendations stipulated in the letter by the Overberg District Municipality dated 08 September 2014 must be adhered to.
40. The applicable general recommendations stipulated in the letter by the Overstrand Municipality; Environmental Management Section dated 18 September 2014 must be adhered to.
41. The applicable general recommendations stipulated in the letter by the Department of Transport and Public Works dated 17 November 2014 must be adhered to.
42. An audit report which demonstrates compliance with the conditions of this environmental authorisation must be submitted to this Department every four (4) months from the date of commencement of land clearing or construction works on both sites.

The audit report must:

- 42.1. Specifically state whether the conditions of this environmental authorisation and EMPr are being adhered to;
 - 42.2. Identify and assess any new impacts and risks as a result of undertaking the activities;
 - 42.3. Identify shortcomings in the EMPr, if applicable;
 - 42.4. Identify the need, if any, for any changes to the management, avoidance and mitigation measures provided for in the EMPr;
 - 42.5. Specify whether or not any corrective action taken for the previous audit's non-conformities was adequate; and
 - 42.6. Be submitted by the applicant to the Competent Authority within 30 days from the date on which the auditor finalised the audit.
43. Should any shortcomings in terms of Regulation 34(4) be identified, the applicant must submit recommendations to amend the EMPr in order to rectify any shortcomings identified with the aforementioned audit report.

F. APPEALS

Appeals must comply with the provisions contained in the National Appeal Regulations 2014.

1. An appellant (if the applicant) must –

1.1. Submit an appeal in accordance with Regulation 4 to the appeal administrator and a copy of the appeal to any registered interested and affected parties, any organ of state with interest in the matter and the decision maker within 20 (twenty) calendar days from the date the applicant was notified by the competent authority of this decision:

2. An appellant (if NOT the applicant) must –

2.1. Submit an appeal in accordance with Regulation 4 to the appeal administrator, and a copy of the appeal to the applicant, any registered interested and affected party, any Organ of State with interest in the matter and the decision maker within 20 (twenty) calendar days from the date the applicant notified the registered interested and affected parties of the this decision:

3. The applicant (if not the appellant), the decision-maker, interested and affected party and Organ of State must submit their responding statements, if any, to the appeal authority and the appellant within 20 (twenty) calendar days from the date of receipt of the appeal submission.

4. This appeal and responding statement must be submitted to the address listed below:

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 (Tel: 021 483 3721)
Room 809
8th Floor Utilitas Building, 1 Dorp Street, Cape Town, 8001

Note: You are also requested to submit an electronic copy (Microsoft Word format) of the appeal and any supporting documents to the Appeal Administrator.

5. A prescribed 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@westerncape.gov.za or URL <http://www.westerncape.gov.za/eadp>.

G. DISCLAIMER

G. DISCLAIMER

The Western Cape Government, the Local Authority, committees or any other public authority or organisation appointed in terms of the Conditions of this 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 ZAAHIR TOEFY

DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)

DATE OF DECISION: 15/06/2015

Copied To: (1) Mr A withers (Withers Environmental Consultants (Pty) Ltd.)
(2) Mr R. Kuchar (Overstrand Municipality)

Fax: (021) 883 2952

Fax: (028) 313 2093

FOR OFFICIAL USE ONLY:

EIA REFERENCE NUMBER:

16/3/1/1/E2/14/2067/14

NEAS EIA REFERENCE NUMBER:

WCP/EIA/0001812/2014

ANNEXURE 1: REASONS FOR THE DECISION

In reaching its decision, the Competent Authority, *inter alia*, considered the following:

- a) The information contained in the Application Form for Basic Assessment dated 12 June 2014, which was received by this Department on the same day, the information contained in the amended Application Form for Basic Assessment dated 04 August 2014, which was received by this Department on the same day, the draft BAR and cover letter received by the Competent Authority on 14 August 2014, the EMPr dated 14 August 2014, submitted together with the final BAR dated 21 January 2015, which were received by this Department on 30 March 2015, and the letter acknowledging receipt thereof, issued by this Department on 15 April 2015;
- b) Relevant information contained in the Departmental information base, including, the Guidelines on Public Participation, Alternatives and Exemptions (dated March 2013);
- c) The objectives and requirements of relevant legislation, policies and guidelines, including Section 2 of the NEMA;
- d) This application was submitted in terms of the previous NEMA EIA Regulations, 2010 and was pending at the time of the promulgation of the EIA Regulations, 2014. Some of the listed activities herein authorised may not have been listed in terms of the previous NEMA EIA Notices, but are now listed in terms of the EIA Regulations, 2014. In accordance with Regulation 53(3) of Government Notice No. R.982, these activities may be authorised as if applied for;
- e) The information contained in the excerpt from Dr. Charlie Boucher's 23 June 2011 report "Botanical Inspection of selected sites for housing in the Overstrand";
- f) The information contained in the "Botanical Impact Assessment, Hawston East, Overstrand Municipality, Western Cape", prepared by Mr G. Nicolson in association with Dr. D. J. McDonald of Bergwind Botanical Surveys and Tours CC dated November 2014;
- g) The information contained in the "Preliminary Geotechnical Investigation for the Subsidy Housing Developments at Betty's Bay, Kleinmond, Hawston, Stanford, Gansbaai and Pearly Beach", prepared by S. J. Horwood of SEA Geosciences (Pty) Ltd dated 08 August 2011;
- h) The information contained in the "Hawston Low-Cost Housing Traffic Impact Assessment", prepared by GIBB Engineering & Architecture dated January 2015;
- i) The information contained in the "Civil Services Report", prepared by GIBB Engineering & Sciences dated July 2014;
- j) The information contained in the "Heritage Impact Assessment", prepared by Mr J. Kaplan of the Agency for Cultural Resource Management dated September 2014;
- k) The sense of balance of the negative and positive impacts and proposed mitigation measures.

No site visit was conducted. The Competent Authority had sufficient information before it to make an informed decision without conducting a site visit.

All information presented to the Competent Authority was taken into account in the consideration of the Application for Environmental Authorisation. A summary of the issues which, according to the Competent Authority, were the most significant reasons for the decision is set out below.

1. Public Participation

The Public Participation Process included, *inter alia*, the following:

- Giving written notice to registered I&APs, including landowners, occupiers of the land adjacent to the site, the Overstrand Municipality, relevant Organs of State and relevant State Departments and other relevant Non-Governmental Organisations ("NGO") in

respect of the Background Information Document ("BID") and the draft BAR between 14 August 2014 and 22 September 2014; A copy of the draft BAR was made available at the Hermanus and Hawston Public Libraries as well as on the Withers Environmental Consultants company website: www.withersenviro.co.za;

- Advertisements were placed in the "Hermanus Times" local newspaper on 14 August 2014;
- Fixing notice boards on the site where the listed activities are to be undertaken on 14 August 2014;
- An electronic copy of the BID and draft BAR was sent to Mr F. Frans of the Overstrand Municipality to distribute to key community members, for example, to the social compact committee and a meeting was held with this committee on 29 September 2014; and
- The commenting period on the final BAR from 21 January 2015 to 11 February 2015 at the Hermanus and Hawston Public Libraries as well as on the Withers Environmental Consultants company website: www.withersenviro.co.za.

This Department is satisfied that the Public Participation Process that was followed met the minimum legal requirements. All the comments and responses raised were included in the report.

Specific management and mitigation measures have been considered in this Environmental Authorisation and in the EMP to adequately address the concerns of significance raised.

2. Alternatives

HAWSTON EAST

ALTERNATIVE 1: (Preferred Layout – Herewith Authorised)

The Hawston East Low Cost Housing Development of approximately 13.76ha in extent on Erf 1 will include, *inter alia*, the following:

- A combination of single and double storey units;
- 192 Erven of approximately 170m² for GAP housing (approximately 3.22ha in extent);
- 292 Erven of approximately 130m² for the Integrated Rural Development Plan ("IRDP") housing (approximately 3.72ha in extent);
- Four (4) Erven for mixed-use residential housing (approximately 0.15ha in extent);
- Three (3) Erven for community facilities (approximately 1.34ha in extent);
- 16 Erven for Public Open Space areas (approximately 1.54ha in extent);
- One (1) main access road off the R43 Regional Road and two (2) additional access roads will be provided by extending Sea View and Mount View Drive;
- Internal roads (approximately 3.62ha in extent); and
- A detention pond (approximately 0.17ha in extent) will be accommodated within a fenced-off Public Open Space area which will accommodate the 1:50 year flood line.

The Hawston East Low Cost Housing Development will make use of water supply, electricity supply, solid waste and wastewater disposal services provided by the Overstrand Municipality. Services infrastructure will be installed within the road reserves for the Hawston East Low Cost Housing Development to link to these existing services.

All internal roads within the proposed developments will be surfaced with tarmac and will have kerbs. The roads reserves will be 8m, 10m, and 13m with asphalt widths of 4.5m, 5m and 10m respectively. Subsurface drains will be installed for the Hawston East Low Cost Housing Development, where required, to direct stormwater into the stormwater system for the development proposal.

ALTERNATIVE 2

The Hawston East Low Cost Housing Development of approximately 30.06ha in extent on Erf 1 will include, *inter alia*, the following:

- 192 Erven for GAP housing;
- 494 Erven for the IRDP housing;
- 45 Erven for low density GAP housing;
- Four (4) Erven for mixed-use residential housing;
- Two (2) Erven for community facilities;
- One (1) business precinct;
- One (1) substation;
- 29 Erven for Public Open Space areas (approximately 1.54ha in extent);
- One (1) main access road off the R43 Regional Road and two (2) additional access roads will be provided by extending Sea View and Mount View Drive;
- Internal roads (approximately 3.62ha in extent); and
- Two (2) retention ponds.

This alternative is not the best practicable option with respect to geotechnical constraints, which may warrant costly interventions such as terracing and raft foundations. Furthermore, the provision of bulk service infrastructure for an approximate 30.06ha area would prove too costly for the Overstrand Municipality within the available subsidies.

This approximately 30.06ha area also contains more indigenous vegetation, which may include elements of Hangklip Sand Fynbos and Overberg Sand Fynbos, which may result in higher negative ecological impacts.

HAWSTON WEST**ALTERNATIVE 1 (Preferred Layout – Herewith Authorised)**

The Hawston West Low Cost Housing Development of approximately 2.39ha in extent on Erven 422, 423 and 424, will include, *inter alia*, the following:

- A combination of single and double storey units;
- 65 Erven of between 150m² and 165m² for housing units (approximately 1.07ha in extent);
- One (1) Public Open Space area (approximately 0.11ha in extent);
- One (1) Erf for the South African Police Department ("SAPD") (approximately 0.45ha in extent);
- One (1) community facility i.e. a crèche (approximately 0.45ha in extent);
- Two (2) access roads will be provided off Vlei Road;
- Internal roads (approximately 0.31ha in extent); and
- The upgrading of the concrete-lined open stormwater channels to contain all stormwater from the proposed development.

The Hawston West Low Cost Housing Development will make use of water supply, electricity supply, solid waste and wastewater disposal services provided by the Overstrand Municipality. Services infrastructure will be installed within the road reserves for the Hawston West Low Cost Housing Development to link to these existing services.

The south-western edge of this site contains Bulrushes *Typha* and Sedges *Cyperaceae* among various grass species as a result of the man-made concrete-lined open stormwater channel, which will be retained within a Public Open Space area.

All internal roads within the proposed developments will be surfaced with tarmac and will have kerbs. The roads reserves will be 8m, 10m, and 13m with asphalt widths of 4.5m, 5m and 10m respectively.

Subsurface drains will be installed for the Hawston West Low Cost Housing Development, where required, to direct stormwater into the stormwater system for the development proposal.

"No-Go" ALTERNATIVE

The "No-go" Alternative will result in the status-quo being maintained. This alternative therefore entails discarding the proposal of the Hawston East and Hawston West Low Cost Housing Developments. This will result in the loss of the opportunity to increase the number of permanent employees that will benefit from the Hawston East and Hawston West Low Cost Housing Developments. This alternative will furthermore result in exacerbating the strain on the housing backlog within the Overstrand Municipality. Informal dumping activities and increased alien infestation on the Hawston East Low Cost Housing Development site are likely to persist if the land is not utilized for the best practicable option, which is deemed to be socially and ecologically unacceptable. The Hawston West Low Cost Housing Development site is likely to remain an un-utilized open space area.

3. Impacts, Assessment and Mitigation Measures

3.1 Activity Need and Desirability

The Hawston East Low Cost Housing site is zoned Agriculture Zone 1 and the Hawston West Low Cost Housing sites are all zoned Undetermined. Both Hawston East and Hawston West Low Cost Housing Developments are situated within the urban edge of Hawston and have been earmarked by the Municipality for low-cost residential development in the 2006 Overstrand Municipal Spatial Development Framework ("SDF"). The Overstrand Integrated Development Plan ("IDP") 2012-2017 makes provision for housing backlogs to be addressed and thus the Hawston East and Hawston West Low Cost Housing Developments are in line with the above IDP's objectives. According to the Overstrand Municipal SDF (2006) and the Overstrand Municipal Growth Management Strategy (2010), the development proposal is situated within an area of urban expansion and it can thus be assumed to align with these forward planning strategies. The Hawston East and Hawston West Low Cost Housing Developments will contribute to the densification of existing urban areas and as such ensure alignment with the requirement of the Overstrand Municipal SDF. The Low Cost Housing Developments are reflected in the Overstrand Municipal Housing Pipeline (2014) and is planned for implementation 2016/2017.

3.2 Preliminary Geotechnical Investigation

A "Preliminary Geotechnical Investigation for the Subsidy Housing Developments at Betty's Bay, Kleinmond, Hawston, Stanford, Gansbaai and Pearly Beach", was undertaken and a report prepared by S. J. Horwood of SEA Geosciences (Pty) Ltd dated 08 August 2011 has been appended to the final BAR. The report concluded and recommended the following:

Hawston East

3.2.1 The Hawston East site has been divided into 3 (three) Zones:

Zone 1: The geology is made up of rock and soil talus, and is relatively steep in the south. This zone is suitable for subsidy housing with the use of standard reinforced strip footings.

Zone 2: The geology is made up of aeolian sand atop residual clay. This zone is suitable for subsidy housing with the use of standard reinforced strip footings.

Zone 3: The geology is made up of a thin sand veneer beneath waste dump material. This zone will require the removal of waste material, or mechanical stabilisation and/or raft foundations.

- 3.2.2 The waste material require careful assessment during the phase 1 geotechnical investigation and include the drilling of monitoring wells for on-going water testing;
- 3.2.3 Albeit that soils are expected to remain damp during the winter season, wet and saturated soils are not expected;
- 3.2.4 A 4% contingency should be allocated for difficult excavation conditions and boulders in excavations;
- 3.2.5 A 5% contingency should be allocated due to the presence of collapsible soils;
- 3.2.6 A 15% contingency should be allocated due to the presence of waste material;
- 3.2.7 All material with the exception of waste material and clay are expected to be suitable for use in engineered fill; and
- 3.2.8 Waste material will be usable without removal or exclusion through mechanical stabilisation.

3.3 Services/ Bulk Infrastructure

The proposed Hawston East and Hawston West Low Cost Housing Developments development proposal will utilize the following existing Municipal services:

- Solid waste management;
- Treatment and disposal of sewage and effluent;
- Water supply; and
- Electricity services.

The Overstrand Municipality in a letter dated 25 November 2014, confirmed sufficient unallocated capacity for bulk services.

Water: water will be supplied from the existing Municipal services. Existing water mains exist to the south of Sea View Drive and Mountain View Drive for the Hawston East site. The applicant is to ensure that the developer upgrades the bulk infrastructure to service the Hawston East and Hawston West Low Cost Housing Developments development proposal.

Sanitation: Sufficient capacity exists at the Hawston Waste Water Treatment Works (WWTW) to service the development proposals (Hawston East and Hawston West Low Cost Housing Developments). There is sufficient capacity in the existing sewer reticulation system to accommodate the development proposals. An existing gravity sewer line can potentially be accessed via Sea View Drive and George Viljoen Street to the west for the Hawston East site.

The applicant is to ensure that the developer installs the necessary service infrastructure between the development sites (Hawston East and Hawston West Low Cost Housing Developments) and the Hawston WWTW.

Waste Removal: Sufficient capacity to accommodate the development proposals (Hawston East and Hawston West) will exist upon completion of the expansion of the existing Karwyderskraal Waste Disposal site, which is expected to be completed by May 2015.

Waste generated by the developer during the construction phase of the development proposals (Hawston East and Hawston West Low Cost Housing Developments) will be transported to the abovementioned waste disposal site by the developer at the developers cost.

Electricity: Electricity for the development proposals (Hawston East and Hawston West Low Cost Housing Developments) will be supplied by the existing Municipal supply.

The applicant is to ensure that the developer upgrades the existing bulk infrastructure, including the submission of a request to upgrade the existing Notified Maximum Demand load at Eskom supply point to accommodate the development proposals.

3.4 Biodiversity / Biophysical Impacts

Hawston East:

The Hawston East Low Cost Housing Development site is located on the interface of the talus slope and the coastal plain of the small Onrusberg Mountain. The site is underlain by Springfontyn Formation soils which are derived from the slopes of the Onrusberg and from wind-blown sand from the coast.

The vegetation on this site is highly degraded and subjected to soil disturbance. The site was previously used as a Municipal Landfill site, which has since been closed and continues to endure informal dumping. A large portion of the site is covered in invasive alien trees, forming medium dense to nearly impenetrable stands. The most common species are Australian Myrtle '*Leptospermum Laevigatum*', which dominates much of the site and Port Jackson Willow '*Acacia Saligna*'. A number of other alien tree species occur on the site and these include *Hakea Drupacea*, *Acacia Cyclops* and *Eucalyptus Conferruminata*. The dominant grass is Kikuyu '*Pennisetum clandestinum*' but other exotic species occur including *Briza Maxima*, *Avena fatua*, *Lolium Sp.*, *Lagurus Ovatus* and *Bromus Sp.*

Two species of conservation concern were identified on the site. The first species is '*Leucadendron Linifolium*' which is listed as Vulnerable. The second species is '*Serruria Rubricaulis*' which is listed as Near Threatened. Both these species were only found to occur at one way point in very small numbers.

The vegetation on the far west of the site adjacent to the R43 Regional Road has been kept clear of alien trees through road verge maintenance. This has had a positive effect on the indigenous vegetation. The removal of alien trees in this area has allowed for a greater diversity of indigenous species to survive here than anywhere else on the site. The protection of this area during construction phase of the development has been included as a condition of this environmental authorisation.

A drainage line runs along the south boundary of the site creating damp conditions and some wetland vegetation occurs here. Typical wetland species such as the Common Reed '*Phragmites Australis*', Bulrush '*Typha Capensis*' and Arum lily '*Zantedeschia Aethiopica*' occur here. The moisture has stimulated the trees to grow tall in the drainage line. This drainage line will not be impacted upon by the development proposal and the demarcation thereof as a 'no-go' area has been included as a condition of the environmental authorisation.

3.5 Heritage / Archaeological / Built Environment

It is confirmed in correspondence from Heritage Western Cape dated 09 July 2015, that no further heritage assessment is required as the site has no heritage significance for the Hawston West Low Cost Housing Development.

It is confirmed in correspondence from Heritage Western Cape dated 22 May 2015, that the Hawston East Low Cost Housing Development may proceed in accordance with the heritage practitioners recommendations.

3.6 Socio-economic Aspects

According to the Growth Potential of Towns Study (2010), the town of Hawston has a high development potential with low social needs. Approximately 200 temporary employment opportunities will be available during the construction phase of the Hawston East and Hawston West Low Cost Housing Developments.

The development will result in both negative and positive impacts.

Negative Impacts:

- Loss of minimal indigenous vegetation as a result of the Hawston East Low Cost Housing development proposal;
- Potential noise and dust impacts during the construction phase;
- Loss of ecological processes associated with the loss of intact vegetation, ecologically important species and species of conservation concern; and
- Potential visual impacts during the construction and operational phases.

The Department is satisfied that the negative impacts of significance specified above can be addressed by the conditions contained in this EA and the mitigation measures contained in the EMPr. The requirement of complying with the EMPr is included as a condition of this environmental authorisation.

Positive Impacts:

- Additional housing and business opportunities in the area;
- Some employment opportunities during the construction phase of the proposed development;
- Optimal use of available land in the area; and
- Improve the living conditions of the community of Hawston.

4. National Environmental Management Act Principles

The National Environmental Management Act Principles (set out in Section 2 of the NEMA, which apply to the actions of all Organs of State, serve as Guidelines by reference to which any Organ of State must exercise any function when taking any decision, and which must guide the interpretation, administration and implementation of any other law concerned with the protection or management of the environment), *inter alia*, provides for:-

- The effects of decisions on all aspects of the environment to be taken into account;
- The consideration, assessment and evaluation of the social, economic and environmental impacts of activities (disadvantages and benefits), and for decisions to be appropriate in the light of such consideration and assessment;
- The co-ordination and harmonization of policies, legislation and actions relating to the environment;

- The resolving of actual or potential conflicts of interest between Organs of State through conflict resolution procedures; and
- The selection of the best practicable environmental option.

5. Conclusion

In view of the above, the NEMA principles, compliance with the Conditions stipulated in this Environmental Authorisation, and compliance with the EMPr, the Competent Authority is satisfied that the proposed listed activities will not conflict with the general objectives of Integrated Environmental Management stipulated in Chapter 5 of NEMA and that any potentially detrimental environmental impacts resulting from the listed activities can be mitigated to acceptable levels.

- Adherence to the NEMA principles;
- Compliance with the Conditions stipulated in this Environmental Authorisation; and
- Compliance with the mitigation measures in the EMPr.

END



CapeNature

TP - A Theert
(C. Olivier)



SCIENTIFIC SERVICES

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 reference SSD14/216/117/2/1,422,243&242_housing_Hawston
 date 17 February 2015

Withers Environmental Consultants
 P.O. Box 6118
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 7612

Attention: Charl Cilliers
 By email: info@withersenviro.co.za

Dear Charl

| | |
|------------------|--------|
| FILE NO: | ELI |
| SCAN NO: | |
| COLLABORATOR NO: | 548814 |
| | 548814 |

Final Basic Assessment Report for the Proposed Development of the Hawston East and Hawston West Lost Cost Housing Project
 (DEA&DP ref. no. 16/3/11/E2/14/1011/13)

CapeNature would like to thank you for the opportunity to comment on the proposed development and would like to make the following comments. Please note that our comments only pertain to the biodiversity related impacts and not to the overall desirability of the proposed development.

CapeNature commented on the Draft Basic Assessment Report (BAR) for the proposed project. Although the recommendation in the Draft BAR was that no botanical specialist study is required due to the highly degraded nature of the two properties, a large proportion of the Hawston East property is classified as Critical Biodiversity Area and there was not sufficient evidence provided to ensure that there will not be any significant impacts on biodiversity.

CapeNature adopts a precautionary approach in cases of uncertainty, and we recommended that a botanical specialist study must be undertaken, in particular to ensure that the entire site was surveyed. A botanical study was undertaken and confirmed the original recommendation in the Draft BAR that the site contains predominantly alien invasive vegetation with the only natural vegetation consisting of isolated individual plants. There were however a few individuals of Species of Conservation Concern (SCC).

CapeNature does not disagree with the recommendations of the botanical specialist report. The isolated individuals of SCCs are not of the highest threat status (Vulnerable and Near Threatened) and are unlikely to persist in viable populations *in situ* in the long term. These species are also unlikely to be suitable for search and rescue.

As recommended, the loss of these indigenous species can be compensated to a degree by the implementation of an alien invasive control programme across the erf (it is apparent that the proposed development only covers a small proportion of the relatively large property). This should be enforced. Alien clearing in the low-lying areas which could support the same originally occurring vegetation could allow the persistence of the SCCs in areas that have not been too heavily disturbed/transformed.

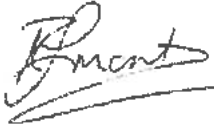
TP 16 OCT 2015

16 OCT 2015 ✓

The 20 m buffer between the R43 and the site as recommended is also supported by CapeNature. Alien clearing must also take place within this buffer and within the open space of the development. Any indigenous shrubs and trees located within the open space areas should be retained.

CapeNature reserves the right to revise initial comments and request further information based on any additional information that may be received.

Yours sincerely



Rhett Smart
For: Manager (Scientific Services)

cc. Ayesha Hamdulay, Department of Environmental Affairs and Development Planning



SCIENTIFIC SERVICES

postal Private Bag X5014 Stellenbosch 7599
 physical Assegaaibosch Nature Reserve Jonkershoek
 website www.capenature.co.za
 enquiries Rhett Smart
 telephone +27 21 866 8017 fax +27 21 866 1523
 email rsmart@capenature.co.za
 reference SSD14/2/6/1/7/2/1,422,243&242_housing_Hawston
 date 25 September 2014

Withers Environmental Consultants
 P.O. Box 6118
 Uniedal
 7612

Attention: Charl Cilliers
 By email: info@withersenviro.co.za

Dear Charl

**Draft Basic Assessment Report for the Proposed Development of the Hawston East and
 Hawston West Low Cost Housing Project**
 (DEA&DP ref. no. 16/3/1/1/E2/14/1011/13)

CapeNature would like to thank you for the opportunity to comment on the proposed development and would like to make the following comments. Please note that our comments only pertain to the biodiversity related impacts and not to the overall desirability of the proposed development.

The development proposal consists of the two low cost housing developments. The western site does not contain any Critical Biodiversity Areas (CBAs) according to the Overberg Conservation Plan, however the northern two-thirds of the eastern site is classified as CBA. The vegetation type occurring on the site is Hangklip Sand Fynbos, listed as Endangered. There are no wetlands or watercourses on the site according to the desktop information.

No botanical specialist study or wetland specialist study was undertaken for the project. The site was however one of the sites included in a botanical screening study for low-cost housing sites for the Overstrand Municipality. The findings of the botanical screening study were "development of all is acceptable pending detailed examination".

The site description and photographs included in the Draft Basic Assessment Report (DBAR) indicate that western site has been transformed with the natural vegetation having been removed and replaced with a mowed grass cover. The eastern site is indicated as being heavily invaded with alien invasive tree species and a section of the site consisting of a closed landfill site. The DBAR recommends that no botanical specialist study is necessary.

The Google Earth imagery (and aerial photography in the DBAR) confirms that the eastern site has been heavily invaded with alien invasive trees, however it is evident that there are open patches in between the infestation. It would appear that the site photographs have targeted the more degraded/transformed sections of the site. The open patches targeted for photographs appear as bright green on Google Earth, which would be consistent with the kikuyu grass (*Pennisetum clandestinum*) infestation indicated in the photographs.

There are however dull grey/green patches which are not included in the site photographs and are likely to contain natural vegetation. This is consistent with the botanical screening report

The Western Cape Nature Conservation Board trading as CapeNature

Board Members: Mr Eduard Kok (Chairperson), Prof Gavin Maneveldt (Vice Chairperson), Ms Francina du Bruyn, Mr Mico Eaton, Dr
 Edmund February, Prof Francois Hanekom, Mr Carl Lotter, Dr Bruce McKenzie, Ms Merie McOmbring-Hodges, Adv Mandla Mludlu, Mr
 Danie Nel

which indicated that there are patches of natural vegetation in between the densely alien infested areas.

CapeNature therefore agrees with the botanical screening study and recommends that a targeted botanical specialist study of the site is undertaken with a spring field survey to assess if there are any sections of the site that are not suitable for development. While it is probable that the majority of the site is suitable for development, there is a likelihood that there could be populations of threatened plant species occurring on the site, which could result in a significant impact.

As mentioned a large proportion of the eastern site is classified as CBA, even although the DBAR contests this classification. It should be noted that CBAs also take into consideration landscape level conservation targets, such as connectivity between the mountains and the lowlands (Onrus Mountains – Bot Estuary/coastline)

CapeNature does not consider it necessary that a botanical specialist study is needed for the western site, only the eastern site, as the western site has been transformed. CapeNature supports the recommendation of retaining the mature (isolated) milkwood (*Sideroxylon inerme*) trees within the development.

While it is evident that there aren't natural wetlands or watercourses on site, it is evident that there are stormwater channels on both the western and eastern site. The wetland conditions on a section of the western site are evidently as a result of failure of the stormwater channel.

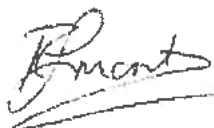
It is evident that stormwater management facilities have been included as a component of both developments. It must be ensured that stormwater is managed on site so as to ensure that the run-off from the site is not polluted and will not impact on neighbouring wetlands, in particular considering the ecological importance of the wetlands associated with the Bot Estuary.

In terms of the alternatives presented, the other alternative for the eastern site included a larger area than the preferred alternative, but was not selected due to geotechnical considerations and EIA process thresholds. This site is only considered less preferable from a biodiversity perspective because it covers a larger area.

In conclusion, CapeNature recommends that a detailed spring botanical survey is undertaken of the eastern site before the development proposal can be considered further.

CapeNature reserves the right to revise initial comments and request further information based on any additional information that may be received.

Yours sincerely



Rhett Smart
For: Manager (Scientific Services)

cc. Ayesha Hamdulay, Department of Environmental Affairs and Development Planning

The Western Cape Nature Conservation Board trading as CapeNature

Board Members: Mr Eduard Kok (Chairperson), Prof Gavin Maneveldt (Vice Chairperson), Ms Francina du Bruyn, Mr Mico Eaton, Dr Edmund February, Prof Francois Hanekom, Mr Cari Lotter, Dr Bruce McKenzie, Ms Merle McOmbring-Hodges, Adv Mendla Mdludlu, Mr Danie Nel



**Western Cape
Government**

Agriculture



Cor Van Der Walt
LandUse Management
Email: LandUse.Elsenburg@elsenburg.com
tel: +27 21 808 5099 fax: +27 21 808 5092

Tr. A Theat
(H Olivier)

OUR REFERENCE : 20/9/2/4/5/059
YOUR REFERENCE : -
DEA&DP REFERENCE : 16/3/1/1/E2/14/2067/14
ENQUIRIES : Cor van der Walt

Overstrand Municipality
PO Box 20
HERMANUS
7200

| | |
|------------------|--------|
| FILE NO: | EL 1 |
| SCAN NO: | 23 |
| COLLABORATOR NO: | 8493/3 |

Att: Henk Olivier

PROPOSED DEVELOPMENT: DIVISION HERMANUS

ERF NO 1

Your email of 05 October 2015 has reference.

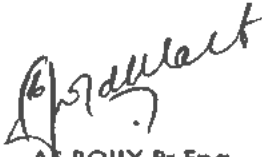
According to our database, Erf No. 1, Hawston is not subject to the provisions of the Subdivision of Agricultural Land Act (Act 70 of 1970). The Western Cape Department of Agriculture has no objection to the proposed development.

Please note:

- That this is only a recommendation to the relevant deciding Authorities in terms of the Subdivision of Agricultural Land Act 70 of 1970, Conservation of Agricultural Resources Act no 43 of 1983.
- Kindly quote the above-mentioned reference number in any future correspondence in respect of the application.

- The Department reserves the right to revise initial comments and request further information based on the information received.

Yours sincerely



AA

AS ROUX Pr Eng

DIRECTOR: SUSTAINABLE RESOURCE MANAGEMENT

2015-10-07

Copies:

Department of Environmental Affairs & Development Planning

1 Dorp Street

Cape Town

8000

Urban Dynamics

PO Box 2445

Bellville

7535



**Western Cape
Government**

Transport and Public Works

N D Martheze

Chief Engineer: Road Network Planning

Department of Transport and Public Works

Email: Dru.Martheze@westerncape.gov.za

tel: +27 21 483 2177 fax: +27 21 483 2166

Reference No: TPWT6/6/6/1 - 968

Land Use Planning Manager

Overstrand Municipality

P O Box 20

HERMANUS

7200

Attention: Mr Riaan Kuchar

COMMENT ON THE PROPOSED REVISION OF THE HUMAN SETTLEMENT SITE DEVELOPMENT PLAN: HAWSTON, OVERSTRAND MUNICIPALITY

1. The amended Integrated Human Settlement Site development plan dated 5 April 2016 by Urban Dynamics refers.
2. As an interested and affected party, the Department of Transport and Public Works, (Department), of the Provincial Government of the Western Cape is satisfied with the changes to site development plan to facilitate grade separation of the George Viljoen : R43 intersection and Disa Road : R43 intersection in the long term.
3. The grade separation will be undertaken as a separate future project, as the impact of development does not warrant the grade separation of the George Viljoen : R43 intersection in the short- to medium-term. However, the George Viljoen : R43 intersection will need to be grade separated when the intersection capacity is reach. This capacity threshold is dependent on the rate of future development along the R43.
4. This Department will look into the signalisation of the George Viljoen intersection when the warrants are met in the short-term.
5. No property access is permitted along George Viljoen extension across the R43 within the influence of the future grade separation.
6. Also please do not permit property accesses on Disa Road within the influence of the future grade separation, (as above). This Department will look into the warrants for a signalised pedestrian crossing at the Disa Road Junction.

7. Your urgent attention to these matters will be appreciated.

Yours faithfully


EXECUTIVE MANAGER: ROADS INFRASTRUCTURE

Date: 8 June 2016



**Western Cape
Government**

Transport and Public Works

ROAD NETWORK MANAGEMENT

Email: Grace.Swanepoel@westerncape.gov.za

tel: +27 21 483 4669

Rm 335, 9 Dorp Street, Cape Town, 8001

PO Box 2603, Cape Town, 8000

REFERENCE: 16/9/6/1-28/26 (Job 22500)

ENQUIRIES: Ms GD Swanepoel

DATE: 5 October 2015

The Municipal Manager
Overstrand Municipality
Private Bag X3
KLEINMOND
7195

Attention: Ms L Isaacs

Dear Madam

**ERF 1, HAWSTON: SUBDIVISION, REZONING, DEPARTURE, APPROVAL OF AN ACCESS,
AMENDMENT OF THE OVERSTRAND GROWTH MANAGEMENT STRATEGY**

1. The following refer:-
 - 1.1 Your e-mail dated 6 July 2015;
 - 1.2 This Branch's even-numbered letters dated 14 November 2014, 13 February and 20 August 2015 and
 - 1.3 Meeting at 9 Dorp Street on 22 September 2015.
2. This letter replaces this Branch letter 16/9/6/1-28/26 (Job 22500) dated 20 August 2015.
3. This application is for the following:-
 - 3.1 Subdivision of Erf 1 into Portion A (±14ha) and Remainder (±270ha);
 - 3.2 Rezoning of Portion A from Agricultural Zone I to Subdivisional area to create the following:-
 - 3.2.1 498 single residential erven
 - 3.2.2 1 Transport Zone 2 erf

- 3.2.3 2 Community Use Zone 1 erven
- 3.2.4 2 Business Zone 3 erven
- 3.2.5 1 Utility Zone erf
- 3.2.6 16 Open Space Zone 2 erven
- 3.3 Departure of the lateral building line from 1m to 0m for all 498 erven to allow for semi-detached dwellings;
- 3.4 Approval by the District Roads Engineer for a new access off Trunk Road 28, Section 1 and
- 3.5 Amendment of the Overstrand Growth Management Strategy (2010) to allow for a density of 36.2 units/ha in lieu of 10 units/ha.
- 4. This Branch has undertaken an Overstrand Transport Plan (OTP) in conjunction with the municipality.
- 5. The goal of the OTP in the Hawston area is to maintain mobility of the Trunk Road while also accommodating the connectivity needs of the two Hawston communities on either side of the Trunk Road.
- 6. The long term access plan proposes two grade-separated interchanges with quarter links at Disa Road and at the future Afdaks River intersection. In addition the intersection at George Viljoen Street is to become a vehicular and pedestrian underpass with no connectivity to the Trunk Road.
- 7. In terms of phasing, the OTP recommends that the Disa Road interchange be constructed with the expansion of the eastern residential component (as set out in this application). The fourth leg to the George Viljoen intersection may be constructed at the same time.
- 8. It is noted that the cost of the Disa Road interchange is prohibitive in the short term however, the Local Authority should accommodate the land requirements of the interchange in the Site Development Plan.
- 9. The Traffic Impact Assessment undertaken by Gibb (Pty) Ltd recommends various measures, all of which are supported.
- 10. Undoubtedly, the proposal will increase the pedestrian traffic across the Trunk Road and the Developers' Traffic Engineers should investigate options to safely accommodate the pedestrian movement as well maintain the mobility of the Trunk Road.
- 11. This Branch offers no objection to the application in terms of the Land Use Planning Ordinance, No 15 of 1985, subject to the following conditions:-

- 11.1 The proposed SDP of Portion A be adjusted to accommodate the future underpass (vehicular and pedestrian) at the intersection of Trunk Road 28/1/George Viljoen Street;
- 11.2 The land required for the future interchange at Trunk Road 28/1/Disa Road be reserved and included in the future planning of Hawston;
- 11.3 The Developers' Traffic Engineers should investigate options to safely accommodate the pedestrian movement as well maintain the mobility of the Trunk Road and
- 11.4 The recommendations of the Traffic Impact Assessment be implemented.
12. This Branch approves a new access off Trunk Road 28/1 opposite George Viljoen Street.

Yours faithfully



ML WATTERS
For CHIEF DIRECTOR: ROAD NETWORK MANAGEMENT

Our Ref: HM\OVERBERG\OVERSTRAND\HAWSTON\HAWSTON EAST REM ERF 1

Enquiries Guy Thomas
Tel: 021 483 9685
Email: guy.thomas@westerncape.gov.za

Date: 22 May 2015
Case No: 14061210GT0617E
Auto IDs: 2714 - 4010



FINAL COMMENT

**In terms of section 38(8) of the National Heritage Resources Act (Act 25 of 1999)
and the Western Cape Provincial Gazette 6061, Notice 298 of 2003**

Attention: Mr Aubrey Withers
Withers Environmental Consultants
15 Mount Albert Street
Stellenbosch
7600

CASE NUMBER: 14061210GT0617E

HIA: PROPOSED HOUSING DEVELOPMENT ON REMAINDER OF ERF 1 HAWSTON EAST, HAWSTON

The matter above has reference.

Heritage Western Cape is in receipt of your correspondence on the above matter.

It was noted that no further comments were received from interested and affected parties.

Final Comment:

The development may proceed in accordance with the heritage practitioners recommendations.

Terms and Conditions:

1. This approval does not exonerate the applicant from obtaining local authority approval or any other necessary approval for the proposed work.
2. If any heritage resources, including archaeological material, palaeontological material, graves or human remains, are encountered work must cease and they must be reported to Heritage Western Cape immediately.
3. Heritage Western Cape reserves the right to request additional information as required.

Should you have any further queries, please contact the official above and quote the case number above.

Yours faithfully

Dr Errol Myburg
Interim Chief Executive Officer
Heritage Western Cape

Telkom



Access Network Engineering

Telkom SA SOC Limited

10 Jan Smuts Drive
Pinelands
7404

Tel : 021 414 5614
Fax : 088 021 414 5616
Email : Petersi2@telkom.co.za

Enquiries : Ishaam Peters
Our Ref. : WHWS2560/15
Your ref. :

TP - A Theart
(H Olivier)

13 October 2015

Attention: L Page
OVERSTRAND MUNICIPALITY
Hermanus Town Planning
HERMANUS

| | |
|------------------|----------|
| FILE NO: | EL 1-Haw |
| SCAN NO: | 16 |
| COLLABORATOR NO: | 847464 |

Dear Sir/Madam

TELKOM SERVICES: PROPOSED HOUSING DEVELOPMENT OF REM OF ERF 1 HAWSTON

With reference to your letter and dated 22 June 2015.

I hereby inform you that Telkom approves the proposed work indicated on your drawing in principle. This approval is valid for 12 months only, after which reapplication must be made if the work has not been completed.

Any changes or deviations from the original planning during or prior to construction must immediately be communicated to this office.

Approval is granted, subject to the following conditions.

As per the drawing supplied, Telkom SA LTD infrastructure will be affected, consequently the conditions below and on the attached legend will apply.

Telecommunication services position is shown as accurately as possible but should be regarded as approximate only.

Should alterations or relocation of existing infrastructure be required, such work will be done at the request and cost of the applicant.

Please notify this office within 21 working days from this letter of acceptance and if any alternative proposal is available or if a recoverable work should commence.

Telkom SA SOC Limited: Reg no 1991/005476/30

Directors: JA Mabuza (Chairman), SN Masako (Group Chief Executive Officer), DJ Fredericks (Chief Financial Officer), S Botha, Dr. CA Fynn, N Kapila*, I Kgabosela, K Kweyama, K Mzondeni, F Petersen, LL Von Zeuner.

Company Secretary: X Mpongoshe Makasi

*India

TP 13 OCT 2015

Telkom

As important OPTIC FIBRE cables are affected, please contact our representative **FREDERIK SWART** at telephone number **028-514 1199** least **48 hours** prior of commencement on construction work.

It would be appreciated if this office can be notified within 30 days of completion of the construction work. Confirmation is required on completion of construction as per agreed requirements.

Should Telkom SA infrastructure be damaged while work is undertaken, kindly contact our representative immediately.

All Telkom SA LTD rights remain reserved.

Yours faithfully



Daniel Cornelius
Operations Manager
Wayleave Management: Western Region

Telkom

Wayleave
Telkom S.A Ltd

Telkom













This wayleave, Ref **WWIP_WHWS2560_15** is valid for 12 months from date hereof and is subject to the following conditions.

1. No mechanical plant or vibrator type compactors may be used within three meters of any Telkom plant (i.e. any Telecommunications equipment above or below ground level)
2. The position of our plant affected by the proposal is indicated as approximate and our **FREDERIK SWART** TEL: (028) 514 1199 must be contacted at least 48 hours prior to commencement of the work, upon which the actual location of Telkom Plant will be indicated on-site.
3. A written request must be submitted to Telkom for consideration should the applicant require our plant to be relocated. The cost of such relocation will be recoverable from the applicant
4. It is the responsibility of the applicant to verify the existence of the indicated plant and to notify Telkom immediately should the applicant locate any Telkom plant which is not indicated on the plans.
5. Should the applicant expose any Telkom plant, the safeguard thereof will be the applicants full responsibility.
6. Failing to comply with the above conditions or any special conditions addendum hereto will be regarded as gross negligence and the applicant will be held responsible for and damage or loss as a result thereof.

Date: 10/8/2015

For Regional General Manager
Western Cape*RS*

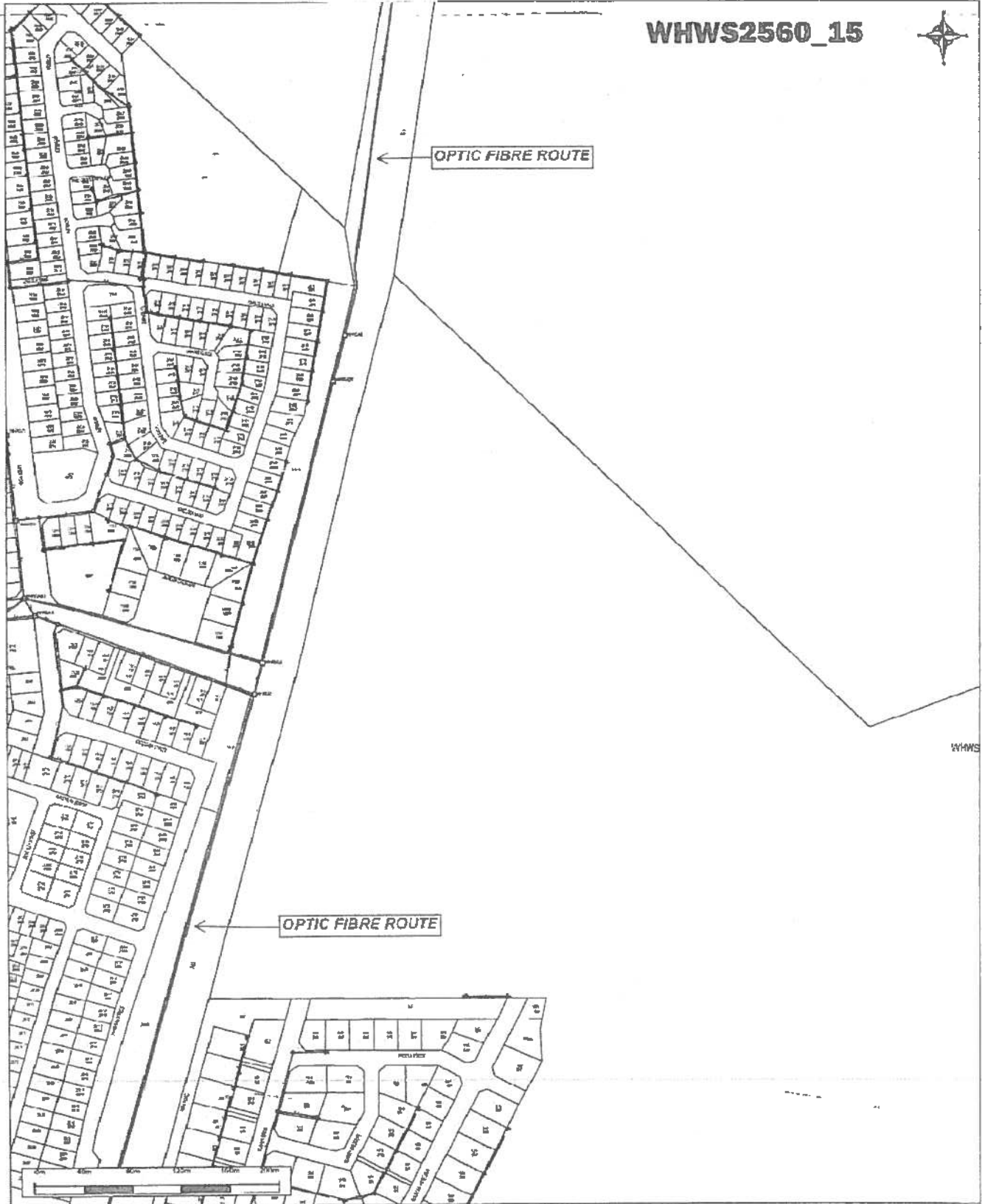
Telkom Symbol Legend

| | |
|--------------------------------------|---|
| 1. Underground Pipe Route |  |
| 2. Underground Buried cable |  |
| 3. Pipe Junction Boxes |  |
| 4. Street Distribution Cabinet (SDC) |  |
| 5. Jointing Pillar (PJ) Above Ground |  |
| 6. Pole |  |
| 7. Robot Control |  |
| 8. Aerial Route |  |
| 9. Stay |  |
| 10. Strut |  |
| 11. Call Office |  |
| 12. OPTIC FIBRE Equipment |  |

The pipelines indicated contain **OPTIC FIBRE** cables.

Frederik Swart 081 363 7815 to be contacted 48 Hrs before work commences.

WHWS2560_15



WHWS

Legend

| | | | | | | |
|-----------------------------|--------------------|---------------------------|-------------------------|--------------------------------|----------------------------------|---------------------------------------|
| Existing Manhole | Existing P/R | Existing D/C | Existing Meter DP | Existing Pole | Planned Overhead Route | Corridor Trenches (Utility Enclosure) |
| Planned Manhole | Planned P/R | Planned D/C | Planned Meter DP | Planned Pole | To Be Replaced Overhead Route | |
| To Be Replaced Manhole | To Be Replaced P/R | To Be Replaced D/C | To Be Replaced Meter DP | To Be Replaced Pole | Existing Underground Route | |
| Existing Jointing Pit | Existing SDC | Existing Pole Joint | Existing DP | Strand | Planned Underground Route | Scale: 1:2000 |
| Planned Jointing Pit | Planned SDC | Planned Pole Joint | Planned DP | Slab | To Be Replaced Underground Route | Date: 08/10/2015 |
| To Be Replaced Jointing Pit | To Be Replaced SDC | To Be Replaced Pole Joint | To Be Replaced DP | Access Point (Min. 4 Elements) | Existing Overhead Route | Drawn By: Surajit |



TP- A Theart
(H Olivier)

OVERSTRAND MUNICIPALITY
P.O.Box 20
HERMANUS
7200

Date: 10 July 2015

Attention: Loriaan Isaacs

Enquiries: R.P. Odendal
Tel: 021 980 310
Fax: 086 667 0089
Ramon.Odendal@eskom.co.za

Dear Madam

PLEASE NOTE: THIS IS NOT A WORKING PERMIT. OBTAIN WORKING PERMIT FROM CUSTOMER NETWORK CENTRE – CALEDON CNC

RE: APPLICATION FOR A HOUSING PROJECT OVER ERF 1 HAWSTON

OUR REF: 01840/15

I refer to your letter dated 06 July 2015

This application affects the following Eskom Services

- **HAWSTON FARMERS 2 11kV OVERHEAD POWERLINE**

I hereby inform you that Eskom has no objection to the proposal, provided that the following requests are adhered to. This approval is valid for 12 months only, after which reapplication must be made if the work has not yet commenced.

- Building and tree restriction **9 (nine) meters** on either side of centre line of overhead power line must be observed
- No construction work may be executed closer than **6 (six) metres** from any Eskom structure or structure-supporting mechanism.
- No work or no machinery nearer than **3 (three) meters** to any conductor of the overhead powerlines
- Minimum ground clearance of **6.3 (six point three) meters** of the overhead power line must be maintained
- No dumping shall be allowed within Eskom Services
- Natural ground level must be maintained within Eskom reserve areas and servitudes.
- That existing Eskom power lines and infrastructure are acknowledged as established infrastructure on the properties and any rerouting or relocation would be for the cost of the applicant/developer.

| |
|----------------------------|
| FILE NO: Erf 1 Erf 422 etc |
| SCAN NO: 34 |
| COLLABORATOR NO: 821990 |
| |

Western Operating Unit – Eskom Distribution
Land Development
Eskom Road, Brackenfell, 7560
PO BOX 222, Brackenfell, 7561, SA
Tel +27 86 003 7566 www.eskom.co.za
Eskom Holdings SOC Limited Reg No 2002/015527/30



23 JUL 2015

- a) ~~That Eskom rights or servitudes, including agreements with any of the landowners, obtained for the operation and maintenance of these existing power lines and infrastructure be acknowledged and honoured throughout its lifecycle which include, but are not limited to:~~
- i. Having 24 hour access to its infrastructure according to the rights mentioned in (a) above,
 - ii. To perform maintenance (structural as well as servitude – vegetation management) on its infrastructure according to its maintenance programmes and schedules,
 - iii. To upgrade or refurbish its existing power lines and infrastructure as determined by Eskom,
 - iv. To perform any other activity not listed above to ensure the safe operation and maintenance of the Eskom power lines or infrastructure.
- b) Eskom must have at least a **10 (ten) meter** obstruction free zone around all pylons (not just a 10m radius from the centre).
- c) Eskom shall not be liable for the death or injury of any person, or for loss of or damage to any property, whether as a result of the encroachment or use of the area where Eskom has its services, by the applicant, his/her agent, contractors, employees, successors in title and assignee.
- d) The applicant indemnifies Eskom against loss, claims or damages, including claims pertaining to interference with Eskom services, apparatus or otherwise.
- e) Eskom shall at all times have unobstructed access to and egress from its services.
- f) **Elzane Hofmann, Kraaifontein CNC** must be contacted on **028 212 3010** before working in close proximity to the overhead power lines.

Kindly contact **Ramon Odendal** at Tel: 021 980 3105, should you require any further information.

Yours sincerely



Ramon Odendal
Land & Rights Practitioner

ESKOM (WESTERN REGION)

OCCUPATIONAL HEALTH AND SAFETY ACT (Act No 85 of 1993) WITH REGULATIONS

D16 (7) Excavations

"The builder or excavator shall ascertain as far as possible the location and nature of underground services likely to be affected by the excavation and take such steps as may be necessary to prevent danger to persons".

THE ELECTRICITY ACT (Act No 41 of 1987)

Section 27 (3) : Offences and Penalties

"Any person who without legal right (the proof of which shall be upon him) cuts or damages or interferes with any apparatus for generating, transmitting or distributing electricity, shall be guilty of an offence and liable on conviction to a fine not exceeding R2 000,00 or to imprisonment for a period not exceeding twelve months".

OVERBERG**DISTRIKSMUNISIPALITEIT
DISTRICT MUNICIPALITY
UMASIPALA WESITHILI***MELD ASB/PLEASE QUOTE**Ons Verw./Our Ref.:**Navrae/Enquiries:* **R. Erasmus***Bylyn/Ext.:*Privaatsak: **X22**Private Bag:
**BREDASDORP
7280**Tel.: **(028) 4251157**Faks/Fax: **(028) 4251014****Hermanus Sub-district office
12 Flower Street
Hermanus****028 3131243 (T)****028 3131263 (F)****24 August 2015****COMMENTS ON THE PROPOSAL: ERF 1, HAWSTON****Water**

The municipality must give a written undertaking that the water source is sufficient to supply this new development.

Sewerage

The municipality must give a written undertaking that the sewerage plant will be able to handle the extra load.

Waste

Written agreement must be entered into with local municipality for the removal of waste if the municipality will remove the waste.

Refuse areas and refuse bins to comply with municipal solid waste management by-law.



.....
R. Erasmus