

**AGENDA of the
Portfolio Committee : Infrastructure & Planning
19 September 2017
(Also the agenda for the Mayoral Committee Meeting : 27 September 2017)**

2.

ERF 3819, GANSBAAI, OVERSTRAND MUNICIPAL AREA : AMENDMENT OF THE OVERSTRAND SPATIAL DEVELOPMENT FRAMEWORK, REZONING AND CONSENT USE : MESSRS PLAN ACTIVE ON BEHALF OF PREMIER FISHING SA (PTY) LTD

**3819 GGB (1934)
SW vd Merwe
16 August 2017**

(028) 313 8900

Hermanus Administration

1. Executive Summary

An application has been received on 28 December 2011 from Messrs Plan Active Town and Regional Planners on behalf of Premier Fishing SA (Pty) Ltd, owner of Erf 3819, for the following;

- the amendment of the Overstrand Spatial Development Framework : 2006 (SDF) in terms of the provisions of the Municipal Systems Act (Act 32 of 2000), in order to develop the property for aqua culture purposes,
- the rezoning of Erf 3819, Gansbaai from Undetermined Zone to Agriculture Zone in terms of the provisions of Section 17 of the Land Use Planning Ordinance (Ordinance 15 of 1985),
- as well as a consent use (aqua culture) in terms of the provisions of the Gansbaai Zoning Scheme Regulations in order to develop an abalone farm on the subject property.

A Locality Plan of the property concerned is attached as Annexure A. The proposed Site Development Plan is attached as Annexure B, while the Motivation Report from the applicant in support of the proposal is attached as Annexure C.

2. Service Delivery and Budget Implementation Plan - IGNITE

Infrastructure and Planning
Town Planning

3. Compliance with Strategic Priority

Provision of democratic, accountable and ethical governance
Provision and maintenance of municipal services
Creation and maintenance of a safe and healthy environment
Promotion of tourism, economic and social development

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4. Delegated Authority

Executive Mayor (for purposes of considering matters other than the amendment of the Overstrand Municipal Wide Spatial Development Framework, 2006 and the Overstrand Growth Management Strategy, 2010)

5. Legal Requirements

Section 17 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985)
Section 5.7 of the Gansbaai Zoning Scheme Regulations
Local Government Municipal Systems Act, 2000 (Act 32 of 2000)

6. Background/Discussion/Evaluation/Conclusion

Background

Erf 3819 Gansbaai measures 5,996 ha in extent. It is a former municipal property that was put out on tender for aquaculture (abalone farm) purposes. The tender was awarded to Premier Fishing SA (Pty) Ltd, in order to expand the operations of their existing abalone farm on the adjoining Erf 1727, Gansbaai. Premier Fishing SA (Pty) Ltd also leases Lot 32A, a portion of Erf 538 in the harbour from the Department of Public Works. In terms of the provisions of the tender the owner is responsible to acquire the necessary development rights for the establishment of an aquaculture farm and related structures on the subject property.

Although the application was submitted during 2011, the Environment Impact Assessment (EIA) process had been concluded in the latter half 2016, resulting in an Environmental Authorization (EA) dated 14/10/2016. Interested and affected parties submitted an appeal against the EA, which appeal was subsequently dismissed on 22 June 2017 by the Minister of Local Government: Environmental Affairs and Development Planning. The EA provides for the upgrade and expansion of the production capacity of the existing abalone farm on Erf 1727, expansion onto Erf 3819 (the subject property) and Lot 32A of adjacent Erf 538.

The proposed development comprises an administrative hub consisting of an office building and associated facilities (boardroom, storage, restroom, ablution facilities, etc.), staff area, hatchery and brood stock building, grow out platforms, an abalone processing unit (packing and canning), workshop, security kiosk, access, parking and associated engineering infrastructure such as pump stations, generator buildings, seawater in/outlets, etc. The administrative hub will be situated in the south east of the property, on the highest portion of the farm, allowing views across the entire abalone farm that includes adjacent properties.

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The proposed Site Development Plan (SDP) submitted with the planning application initially provided for a workshop, administrative hub, offices, staff facilities and parking, situated 10m from the southern property boundary adjacent to Kolgansbaai. The EA resulted in amendments to the proposed SDP comprising the following:

- Increased green buffer (no go area) adjoining the southern property boundary
- Relocation of the administrative/office hub further south east
- Relocation of the workshop further from southern property boundary
- Placement of buildings is such that it will screen grow out platforms on the southern and eastern side to improve views from Kolgansbaai.

Since the submission of the application the Greater Gansbaai Spatial Plan, a former structure plan, had been withdrawn in terms of a Provincial Government Western Cape circular. This aspect of the application is no longer applicable.

Discussion

The application was advertised in the prescribed manner and registered notices were served on adjacent property owners, internal and external departments.

Two (2) letters of objection were received and is attached as Annexure D.

KOLGANSBAAI HOME OWNERS ASSOCIATION, GANSBAAI

The Kolgansbaai Home Owners Association (HOA) at a meeting of the trustees concluded that the proposed land use (abalone farm) is not in line with the existing residential land use of the Kolgansbaai Estate. The HOA stated that support will be considered if the matters below are satisfactorily resolved in the in the EIA and subsequent Environmental Authorisation (EA), namely:

- 1) The establishment of 10m and 50m open space buffer and indigenous planted berm thereby creating a visual buffer
- 2) The nature, location, use, aesthetics and visual impact of all buildings must be agreed on
- 3) Access and egress to and from the site to be obtained from the north eastern site boundary, adjacent to Erf 629, Gansbaai
- 4) No processing of abalone or any other product may take place on site and provision must be made that no offensive odours will be generated on the site
- 5) Noise generated by existing and future operation, vehicles, personnel and equipment (i.e. pumps and blowers) to be adequately controlled to prescribed decibel levels
- 6) Adequate services provision to be made. All cabling to be provided underground

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- 7) The nature, design and quality of material of any fencing must be aesthetically acceptable and be specified

**MESSRS WRAP CONSULTANCY ON BEHALF OF MR S KERMODE,
OWNER OF ERVEN 3825, 3835 AND 3851, KOLGANSBAAI:**

- 1) The vegetation is Overberg Dune Strandveld, a vegetation type that typically contains Milkwood trees. It is not indicated whether Milkwood trees are situated on site and how they will be accommodated within the proposed development. Removal of vegetation on dune may cause windblown sand into Kolgansbaai. What measures will be incorporated to prevent this.
- 2) Concerned about visual impact of management buildings situated at the highest point on the property due to lack of detail pertaining to architectural style, plans, etc.
- 3) Buildings should be located adjacent to the existing abalone farm on Erf 1727.
- 4) Spatial Development Framework (SDF) should be amended to ensure an appropriate buffer area in accordance with the provisions of the SDF.
- 5) Is the site suitable for abalone farming due to its elevation that will require the pumping of water?
- 6) Noise impact from day to day activities impacting on adjoining residential erven (staff, generators, pumps, delivery trucks, etc.).
- 7) Kolgansbaai do not have a time limit in which to build. As such, erven could potentially remain vacant indefinitely, which increase the risk of fire, due to the prevalent summer wind (south east).

The applicant's response followed by that of the town planner directly below each point of objection, could be summarised as follows:

KOLGANSBAAI HOME OWNERS ASSOCIATION

- 1) ***A 50m buffer zone with a visual barrier with indigenous vegetation planted in a berm and similar 5m to 10m zone towards the seafront.***

Applicant's comment:

The Zoning Scheme provides for a 10m building line. Following approval of the EA the SDP had been revised to provide a buffer adjoining Kolgansbaai Estate, measuring 160m long (east to west), 8m wide (north to south) increasing to 20m in the centre and 30m in the west, whilst existing vegetation must be retained along the southern site boundary. The opinion is held that the request for a buffer area was sufficiently addressed in the EIA process.

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Town Planner's comment:

The SDP submitted with the application indicated the workshop, staff area, administrative hub and parking to be situated on the 10m lateral building line along the southern property boundary adjoining Kolgansbaai. The SDP had been amended in the EIA process so that the EA now provides for a green buffer varying between 8m wide in the east increasing to 30m in the west, which will be designated as a no go area. The above also resulted in the relocation of the buildings further away from the southern boundary. As per the SDP the office/administrative hub had relocated further south east, whilst the workshop had been positioned further north. The revised SDP thus adequately address the matters pertaining to visual impact/screening together with the conditions of approval.

- 2) *The nature location, use, aesthetics and visual impact of all buildings must be agreed upon.***

Applicant's comment:

A Visual Impact Assessment (VIA) had been compiled and the recommendations had been incorporated in the conditions of the EA. Following approval the applicant will be required to submit a detailed SDP, demonstrating compliance with the conditions of approval and shall also had regard to the EA and VIA. Furthermore, the SDP will ensure that the design and location of the buildings and structures are in line with the character of the area. In terms of the comments from Cape Nature the buffer area should be indicated as a no-go area during construction and must consist of intact thicket vegetation.

Town Planner's comment:

From the applicant's response it is evident that mitigation measures are put in place to ensure that the visual impact on the surrounding environment is kept to the minimum. The applicant will be required to submit a SDP for approval, which SDP shall amongst others had regard to access/egress, placement of buildings, design and elevation details in accordance with the EIA and VIA, which will be referred to the Local Heritage and Aesthetics Committee for comment.

- 3) *All access and egress to and from the site to be obtained from the north eastern site boundary, adjacent to Erf 629, Gansbaai***

Applicant's comment:

All access and egress will be in line with the rights afforded in terms of the title and other legislation. The access to and from the site remains the same and did not change with the revised SDP.

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Town Planner's comment:

Access will be obtained from a public road, namely the Kapokblom Street extension leading towards Kolgansbaai. Provision is also made for internal access from via Lot 32A of Erf 538 onto Erf 3819. The proposed development, including access arrangements was circulated to the Engineering Services Department. No objection was received concerning the access to the site.

- 4) ***No processing of abalone or any other product should be done on site with the provision that no offensive odours will be generated on the site.***

Applicant's comment:

It is currently not the intention of the applicant to remove the abalone from its shell. The preferred mode of shipment is done with live packaged abalone. The applicant may change the method in the future as the approval requested allows for growth, processing and packaging of abalone which is in line with the definition in terms of the Scheme Regulations.

Town Planner's comment:

The application is processed in accordance with the provisions of the former Gansbaai Zoning Scheme Regulations that was applicable at the submission date. In terms of the aforementioned, the processing of abalone is permissible under consents use. Although, it is currently not the intention of the developer to process the abalone since it is contracted out, he may do so in future. The applicant will be required to indicate such facility on the SDP and to submit building plans prior to commencement and will be required to comply with the applicable legislation governing public health (i.e. noise, smells, emissions and industrial effluent, etc.). This aspect will be dealt within the conditions of approval.

- 5) ***Noise generated by the existing and future operations, including vehicles, personnel and any equipment must be adequately controlled to prescribed decibel levels.***

Applicant's comment:

The applicant takes notice of the above. Noise levels will be in line with the level of prescribed by the relevant regulations and will be similar to the existing ambient noise levels of Erf 1727.

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Town Planner's comment:

The amended SDP and specialist studies had regard to noise mitigation in that noise generating buildings/activities will be located further away from the southern boundary adjoining Kolgansbaai. Buildings such as generators, mechanical workshop, etc. will also face towards the centre of the site to limit noise intrusion. Mitigation measures will be addressed the conditions of approval thereby ensuring noise is kept to within prescribed legislative framework. No objection is received from the relevant health authorities on the basis of noise and disturbance.

- 6) *That bulk services be provided and that cables be installed underground.***

Applicant's comment:

A CES report and electrical services report has been submitted which indicate that adequate provision of services will be made available on site. It is clear from the reports that adequate services provision is made on site.

Town Planner's comment:

The Engineering Services Department did not object to the proposal on the basis of unavailability or capacity of services. The proposal is supported subject to conditions, which amongst others includes the payment of a bulk development contribution in respect of services. Services to be installed underground and will be dealt with as a condition of approval.

- 7) *That fencing must be aesthetically acceptable and specified.***

Applicant's comment:

Aesthetics are very subjective. The client has considered the comment and will utilize suitable materials. The EA furthermore requires that fencing must be visually permeable and recessive.

Town Planner's comment:

Fencing in line with the EA will be visually permeable and recessive and will be referred to the aesthetics committee. This will be dealt with in the conditions of approval.

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MESSRS WRAP CONSULTANCY ON BEHALF OF MR S KERMODE.

- 1) ***The vegetation is Overberg Dune Strandveld, a vegetation type that typically contains Milkwood Trees. It is not indicated whether Milkwood trees are situated on site and how they will be accommodated within the proposed development. Removal of vegetation on dune may cause windblown sand into Kolgansbaai. What measures will be incorporated to prevent this?***

Applicant's comment:

The above matters had been addressed in the Botanical Report. Mitigation measures to prevent dust pollution is addressed in terms of the Construction Phase Environmental Management Plan and incorporated in the EA.

Town Planner's comment:

Mitigation measures have been satisfactorily incorporated in the EA, as per the recommendations in the EIAR, EMP, VIA and comments received from Cape Nature. This will be incorporated in the conditions of approval.

- 2) ***Concerned about visual impact of management buildings situated at the highest point on the property due to lack of detail pertaining to architectural style, plans, etc.***

Applicant's comment:

The proposed structures will comply with the relevant legislation in terms of siting, height, etc. The final EA resulted in an amended SDP providing for two (2) two storey office buildings, situated further away from Kolgansbaai, thereby creating a visual buffer between Kolgansbaai and the grow out platforms.

Town Planner's comment:

The planning application that was submitted provided for parking area, administrative hub, staff area and workshop buildings adjacent to Kolgansbaai, about 10m from the communal property boundary.

The EA imposed a green buffer, acting as a visual corridor between Kolgansbaai and the proposed development that varies between 8m wide in the east, increasing to 20m in the centre and 30m in the west. This resulted in the relocation of the administrative further south east, or away from Kolgansbaai, so that a 25m distance will be maintained between the building and property boundary opposed to the original 10m.

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The opinion is held that the mitigation measures as per the VIA, EIR, EMP and comments from Cape Nature that was incorporated in the EA, adequately address the potential visual impact.

3) *Buildings should be located adjacent to the existing abalone farm on Erf 1727.*

Applicant's comment:

The objector's proposal to locate the buildings adjacent to Premier Fishing's operations on Erf 1727 will be impractical due to geotechnical conditions and slope of the land.

Town Planner's Comment:

Applicant's comment is noted and agreed with.

4) *What assurance can be given that no future extensions will be done? The SDF provides a 44m residential buffer between the Kolgansbaai Estate and future industrial developments. It can be argued that the proposed 10m buffer is not effective and that a 44m buffer be maintained.*

Applicant's comment:

The application is for the rezoning of the site for agricultural use with consent for aquaculture. No other uses will be permitted which is contradictory to the approved use since new applications will have to follow an application process that will also require public participation.

The former Gansbaai Structure Plan imposed a 44m buffer and not the Overstrand SDF. The Gansbaai Structure Plan had in the meantime been repealed and is no longer applicable.

Town Planner's comment:

The former Greater Gansbaai Spatial Plan, a structure plan approved in terms of the Land Use Planning Ordinance was repealed and is no longer applicable. As such, the comment is no longer applicable.

The subject property is earmarked for industrial extension purposes, relating to harbour industries and agriculture (i.e. abalone farming). As such, the rezoning to agricultural use with consent use for aquaculture will have less impact, opposed to general harbour relates industrial use.

Development of the subject property will be controlled by a SDP in terms of the conditions of approval. As such, amendments, or upgrade of existing

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rights will be subject to an application that amongst other will entail a public participation process.

- 5) ***The elevation of the site must be considered as water must be pumped to the site.***

Applicant's comment:

A feasibility study has been done and it is found that the site is acceptable.

Town Planner's comment:

The applicant's comment is noted.

- 6) ***Noise impact from day to day activities impacting on adjoining residential erven (staff, generators, pumps, delivery trucks, etc.)***

Applicant's comment

Noise levels will be in line with the prescribed legislative requirements. The applicant also indicated that future ambient noise levels will be similar to that of Erf 1727 that utilises similar technologies. It should be noted that generators will not run continuously.

Deliveries will occur in multiple locations and will be determined in accordance with the Engineering Department in accordance with the provisions of the Scheme Regulations.

Town Planner's comment

The applicant's comment is agreed with. It should also be borne in mind that the amended SDP established a greater buffer between the development and Kolgansbaai. Noise generating buildings and structures will be facing to the inside of the property, away from the residential boundaries. Noise mitigation will also be addressed in the conditions of approval.

- 7) ***No indication is given what the time limit is to develop the property or the residential units of the estate. Therefore there is a fire risk when the summer wind blows which can be hazardous.***

Applicant's comment

It is the obligation of the relevant property owner to ensure that their property is cleared in order to keep the fire risk to an absolute minimum.

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Town Planner's comment

It is noted that Kolgansbaai is currently an undeveloped residential estate. The applicant's comment pertaining to the respective property owners' responsibilities is agreed with.

Evaluation

The application will be considered in terms of the criteria to determine desirability in terms of Section 36 of the Land Use Planning Ordinance 15 of 1985.

Location and Desirability

The property is situated south west of Gansbaai town, south of the Gansbaai Harbour adjacent to Premier Fishing's existing abalone farm on Erf 1727, known as Atlantic Abalone. The subject property is therefore ideally located, affording the applicant an opportunity to expand their existing abalone farm. Access will be obtained from the extension of Kapokblom Street leading to the Kolgansbaai Development and provides access to the administrative complex. Internal access will also be available via the harbour across Erf 538.

Existing Planning and Character of the Area

The property is situated within the urban edge of Gansbaai and is earmarked for industrial extension purposes (service industry relating to fishing and mariculture) in terms of the SDF : 2006 and urban extension purposes. The 2010 Overstrand Growth Management Strategy: 2010 indicates the subject property for industry / and economic opportunity.

The application property is situated in an area with mixed land uses (i.e. residential in the south west, aquaculture, fishing factory and harbour related uses to the north and sewage treatment works to the east.

The application entails the rezoning of the property to Agricultural Zone with consent for aquaculture. The aforementioned also necessitates an amendment of the SDF in order to change the reservation to agricultural purposes in order to accommodate aquaculture since it will be accommodated under Agricultural Zone, instead of Industrial. The opinion is held that the proposed rezoning and consent use accords with the general purpose in that the activities will still relate to mariculture in accordance with the spatial planning vision of the SDF. It is therefore recommended that the amendment of the SDF be supported.

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Proposed Rezoning & Consent Use

As outlined above, the surrounding area has a mixed character mostly comprising of residential, harbour and harbour industrial related land uses, including an existing abalone farm. The opinion is thus held that the expansion of the existing abalone farm onto the subject property, subject to compliance with the mitigation measures as per the specialist reports, will not unacceptably detract from the mixed character of the area. Furthermore, a visual buffer in the south is provided and will be demarcated as a no go area. This together with the location of the reservoir/workshop buildings in the south and administrative complex that will screen the grow out platforms in the south east will screen the green out platforms, thereby ensuring an acceptable outlook/visual impact.

The buildings and structures that can potentially generate noise (generator rooms, pump station, blower room, and mechanical workshop) will be situated facing the inside of the property (i.e. away from the residential development to the south) in order to mitigate noise/disturbance. It should also be noted that the onus remain on the property owner to ensure that the operation of the plant and equipment take place within the prescribed norms and standards and is dealt with in the conditions of approval. As such, the development given the mixed character of the area is not considered to detract from the residential amenity of the adjoining residential properties to the south.

Provision of Services

The proposal is supported by the Engineering Services Department from a municipal services point of view pertaining to potable water, electricity, sewage and solid waste disposal since adequate capacity is available, subject to conditions that amongst others relates to the payment of a bulk services contribution.

The existing pump station, seawater intake and engineering infrastructure on the western side of the farm will be upgraded and extended to ensure a constant supply of seawater in order to accommodate the proposed development on the subject property.

Heritage Value:

Heritage concerns had been addressed in the EIA, and where appropriate had been incorporated in the conditions of approval. In this regard it should be noted that a shell midden on the property was subject to a specialist Excavation Report by an Archaeological Consultant, stating the site had already been sufficiently recorded and sampled and require no further archaeological actions.

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Environmental Impact:

The proposed development was also subject to an EIA that was informed by specialist Botanical-, Excavation- and Visual Impact Assessment Reports as well as an Environmental Management Plan. Based on the aforementioned EA had been granted subject to conditions, also having had regard to mitigation measures. Based on adherence to the above, no objections are raised from an environmental point of view.

Conclusion

The opinion is held that the proposed expansion of the existing abalone farm on the subject property is not considered to unacceptably detract from the character of the area or the residential amenity of adjoining properties based on adherence to the conditions of approval.

The proposal in accordance with the SDF principles will contribute too much needed local economic development through employment opportunities during both construction and operational phases. Local business will indirectly benefit through outsourcing of certain services (i.e. security, kelp harvesting, artificial feed that is locally sourced) thereby benefitting the social upliftment and economic growth of the Greater Gansbaai area.

The application for rezoning, consent use and amendment of the SDF is therefore recommended for approval.

7. Financial Implications

None

8. Staff Implications

None

9. Comments from other Departments, Divisions and Administrations

Engineering Department

Services Report (attached as Annexure F)

Environmental Management Services

Did not object, but stated that the proposed development triggers several listed activities in terms of NEMA.

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District Health

Comment attached as Annexure J

10. Annexures

- Annexure A: Locality Plan
- Annexure B: Site Plan
- Annexure C: Motivation Report
- Annexure D: Objections
- Annexure E: Applicant's comments to objections
- Annexure F: Services Report
- Annexure G: Western Cape Department of Agriculture
- Annexure H: Comments: Eskom
- Annexure I: Breede-Overberg Catchment Management Agency
- Annexure J: Overberg District Municipality : Health
- Annexure K: Western Cape Government: Department of Health
- Annexure L: Department : Agriculture, Forestry and Fisheries
- Annexure M: Cape Nature
- Annexure N: Environmental Authorisation
- Annexure O: Environmental Management Plan
- Annexure P: Visual Impact Assessment

RECOMMENDATION:

1. that the application for the rezoning of Erf 3819, Gansbaai from Undetermined Zone to Agricultural Zone in terms of the provisions of Section 16 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985), **be approved**;
2. that the application for consent use (aqua culture) in order to conduct an abalone farm in terms of the provisions of Section 4.7 of the Gansbaai Zoning Scheme Regulations, **be approved**;
3. that the decision in paragraphs 1 and 2 above be subject to the following conditions:
 - (a) that prior to the submission of building plans a detailed site development plan generally in accordance with the amended Site Development Plan, Plan No BO14/SDP, dated April 2015 (attached per Annexure B), be submitted for approval by the Senior Manager: Town & Spatial Planning that amongst others shall also indicate detail of terracing required in connection with the grow out platforms as well as a detailed landscaping plan that incorporate measures to satisfactorily mitigate visual impact;
 - (b) that a parking layout be submitted for approval by the Senior Manager: Town & Spatial Planning;

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- (c) that the Site Development Plan be referred to the Overstrand Heritage and Aesthetics Committee for comment, which comment shall be incorporated in the design of the proposed buildings, prior to the submission of building plans;
 - (d) that the approval does not absolve the applicant/owner from compliance with any other relevant legislation and/or Title Deed conditions;
 - (e) that all other development parameters, as prescribed in the relevant Zoning Scheme, be complied with;
 - (f) that all conditions imposed in the Services Report (attached as Annexure F), be complied with;
 - (g) that the development be carried out in accordance with the provisions of the Environmental Authorisation (Annexure N) and the Environmental Management Plan (Annexure O);
 - (h) that building plans for buildings/structures be submitted to the Municipality for approval in terms of the National Building Regulations prior to the construction thereof;
 - (i) that the conditions of Western Cape: Department of Agriculture, Eskom, Breede-Overberg Catchment Management Agency, Overberg District Municipality : Community Services, Western Cape : Department of Health, Department of Agriculture, Forestry and Fisheries and Cape Nature (attached as Annexure G - M), be adhered to;
 - (j) that the applicant/owner be responsible for the appointment of an acoustic/noise consultant and the implementation of mitigation measures should any justified complaints with regard to noise/disturbance being received;
 - (k) that prior to the construction of the processing plant details pertaining to mitigation measures to be incorporated in the design in order to ensure that the development will not detract from the amenity of the area by reason of noise, smells atmospheric emissions be submitted for approval by the Senior Manager: Town and Spatial Planning, and
 - (l) that applicable rates and service tariffs, as determined by the annual budget be made applicable, which tariffs are automatically adjusted in terms of the annual budget.
4. that the applicant be notified of his/her right of appeal in terms of Section 62 of the Local Government : Municipal Systems Act No 32 of 2000 with regard to the above conditions of approval.

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RECOMMENDATION TO THE COUNCIL:

that the application for the amendment of the Overstrand Spatial Development Framework, 2006 in order to change the reservation from industrial in relation to harbour industry and mariculture to agricultural purposes in relation to aquaculture purposes in order to conduct an abalone farm in terms of the provisions of the Municipal Systems Act, 2000 (Act 32 of 2000), **be approved.**

RESPONSIBLE OFFICIAL :	SW VAN DER MERWE
TARGET DATE FOR IMPLEMENTATION :	18 OCTOBER 2017
TARGET DATE TO INFORM APPLICANT :	18 OCTOBER 2017
TARGET DATE TO INFORM OBJECTOR :	18 OCTOBER 2017

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3819 GGB (1934)

SW vd Merwe

16 August 2017

(028) 313 8900

Hermanus Administration

THIS MATTER SERVED BEFORE THE JOINT PORTFOLIO COMMITTEE ON 19 SEPTEMBER 2017, WHICH COMMITTEE RECOMMENDED AS FOLLOWS:

RECOMMENDATION TO THE EXECUTIVE MAYOR:

1. that the application for the rezoning of Erf 3819, Gansbaai from Undetermined Zone to Agricultural Zone in terms of the provisions of Section 16 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985), **be approved;**
2. that the application for consent use (aqua culture) in order to conduct an abalone farm in terms of the provisions of Section 4.7 of the Gansbaai Zoning Scheme Regulations, **be approved;**
3. that the decision in paragraphs 1 and 2 above be subject to the following conditions:
 - (a) that prior to the submission of building plans a detailed site development plan generally in accordance with the amended Site Development Plan, Plan No BO14/SDP, dated April 2015 (attached per Annexure B), be submitted for approval by the Senior Manager: Town & Spatial Planning that amongst others shall also indicate detail of terracing required in connection with the grow out platforms as well as a detailed landscaping plan that incorporate measures to satisfactorily mitigate visual impact;
 - (b) that a parking layout be submitted for approval by the Senior Manager: Town & Spatial Planning;
 - (c) that the Site Development Plan be referred to the Overstrand Heritage and Aesthetics Committee for comment, which comment shall be incorporated in the design of the proposed buildings, prior to the submission of building plans;
 - (d) that the approval does not absolve the applicant/owner from compliance with any other relevant legislation and/or Title Deed conditions;
 - (e) that all other development parameters, as prescribed in the relevant Zoning Scheme, be complied with;

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- (f) that all conditions imposed in the Services Report (attached as Annexure F), be complied with;
 - (g) that the development be carried out in accordance with the provisions of the Environmental Authorisation (Annexure N) and the Environmental Management Plan (Annexure O);
 - (h) that building plans for buildings/structures be submitted to the Municipality for approval in terms of the National Building Regulations prior to the construction thereof;
 - (i) that the conditions of Western Cape: Department of Agriculture, Eskom, Breede-Overberg Catchment Management Agency, Overberg District Municipality : Community Services, Western Cape : Department of Health, Department of Agriculture, Forestry and Fisheries and Cape Nature (attached as Annexure G - M), be adhered to;
 - (j) that the applicant/owner be responsible for the appointment of an acoustic/noise consultant and the implementation of mitigation measures should any justified complaints with regard to noise/disturbance being received;
 - (k) that prior to the construction of the processing plant details pertaining to mitigation measures to be incorporated in the design in order to ensure that the development will not detract from the amenity of the area by reason of noise, smells atmospheric emissions be submitted for approval by the Senior Manager: Town and Spatial Planning, and
 - (l) that applicable rates and service tariffs, as determined by the annual budget be made applicable, which tariffs are automatically adjusted in terms of the annual budget.
4. that the applicant be notified of his/her right of appeal in terms of Section 62 of the Local Government : Municipal Systems Act No 32 of 2000 with regard to the above conditions of approval.

RECOMMENDATION TO THE COUNCIL:

that the application for the amendment of the Overstrand Spatial Development Framework, 2006 in order to change the reservation from industrial in relation to harbour industry and mariculture to agricultural purposes in relation to aquaculture purposes in order to conduct an abalone farm in terms of the provisions of the Municipal Systems Act, 2000 (Act 32 of 2000), **be approved.**

**AGENDA of the
Portfolio Committee : Infrastructure & Planning
19 September 2017
(Also the agenda for the Mayoral Committee Meeting : 27 September 2017)**

RESPONSIBLE OFFICIAL :	SW VAN DER MERWE
TARGET DATE FOR IMPLEMENTATION :	18 OCTOBER 2017
TARGET DATE TO INFORM APPLICANT :	18 OCTOBER 2017
TARGET DATE TO INFORM OBJECTOR :	18 OCTOBER 2017

ERF 3819
GANSBAAI

LOCALITY PLAN

Skaal
Scale
NTS



ERF 3819 GANSBAAI

PLAN
Town and Regional Planners
Specialists in Site Developments
active

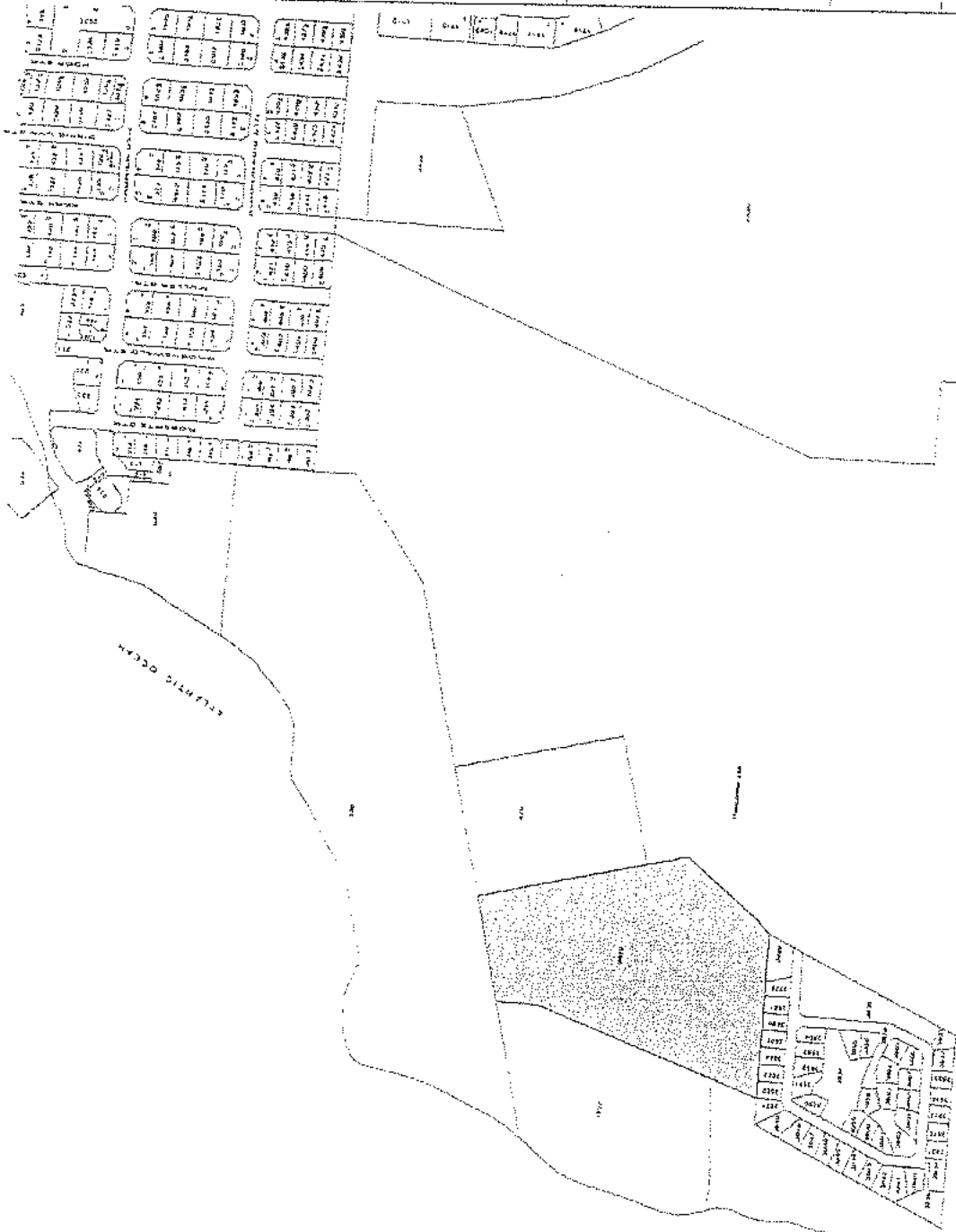
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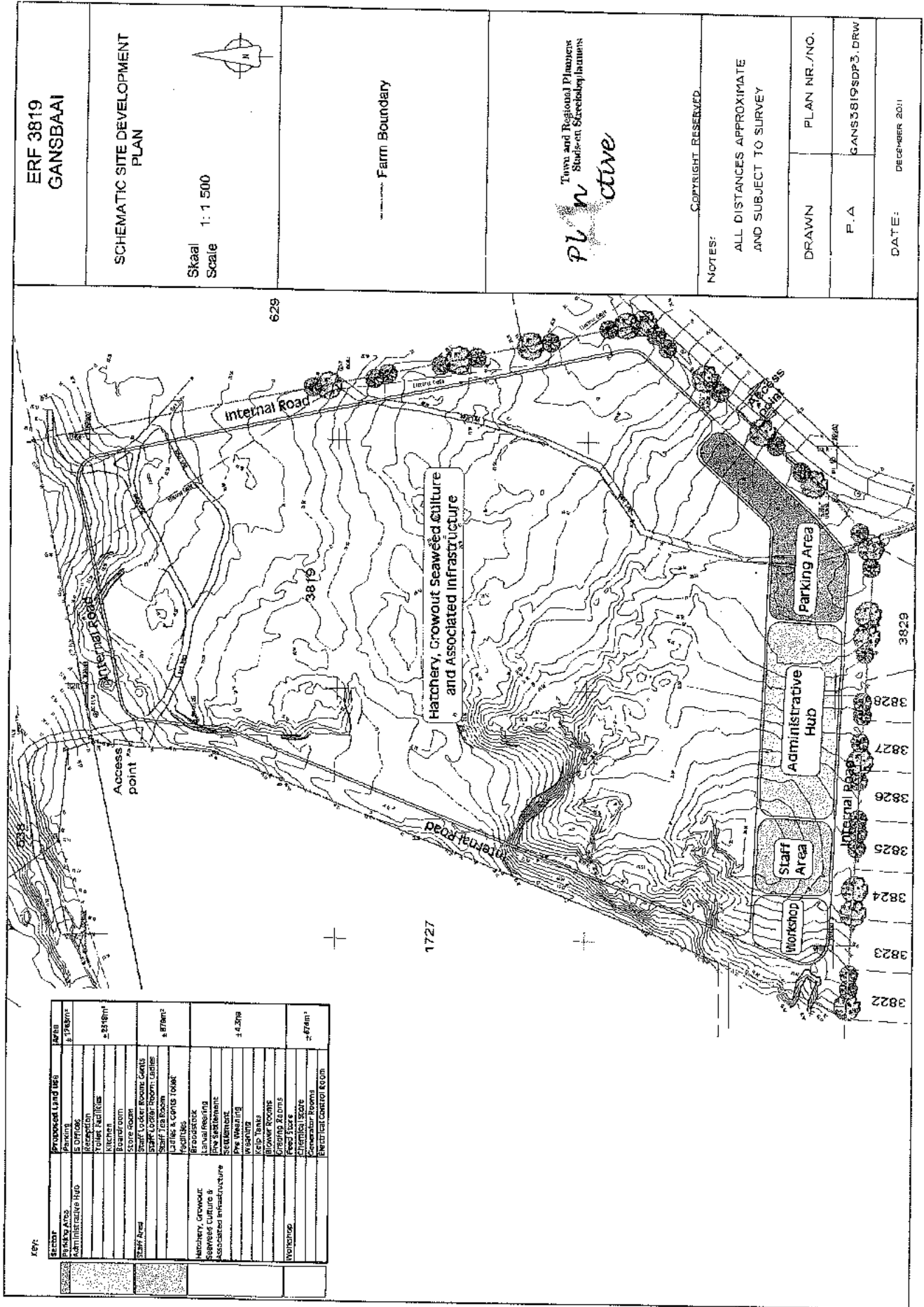
ALL DISTANCES APPROXIMATE
AND SUBJECT TO SURVEY

DRAWN
PLAN NIS/ND

P.A.
GANSBAAI, DRW

DATE: DECEMBER 2011





ERF 3819
GANSBAAI

SCHEMATIC SITE DEVELOPMENT
PLAN



Skalaal
Scale 1:1500

Farm Boundary

Town and Regional Planners
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NOTES:
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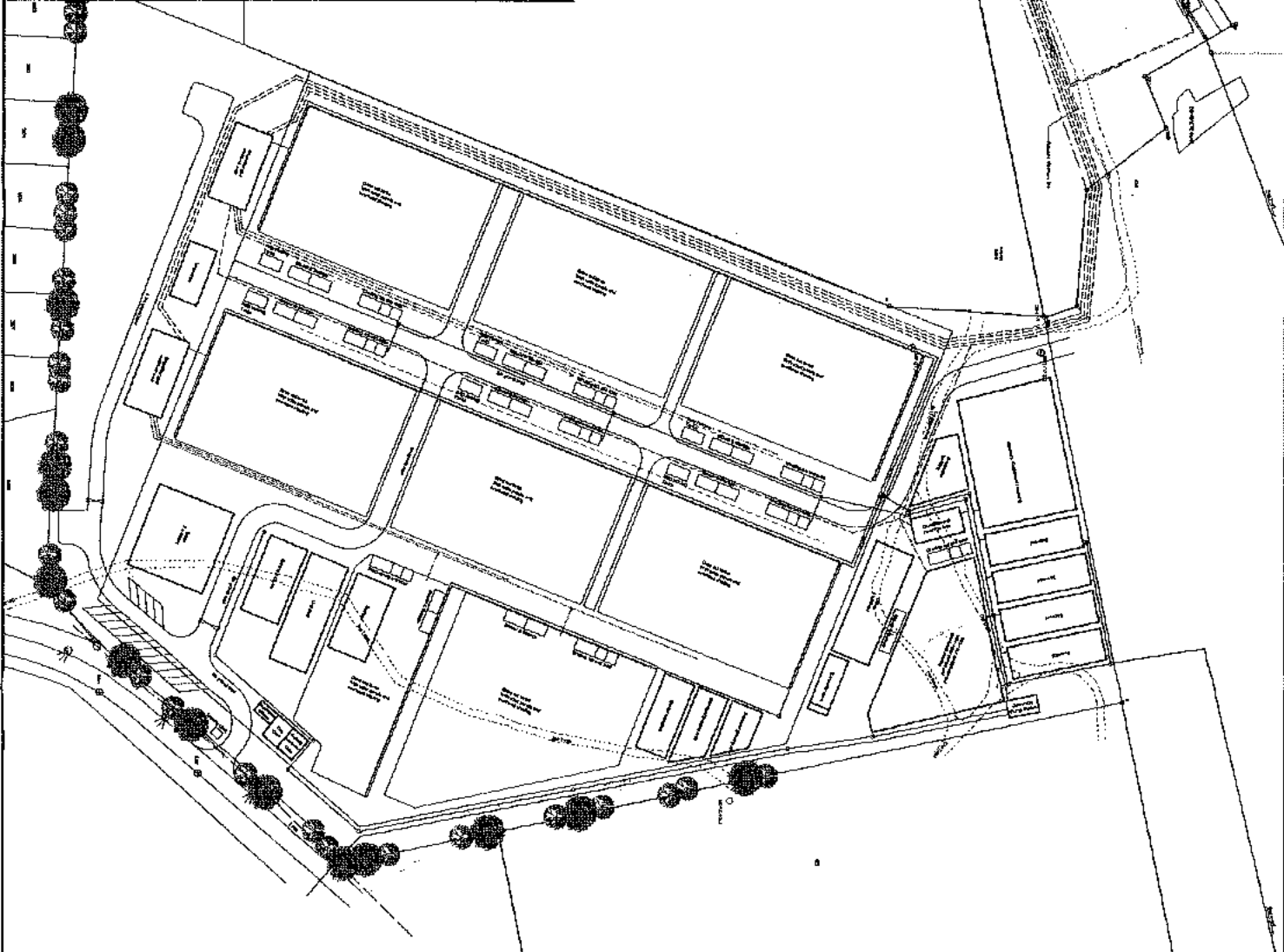
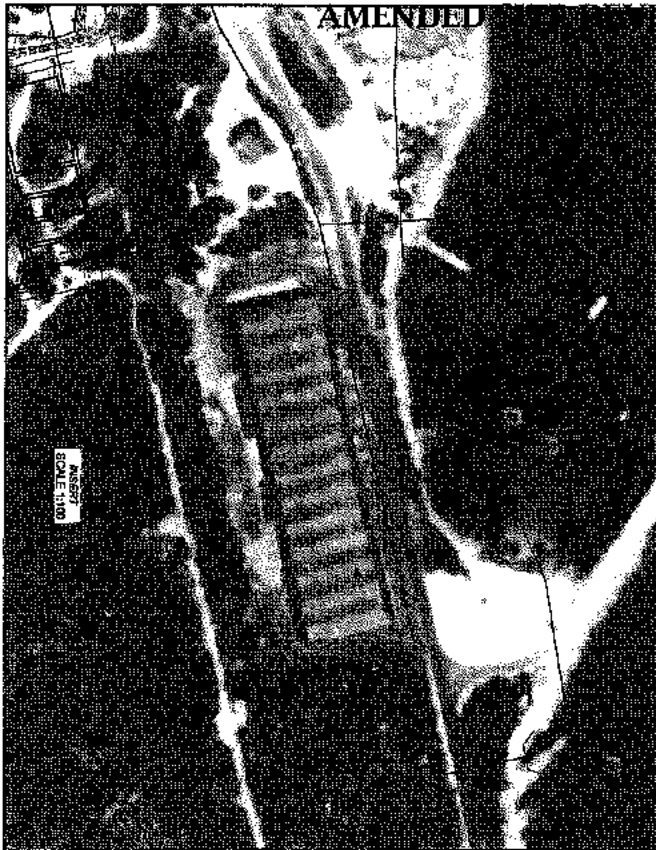
ALL DISTANCES APPROXIMATE
AND SUBJECT TO SURVEY

DRAWN PLAN NR./NO.

P.A GANS3819SDP3.DRW

DATE: DECEMBER 2011

Area	Description	Area (m ²)
Proposed Land Use	Proposed Land Use	8450 ± 1780m ²
Administrative Hub	Administrative Hub	± 2110m ²
Staff Area	Staff Area	± 870m ²
Hatchery, Growout Seaweed Culture & Associated Infrastructure	Hatchery, Growout Seaweed Culture & Associated Infrastructure	± 4370
Workshop	Workshop	± 670m ²
Parking Area	Parking Area	
Internal Road	Internal Road	
Access point	Access point	



<p>DATE: APRIL 2015 PLAN NUMBER: B0146207 PROJECT: PROPOSED JAGLAIVE PARK ENV SITE DEVELOPMENT (AMENDED)</p>		<p>CLIENT: Atlantic ATLANTIS PROJECT: PROPOSED JAGLAIVE PARK ENV SITE DEVELOPMENT (AMENDED)</p>		<p>ENGINEER: [Logo] PROJECT: PROPOSED JAGLAIVE PARK ENV SITE DEVELOPMENT (AMENDED)</p>		<p>SCALE: 1:500 (A3) DATE: APRIL 2015 PLAN NUMBER: B0146207</p>		<p>NOTES</p>	
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**PROPOSED REZONING, CONSENT
USE & AMENDMENT OF THE
STRUCTURE PLANS**

ERF 3819 GANSBAAI

**DIVISION: CALEDON
OVERSTRAND MUNICIPALITY**

MOTIVATION REPORT

1. BACKGROUND

M.I. Survé, on behalf of Premier Fishing SA (Pty) Ltd, the owners of erf 3819 Gansbaai, has instructed the companies Spronk & Associates Inc. and Plan Active to apply for the rezoning, consent use and departure of erf 3819 Gansbaai.

Erf 3819 Gansbaai is 5,9960ha in extent and is held by title deed number T31564/2011. Premier Fishing has an existing abalone farm with a sustainable work force situated on adjacent erf 1727 Gansbaai and a history in the aquaculture field. Premier Fishing has for some time been trying to obtain additional land on which to expand their current operation. Erf 3819 Gansbaai is ideally situated both strategically and geographically for an expansion of their existing operation. Premier Fishing successfully tendered and obtained the subject property from the Overstrand Municipality in November 2010. The tender was awarded with the aquaculture and related structures included in Premier Fishing's development proposal. The subject property is however zoned "Undetermined" and the Overstrand Municipality stipulated in their decision to subdivide and transfer the land that the onus remain on the developer (i.e. Premier Fishing) to obtain the necessary development rights prior to commencement of the development. This application proposes to obtain the necessary development rights to establish the aquaculture farm and related structures on erf 3819 Gansbaai.

Premier Fishing has been in operation since 1952 and is the largest black controlled fishing company in the South African Fishing Industry. Premier Fishing has long term fishing rights in South Coast and West Coast Lobster, Pelagic and Squid, as well as the existing abalone farm in Gansbaai (Atlantic Abalone). Premier Fishing has achieved notable success with the processing of fish by-products into an organic fertilizer called Seagro, which has been used by horticulturalists for decades.

2. APPLICATION DETAILS

Application is made in terms of:

- Section 17 of the Ordinance on Land Use Planning, Ordinance 15 of 1985 for the rezoning of erf 3819 Gansbaai, from Undetermined Zone to Agriculture Zone;
- Clause 4.7 of the Zoning Scheme Regulations promulgated under Section 8 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) for the consent use of erf 3819 Gansbaai to allow erf 3819 Gansbaai to be developed and used for aquaculture purposes;
- Section 4 of the Ordinance on Land Use Planning, Ordinance 15 of 1985, for the amendment of the structure plans.

3. DESIRABILITY

3.1 PROPERTY DESCRIPTION

The subject property is situated south-west of the Gansbaai town, south of the existing Gansbaai Harbour. Please refer to the locality plan and aerial photograph attached. Erf 3819 Gansbaai is adjacent to Premier Fishing's existing aquaculture farm situated on erf 1727 Gansbaai, known as Atlantic Abalone. The location of erf 3819 Gansbaai next to Atlantic Abalone provides an ideal opportunity for Premier Fishing SA (Pty) Ltd to expand their existing Abalone Farm.

3.2 ZONING

Erf 3819 Gansbaai was subdivided from the municipal commonage, erf 210 Gansbaai. Erf 3819 Gansbaai is therefore zoned Undetermined Zone.

Surrounding properties are zoned Undetermined Zone, Industrial Zone, Single Residential Zone, General Residential Zone, Harbour Development Zone and Authority Zone purposes.

3.3 LAND USE

Erf 3819 Gansbaai is vacant.

Land uses that surround erf 3819 Gansbaai are two developed abalone farms, the Gansbaai Harbour (and related land uses), industries, vacant land, residential areas and private and public roads. It is therefore evident that erf 3819 Gansbaai is surrounded by mixed land uses. The predominant land uses adjacent to erf 3819 Gansbaai include abalone farming and fishing industries.

Please refer to the Current Land Use, Zoning and Community Facilities Plan (Overstrand Growth Management Strategy, Oct 2010) attached.

3.4 PROPOSAL

- The rezoning of erf 3819 Gansbaai, from Undetermined Zone to Agriculture Zone in terms of Section 17 of the Ordinance on Land Use Planning, Ordinance 15 of 1985;
- The consent use of erf 3819 Gansbaai in terms of Clause 4.7 of the Zoning Scheme Regulations promulgated under Section 8 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985), to use erf 3819

Motivation report

Gansbaai for aquaculture purposes;

- The amendment of the structure plans in terms of Section 4 of the Ordinance on Land Use Planning, Ordinance 15 of 1985.

The owners of erf 3819 Gansbaai obtained the subject property to expand their current abalone operations in Gansbaai. The intention of this expansion would be to develop erf 3819 Gansbaai into a full cycle farming and production facility for *Haliotis Midae* (abalone).

Consequently application is made for the rezoning of erf 3819 Gansbaai from Undetermined Zone to Agriculture Zone. Aquaculture is however not listed as a primary right on an Agriculture Zone property, as a result application is also made for the consent use of erf 3819 Gansbaai to establish aquaculture activities (a full cycle farming and production facility for abalone) on the subject property.

The proposed Abalone farm will consist of the following land uses:

SECTOR	LAND USE	AREA
PARKING AREA	Parking	±1763m ²
ADMINISTRATIVE HUB	Five offices	±2318m ²
	Reception	
	Lavatories	
	Kitchen	
	Board room	
	Store room	
STAFF AREA	Staff locker room: Gents	±879m ²
	Staff locker room: Ladies	
	Staff tea room	
	Ladies & gents lavatories	
HATCHERY, GROWOUT, SEAWEED CULTURE & ASSOCIATED INFRASTRUCTURE	Broodstock	±4,3ha
	Larval rearing	
	Pre settlement	
	Pre Weaning	
	Weaning	
	Kelp tanks	
	Blower rooms	

Motivation report

	Grading rooms	±674m ²
WORKSHOP	Feed store	
	Chemical store	
	Generator rooms	
	Electrical control room	

Please refer to the Schematic Site Development Plan attached.

The full cycle abalone facility will entail the **phased construction** of a hatchery, holding tanks, seaweed tanks, blowers and fans, a pump house, grading rooms, offices and staff area. The hatchery will be developed in accordance with standard industry practices and include a settlement area and weaning area. The envisaged hatchery will have the capacity to provide spat to the new farm and Premier Fishing's existing farm, Atlantic Abalone. In addition to this, the hatchery could also provide excess juvenile abalone as an additional business income to other abalone farms that have a shortage. Alternatively, if ranching were to be considered, juvenile abalone could be provided if excess was available.

It is envisaged that the new farm will have approximately 1700 holding tanks for the juvenile and maturing abalone, which will cover the largest portion of the property. These will be constructed locally out of vinyl with wooden frames. This construction method has been used successfully on the Atlantic Abalone farm, as well as in other abalone farms around South Africa. The tanks will be serviced by blowers and fans which are an integral part of the Animal Husbandry process. The blowers and fans greatly assist in the maintenance and improvement of the aeration of the holding tanks.

Seaweed Tanks will be constructed and placed below the holding tanks. The effluent water will be gravity fed into the seaweed tanks. The seaweed acts as a natural filter, extracting effluent nutrients and particulates thereby cleaning the water. This filtered water is then pumped back into the ocean at a designated outlet area. The seaweed is also harvested and used as a valuable source of food for the growing abalone. This reduces running costs and helps to create a more self-sufficient and sustainable farm.

An abalone farm of ±6ha will produce in excess of 120 tons of abalone per annum.

Motivation report

Premier Fishing currently exports the majority of the abalone harvest to various parts of Asia. The abalone is exported in various forms: live, dried, canned and frozen. The processing of the abalone is currently outsourced to various local processing plants. Premier Fishing proposes to continue to outsource the processing of the abalone as this will enable them to concentrate and focus on the delicate process of cultivating abalone. However, Premier Fishing is investigating the possibility of processing the abalone themselves on the subject property and therefore the processing component should not be left out completely. The processing of the abalone can also be seen as an ancillary activity and therefore we are of the opinion that the processing facility can also be accommodated within the proposed land use rights.

The proposed agriculture zoning with a consent use for aquaculture makes provision for directly ***related and necessary ancillary facilities***. The administrative hub, staff area, workshop and parking area are considered directly related and ancillary facilities to the proposed abalone farm. All the aforementioned facilities will be situated on the southern portion of the site. This is the highest point of the site, which slopes from south-west to north-east. Positioning the offices and staff area here allows easy access to both the existing and new abalone farms. It also allows management and staff to view the entirety of both farms. This has both security benefits and labor management benefits. It should be noted that the areas specified for the ancillary facilities are not necessarily the sizes of the proposed structures to be constructed on the subject property. Please refer to the site development plan attached.

Premier Fishing proposes a five-phase development of erf 3819 Gansbaai which is estimated to take between 34 to 36 months to complete. A ***phased development*** will enable Premier Fishing to stock developed tanks with juvenile abalone and start the growing out of process while the remaining phases of the development are completed. This will help to eliminate the time lag between the completion of the farm and the cash flows from the sale of the abalone. Phases 2 through 5 will involve the development of individual platforms on which the holding tanks and Gracilera seaweed tanks will be erected. Each platform can run independently from one another. This allows Premier Fishing to stock the first platform immediately on its completion while the remaining platforms are being developed. Please refer to the diagram below as well as the descriptions of the phases attached.

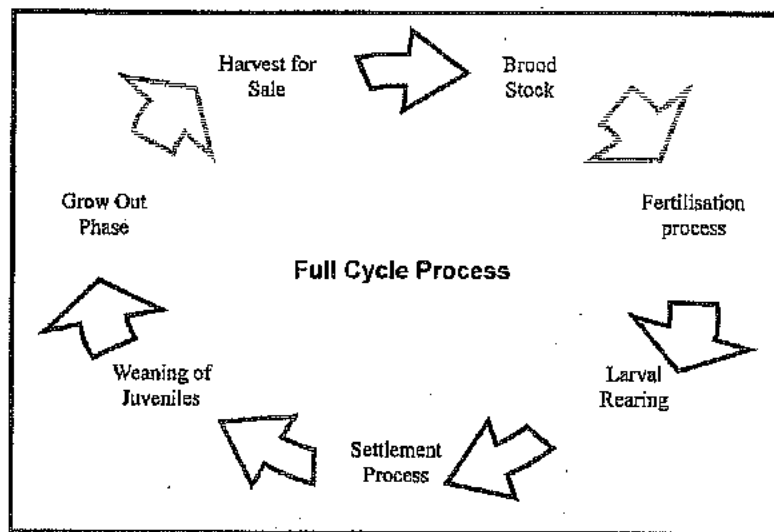


Diagram B: Flow chart depicting the Full Cycle Process

The site development plan (attached) takes careful consideration of the aspect of the land, the locality of the Gansbaai Harbour, the sea, the neighbouring abalone farms and the residential development that immediately surround the proposed development. As per the Site Development Plan the southern, south-eastern, eastern and a small portion of the western boundaries will be landscaped to create a buffer zone / greenbelt. In this buffer zone, directly adjacent to the electrified boundary fence, indigenous trees will be planted among the existing fynbos to create a more aesthetically pleasing development when viewed from the outside.

All **buildings** will be constructed from brick and plaster. The walls will be painted white and the corrugated roofs will be painted green. The holding tanks will be laid out in a neat block formation divided up into quadrants indicated in the Tank Layout Diagram. A shade net will be installed over the tanks. This will be kept in position by a structure constructed from rural green tanelith treated poles, which complement the surrounding landscape. The blower rooms, which house the air pumps, will be positioned away from the residential area. The existing pump house is on the far western side of the Atlantic Abalone farm and an extension of this will not negatively affect the neighbouring properties and are out of sight from the residential development that borders the proposed new plant. The proposed abalone farm will have 24-hour security and external patrols and constant monitoring. This will help to uplift the current security in the immediate area.

Premier Fishing SA (Pty) Ltd is registered with the Department of Fisheries and

currently has a permit to engage in marine aquaculture activities.

Detail planning for the layout of the proposed abalone farm is not available yet. It should be noted that the extent of the areas indicated for the various land uses does not necessarily represent the extent of the buildings to be constructed. Subsequently the exact amount of parking bays that should be provided cannot be determined as yet. Parking for the proposed development will be provided in accordance with the Overstrand Parking Regulations at 6 parking bays per 100m² Gross Lettable Area (GLA) for the administrative hub and staff area, and 2 parking bays per 100m² GLA for the workshop.

The Gansbaai Zoning Scheme stipulates that a 10m building line applies to Agriculture Zone properties with an extent of 10ha and smaller. The site development plan makes provision for 10m building lines; consequently a building line relaxation is not required.

The rezoning and consent use application should also be accompanied by an amendment of the structure plans application. Please refer to **Section 3.8 Forward Planning** for more information pertaining to the amendment of the structure plans.

The proposed rezoning, consent use and amendment of the structure plans will have a minimal impact on the surrounding properties. Erf 3819 Gansbaai is undoubtedly situated in a mixed land use area and the proposed application for erf 3819 Gansbaai is only following the existing land use / development trends in the area. The proposed land uses are not associated with attracting high traffic volumes and will not amount to high levels of noise pollution in the area. The proposed rezoning, consent use, departure and amendment of the structure plans will therefore not have a negative impact on the surrounding erven.

The proposed rezoning, consent use and amendment of the structure plans are not in contrast to the existing land uses tendencies in the surrounding environment and we therefore do not foresee any problems with the proposed application.

3.5 SOCIAL IMPACT

One of the major positive ramifications of the development of Erf 3819 Gansbaai would be the employment opportunities created in this rural area. At least 150 additional direct work opportunities would be created; each of these persons is more than likely supporting families locally and in other surrounding areas. The additional work that would indirectly be created during the establishment, construction and operating phases is also of major significance to employment opportunities within the area.

3.5.1 *Local Employment*

With the proposed expansion of the Atlantic Abalone farm onto the adjacent land, Premier Fishing envisages that local employment will be stimulated both directly and indirectly. Full time staff will be employed on the farm while the outsourcing of the civil works, security and the processing of the abalone to local businesses will create spillover effects and will indirectly lead to increased employment opportunities in the Gansbaai area.

3.5.1.1 *Direct employment of farm employees*

When the farm is fully operational Premier Fishing expects to employ over 150 workers from the immediate area. Employment will be staggered over the first three to four years in line with the phased development of the farm. Initially 10 employees will be employed to run and operate the hatchery. These new employees will be trained by the existing staff at the Atlantic Abalone farm thereby acquiring the knowledge and skills to successfully operate the new farm. As the development of the farm continues, more labour will be required to work on the holding tanks. Existing staff at the Atlantic Abalone farm will also train these employees.

The initial labour required in the first phase of the development will be employed and trained at Atlantic Abalone while the construction of the hatchery and holding tanks is taking place. This will enable a completion of the skills transfer to coincide with the commencement of operations in the new hatchery.

The additional employees to be employed in the latter phases of development will be trained up in the same way as the initial employees. This will help to ensure the

success of the skills transfer process as the new employees will be trained by the experienced employees on the existing farm. Casual labour will be used from time to time as the operation of the new farm may require.

3.5.1.2 Indirect Effects on Local Employment

There are a number of indirect effects on local employment that will be experienced by various business sectors within the Gansbaai and Overstrand areas. This will be due to the construction of the new farm and the outsourcing of various services and processes required by the new farm.

a) Security on the Farm

Security on the farm is of great importance to the success and viability of the activity. Security will be outsourced to a local security business thereby stimulating employment of security personnel. Currently the Atlantic Abalone farm has 8 security personnel. It is envisaged that the expansion of the farm would require an additional 8 to 10 security personnel to adequately protect the farm.

b) Processing of Abalone

Atlantic Abalone currently outsources the processing of their abalone harvest. This is outsourced to local businesses in the Gansbaai area. With the proposed new expansion of the farm, Atlantic Abalone will continue to outsource the processing thereby further stimulating the employment of local labour in the Gansbaai area.

c) Kelp Harvesting

The proposed new expansion of the farm will require a large amount of kelp to be harvested to feed the growing abalone. Specialized companies in the Gansbaai area do the harvesting of the kelp. These companies will benefit from the increased demand for their product and thereby stimulating employment further.

d) Artificial Feed

Atlantic Abalone currently purchases artificial feed from a local supplier in the Gansbaai area. This supplier will benefit from the increased demand for the artificial feed from the new expansion of the farm.

3.6 ACCESS

A 10m wide ring road will be constructed around the entire perimeter of the farm. This will facilitate ease of movement around the farm and increase the size of the buffer zone.

The proposed abalone farm will have two access points. The proposed access points will be situated in the south-eastern and north-western corner of the subject property. Please refer to the site development plan attached. The south-eastern access point will be the main access point for employees and visitors. All deliveries and trucks carrying the abalone to the processing plants will also make use of the access through the existing farm. The aforementioned access point connects to an existing road travelling to the adjacent Township. The north-western access point gives direct access to the adjacent abalone farm (Atlantic Abalone) on erf 1727 Gansbaai also owned by Premier Fishing (Pty) Ltd.

3.7 SERVICES & CLEAN WATER SUPPLY

All services will be provided to the satisfaction of the Overstrand Municipality.

The Atlantic Abalone farm (on erf 1727 Gansbaai) already has an existing pump house and designated suction area in the sea on the western side of the farm. This water supply can be expanded and extended to accommodate the proposed development on the adjacent erf 3819 Gansbaai. This will require the extension of the existing pump house and the laying of additional pipelines to supply water to the new farm. This will be a simple and cost efficient manner in which to supply clean water to the proposed abalone farm on erf 3819 Gansbaai.

A constant supply of clean, non-contaminated seawater is required for the successful farming of abalone. Premier Fishing's existing pump houses and intake areas have been strategically positioned to ensure that they receive the cleanest water possible. The point of effluent drainage will also be strategically positioned away from the intake areas and directly into kelp beds for two important reasons, namely:

Motivation report

- This allows the particulate matter in the effluent to be absorbed by the kelp;
- To avoid re-supply of effluent water back onto the abalone farm.

Premier Fishing's existing sea water supply area has, with minor alterations, the capacity to provide the newly proposed farm with the required water. The advantage of being able to utilize the existing pump house and water supply channel makes this the ideal site from which to pump water to the proposed new abalone farm. With a concession granted from the Department of Public Works the main supply lines can be laid across land forming part of the Gansbaai Harbour, to the North West corner of the site. The GRP supply lines will run from the North West corner of the site, up the length of the Western boundary. From here two main supply lines will feed from West to East across the width of the site. Secondary supply lines will be installed running South to North through the four platforms of holding tanks that have been created. Premier Fishing's existing water supply and abalone health are regularly monitored by the SABS. In addition to this Atlantic Abalone belongs to an abalone health monitoring programme. Both these requirements and services ensure that both the quality of the water and the abalone health are of a high standard and disease free.

The existing electric cable running over the subject property will be moved to accommodate the proposed development on the subject property.

3.7. ENVIRONMENTAL IMPACT ASSESSMENT

The environmental concerns associated with the subject property will be fully addressed in the environmental impact assessment undertaken by EnviroAfrica Environmental Services for the proposed development.

3.8 HERITAGE VALUE

The heritage concerns and possible listed activities triggered in terms of Section 38 of the National Heritage Resources Act will be addressed in the Environmental

Impact Assessment application. Heritage Western Cape will be informed of the proposed application during the first public participation phase of the EIA application. Additional studies (if required) will be undertaken on request by Heritage Western Cape.

3.9 TITLE DEED

The title deed T31564/2011 has no restrictions that need to be removed in order for this application to be approved.

3.10 FORWARD PLANNING

The draft Overstrand Spatial Development Framework earmarks erf 3819 Gansbaai for industrial extension purposes (service industrial relating to fishing and mariculture). Please refer to the Spatial Proposals Plan attached. The Greater Gansbaai Spatial Plan (structure plan) earmarks erf 3819 Gansbaai for medium to high-density residential purposes. Although the proposed land use is in contrast to the existing spatial planning guidelines for the area, we believe that the application to amend the structure plans can be favourably considered because:

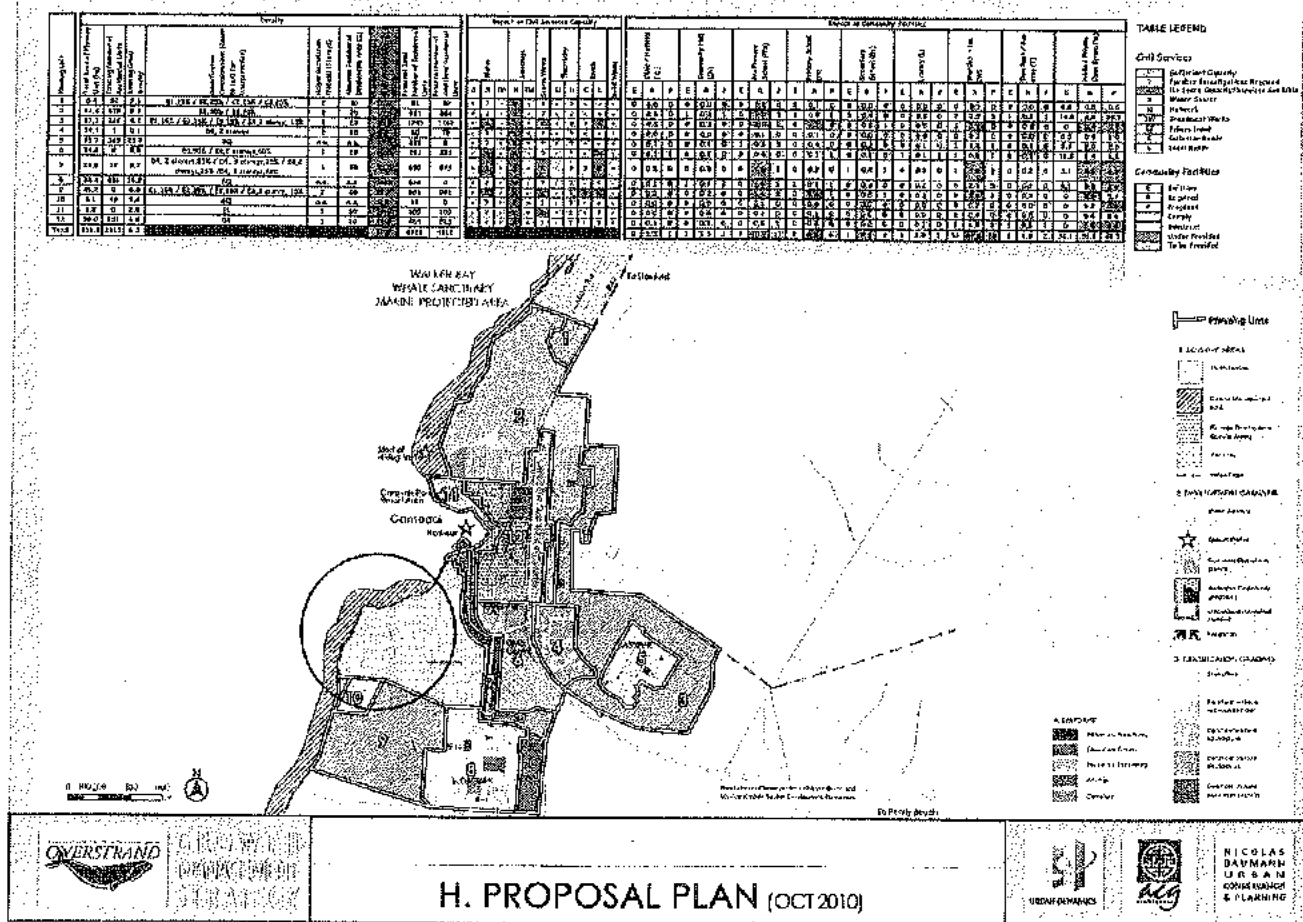
- Although erf 3819 Gansbaai is situated in a mixed land use area, the predominant land use adjacent to and north of the subject property is for abalone or fishing related purposes.
- Although the proposed zoning for erf 3819 Gansbaai will be Agriculture Zone, the proposed abalone farm will fit in with similar land uses adjacent to and north of the subject property.
- The Overstrand Municipality recently approved a new industrial area east of the existing industrial area for future industrial extension in the Gansbaai area. The new industrial area therefore meets the need for more industrial erven in Gansbaai. Amending the structure plan to change the land use of erf 3819 Gansbaai to Agriculture will therefore not contribute to a shortage of industrial erven in Gansbaai.

Motivation report

- Furthermore, even though a new industrial area was already established for Gansbaai, there are still a few vacant industrial erven in the "old" industrial area.
- The White Paper on Sustainable Coastal Development in South Africa provides that those activities dependent on a coastal location should, in respect of access to the sea, enjoy preference over those that are not. The proposed abalone farm on erf 3819 Gansbaai will support sustainable coastal development.
- Gansbaai is a working / fishing harbour and this activity should be protected. The proposed zoning and land use for erf 3819 Gansbaai will protect the town's character and will contribute to the livelihood of the Gansbaai community.
- The development proposal for erf 3819 Gansbaai will lead to economic growth and development, which will stimulate the creation of jobs on a sustainable basis.

The Overstrand Municipal Growth Management Strategy (OMGMS) indicates that erf 3819 Gansbaai is included in an area earmarked for local economic opportunity. Please refer to the plan of Gansbaai as included in the OMGMS. The proposed rezoning of erf 3819 Gansbaai from Undetermined Zone to Agriculture Zone therefore adheres to the growth management policy for the Gansbaai area.

Motivation report



(Source: OMGMS, 2010)

4. **RECOMMENDATION**

When this application is evaluated it is important to take note of the following:

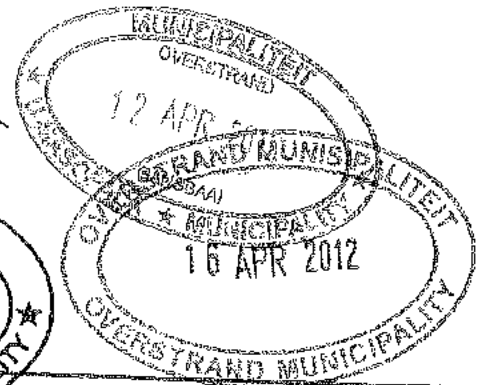
- The proposed development will be in accordance with the tender specifications as determined by the Overstrand Municipality;
- The proposed rezoning, consent use and amendment of the structure plans of erf 3819 Gansbaai falls within the existing planning for the Gansbaai area;
- The proposal is compatible with the existing built character of the area;
- The proposed development will benefit the work force of the local community as employees are required to operate the farm from the early stages and not only once the farm is completely developed;
- The proposed development will promote towards the social upliftment and economical growth of the Gansbaai area;
- The impact on the traffic and services will be kept to a minimum;
- The proposed rezoning, departure and amendment of the structure plans will not have a negative impact on the current character and land values of the surrounding erven.

With regards to the above mentioned it would be appreciated if Council would recommend the rezoning, consent use and amendment of the structure plans application for erf 3819 Gansbaai for approval by the Department of Environmental Affairs & Development Planning.

(S van der Merwe)
I le Roux



WRIGHT APPROACH CONSULTANCY



Our Reference: 12/017

10 April 2012

The Municipal Manager
Overstrand Municipality: Gansbaai Administration
PO Box 26
GANSBAAI
7220

Attention: Mr S van der Merwe

FILE NO:	ERF 3819 GB
SCAN NO:	
COLLABORATOR NO:	

ERF 3819, GANSBAAI: APPLICATION FOR AMENDMENT OF THE GREATER GANSBAAI SPATIAL PLAN, AMENDMENT OF THE OVERSTRAND INTEGRATED SPATIAL DEVELOPMENT FRAMEWORK, REZONING AND CONSENT USE

1. The application for the above, and your letter dated 9 March 2012 has reference. We have been instructed by our client, Mr Stuart Kermode, to submit the following comments on his behalf, regarding the proposed development. Mr Kermode is the owner of Erven 3825, 3835 and 3851, Gansbaai which is located in the residential development of Kolgansbaai. Our client has raised the following issues that are of concern.
2. The vegetation on the property is Overberg Dune Strandveld, a vegetation type that typically contains milkwood trees. It is not indicated if there are any milkwood trees located on the property and if so, how they will be accommodated within the proposed development. Erf 3819, Gansbaai (hereafter referred to as the application area) is situated on a dune. What will the impact of the vegetation removal be on this specific dune system? The possibility exists that sand will be blown into the Kolgansbaai residential estate. How will this be prevented?
3. All buildings related to the management of the proposed farm are located on the highest point on the property. A concern therefore exists regarding the visual impact of these buildings. In the application it is stated that all buildings will be constructed from brick and that the walls will be plastered. It is also stated that buildings will be painted white and that the corrugated roofs will be painted green. However, no indication is given, or plans supplied, that illustrate the architectural style of the buildings.

* Municipal legislation and procedures • Property development planning • Property development law • Project facilitation • Urban planning • Body corporate management.

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Email: wrap@felkomsa.net • Web: www.wrapgroup.co.za

Wright Approach Investments 136 CC Reg No CK 2002/06075/23

Handwritten signature and date: S van der Merwe 10/4/2012

4. It is our client's proposal that the buildings planned for the farm, be located next to the existing buildings on Premier Fishing's existing abalone farm. It is furthermore proposed that buildings be limited to a height of 7.8 meters.
5. What assurance can be given that no other future development will take place on the property (in the form of commercial development, etc)? In the Overstrand Municipal Wide Spatial Development Framework (the SDF) a portion of the application area has been designated for industrial development. However, the SDF also indicates that a residential buffer of at least 44 meters must be maintained between the existing Kolgansbaai development and future industrial developments. This buffer is not maintained in the development proposal as only a buffer of approximately 11 meters is maintained. It can also be argued that this is not an effective buffer area as it is an internal access road for the proposed development. Our client therefore requests that the site development plan be amended to reflect the buffer area as proposed by the SDF and that a vegetated buffer be provided with no land use activities located therein.
6. Considering the elevation of the application area, a lot of excavation will have to take place in order to create a flat enough area for the operations of the abalone farm. The elevation of the application area with regard to the ocean should also be considered as water for the abalone will have to be pumped to this elevation. One therefore has to ask the question if the site is suitable for a development as proposed in the application?
7. Noise impact is a great concern for our client. Should the administrative buildings, etc be located at their current location, how will they be orientated? If the entrances to these buildings are to the south, the movement of staff to and from the buildings will create a disturbance to the residential erven located on the southern boundary of the application area. It is furthermore indicated on the site development plan (SDP) that the workshop will also accommodate generator rooms. How will these rooms be soundproofed? Will the generators run continually? Where will the loading area be for delivery trucks? It is not indicated on the SDP and our client requests that this area be located as far away from the residential erven in the south as possible. Will there be any internal pumps that will circulate water? If so, where will they be located and what measures will be put in place to ensure that they do not cause a disturbance? These are issues that need to be addressed by the applicant.
8. Our client also stressed the fact that there is no time limit with regard to the erection of dwellings on the Kolgansbaai estate. The majority of erven can therefore remain vacant for an indefinite time. As the prevalent summer wind is from the southeast, a serious fire hazard exists for the proposed buildings on the application area.



We trust that you will find the above in order. Should you require any additional information, please do not hesitate to contact this office.

Yours faithfully

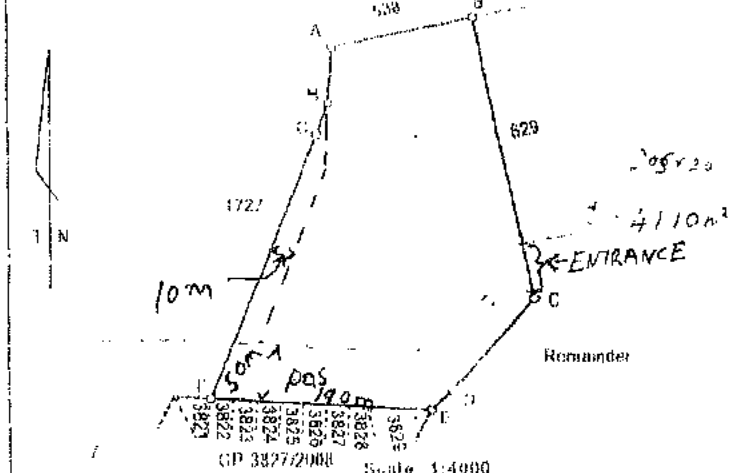
A handwritten signature in black ink, appearing to be 'J. Pienaar', is written over a horizontal line.

JOHANN PIENAAR
B.Art et Scien (Pr.Pl'n A/125/2009)

SIDES Metres	ANGLE OF DIRECTION	CO-ORDINATES		S.B. No. 4416/2010		
		Y System: WG19' X	± 0,00			
	Constants:		± 0,00			
AB	120,19	258 23 40	A	31 176,92	+3829 102,30	Approved <i>[Signature]</i> 101 SURVEYOR GENERAL 2010.12.15
BC	246,97	348 20 50	B	31 297,59	+3829 077,52	
CD	104,69	40 47 40	C	31 147,47	+3829 319,40	
DE	24,59	47 28 20	D	31 279,07	+3829 398,66	
EF	189,30	03 05 30	E	31 260,95	+3829 415,28	
FG	246,06	201 55 20	F	31 071,93	+3829 405,07	
GH	28,75	201 00 50	G	31 183,41	+3829 177,72	
HA	48,69	183 46 50	H	31 173,72	+3829 150,88	
	Danger Point No 7	Δ	30 495 51	+3829 420,48		
	Romansbaai New No 227	Δ	30 825 89	+3834 017,32		

Description of Boundaries:

- B, C, D, F : 12mm Round Iron Peg
- A : Hole in rock
- G, H : Wooden Fence Post in concrete
- E : 12mm drill hole in concrete



The figure represents 5,9960 hectares of land being erf 3819 (a portion of erf 210) Gansbaai situate in the Overstrand Municipality Administrative District of Caledon Province of Western Cape
 Surveyed in September 2010 by me P.L. Spronk Professional Land Surveyor Registration Number PLS-0779

I HEREBY PRODUCE THIS PLAN IN ACCORDANCE WITH THE PROVISIONS OF ACT 15 OF 1975
 SECTION 27(1)(a)

APPROVED IN TERMS OF SECTION 28 OF ORD. 157/1986
 REF. AK-44-2010-008
 DATE 28 October 2010

This diagram is annexed to No. d d r. l u Registrar of Deeds	The original diagram is S.R. No. 1890/1937 Transfer 1938 25 19083 Grant	File S/2326 S.R. 1943/2010 G.P. D. Plan 1890/37 Comp. A1-5BCB(3410) A15B-4392(M4139) T.P.1: 00130009 Erf 3819 Gansbaai
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KOLGANSBAAI HOMEOWNERS ASSOCIATION (S vd Merwe)

P O Box 278
Gansbaai, 7720

Tel 028 3841924
0827833030
Fax 0866773765
frikm@vodamail.co.za

20 Maart 2012

Die Munisipale Bestuurder
Aandag Mnr S vd merwe
Munisipaliteit Overstrand
Posbus 26
Gansbaai.7220



ERF 3819, GANSBAAI : AANSOEK OM WYSIGING VAN DIE GROTER GANSBAAI RUIMTELIKE PLAN, WYSIGING VAN DIE OVERSTRAND GEÏNTEGREERDE RUIMTELIKE ONTWIKKELINGSRAAMWERK, HERSONERING EN VERGUNNINGSGEBRUIK

Met verwysing na u bogenoemde kennisgewing van 8 Maart 2012 word u versoek om aandag te gee aan die inhoud van die aangehegte besluit van die Kolgansbaai Huiseienaars Vereniging, soos deur die Trusteës goedgekeur op 12 Mei 2011 en bevestig op 'n algemene jaarvergadering op 18 November 2011. (Erwe 3821 tot 3870)

Hierdie kommentaar is van toepassing op die wysiging van die Gansbaai Ruimtelike Plan, die wysiging van die Overstrand Geïntegreerde Ruimtelike Ontwikkelingsraamwerk, Hersonering en Vergunningsgebruik.

Die Uwe

F vd Merwe

pp Trusteës, Kolgansbaai Homeowners Association

FILE NO:	EL 3819 9B
SCAN NO:	
COLLABORATOR NO:	335134

Handwritten notes and stamps at the bottom right corner, including a date stamp '2012/03/20'.

Extract from the minutes of a meeting of the Trustees of the Kolgansbaai Homeowners Association dated 12 May 2011 held at Gansbaai and confirmed at the Annual General Meeting of the Association held at Gansbaai on 18 November 2011.

At a meeting of the Trustees of the Kolgansbaai Homeowners association dated 12 May 2011 the sale of Erf 3819, adjacent to the development, and the possible extension of the Atlantic Abalone farm onto this land was discussed.

It was concluded that the utilisation of erf 3819 for abalone farming is considered to be non compatible with the residential use of Kolgansbaai Estate.

Support of the proposed development, by the Association will however be considered if the following existing and future factors are addressed and resolved satisfactorily during the Environmental Impact Assessment, the subsequent Record of Decision and the Rezoning procedure.

- 1) The establishment of a 50 meter open space buffer zone with a visual barrier in the form of an indigenous planted berm between beacons E to F and a similar zone of 5 to 10 meters on the seafront between beacons F,G, H and A as depicted on the SG diagram(attached)
- 2) The nature, location, use, aesthetics (design, colour, roofing material) and visual impact of all future buildings must be agreed on (see attached Council approved development guidelines for Kolgansbaai)
- 3) All access and egress to and from the site (including vehicle and personnel) should be taken at a point between beacons B & C.
- 4) No processing of abalone or any other product should be done on site and provision must be made that no offensive odours will be generated on the site.
- 5) Noise generated by the existing and future operation, including vehicles, personnel and any equipment, such as, pumps and blowers must be adequately controlled to prescribed decibel levels.
- 6) Adequate provision must be made for services such as water, electricity, waterborne sewerage, or storm water disposal and processing of any polluted and/or effluent water generated by the operation. All cabling must be underground. Provision, capacity and availability of bulk services by the local authority must be confirmed by professional engineers.
- 7) The nature, design and quality of material of any fencing must be aesthetically acceptable and be specified.

Environmental implications such as pollution and the protection of rare species should be addressed by expert environmental consultants and the Department of Nature Conservation as part of the E. I. A process.



F vd Merwe

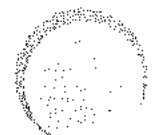
pp Trustees, Kolgansbaai Homeowners Association

KOLGANSBAAI

village

*Coastal Contemporary
Architecture*

*"An adaptation of the traditional Coastal Architecture, to a
new contemporary style"*

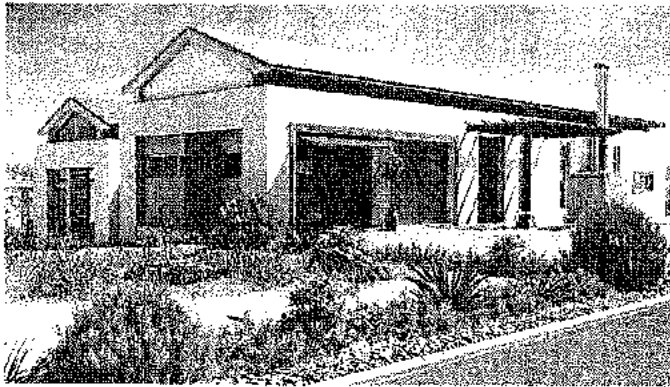


*Gansbaai nestles at the foot of Duyensfontein Mountains,
And boasts a beautiful coastline with
magnificent "Fynbos" vegetation"*



KOLGANSBAAI

village



Project Management & Facilitators



slc
property group

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E-MAIL: info@slcsa.co.za
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ADDRESS: 3 Herold Street
Stellenbosch
7600

Architectural Guidelines by

bpas

Business Process Automation Solutions

BPAS

Contents:

Kolgansbaai Village Design Guidelines Final of September 2008

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Kolgansbaai is situated on the Danger Point peninsula, which

Kolgansbaai Village Design Guidelines Final of September 2008

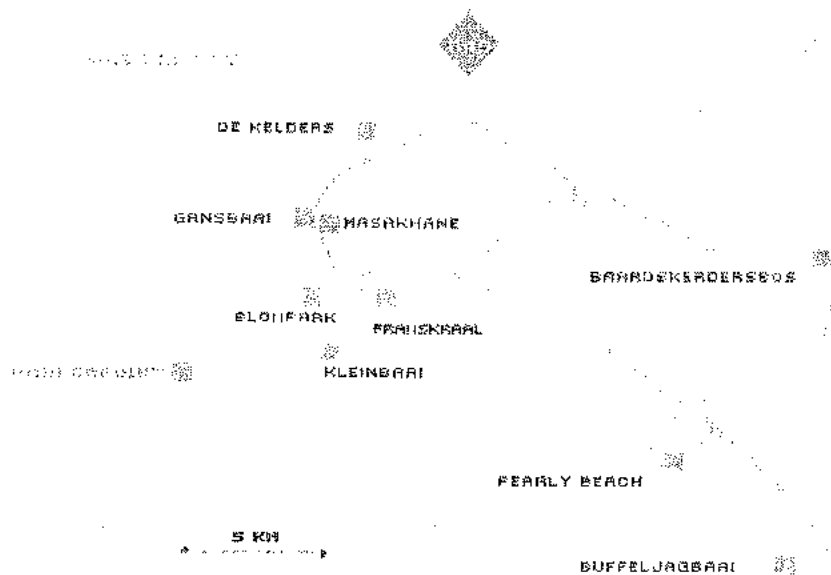
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Introduction

boasts the natural beauty of milkwood, rare fynbos (*ruschua*), west-facing beaches, and open reserves.

An area of contrast: unspoiled beaches; floral reserves; forests; rocky inlets; caves, adventure activities; striking views; and stunning sunsets.

Gansbaai is a premier destination for the active nature lover. There is an abundance of marine life, with the breeding grounds of the Great White Shark and the Walker Bay Whale Sanctuary as the two most striking examples. Terrestrial nature in the hinterland of Gansbaai is mind-blowing! Rare plants can be found in abundance in the wetlands, plains, and mountains. The history of this area is diverse and surprising: one of the world's earliest remains of modern man have been found in caves along these shores, while the coastline is a graveyard of shipwrecks. The heritage of this area can be re-visited in places such as the Klipgat Caves, the Danger Point Lighthouse, and the Strandveld Museum.



The sea and coastal environment lends itself to living spaces being sculptured with the natural environment's design tools of ocean breezes, sun decks, filtered light, verandas, and natural dune fynbos backdrops - all encapsulated onto a living courtyard with private views and living spaces with spectacular views

2. Summary of design guidelines

Kogansbaai Village Design Guidelines Final of September 2008

The basic principal of the guidelines are to retain the natural environment within the boundaries as set out in the Environmental Guideline, to ensure a harmonious environment and village lifestyle, protection of views and privacy within the contents of the architectural footprint and to encourage a sustainable architecture.

The guidelines are intended to inspire good architecture, to encourage sustainable architectural elements, and not to regulate or limit the potential of each stand. Therefore, the Architectural Review Committee (ARC) will review each plan on a merit basis and once approved, will recommend the approval of the plans to the Kolgansbaai Home Owners Association (KHOA). The ARC is appointed to ensure that not only are the guidelines observed but that the aesthetics of the proposed design are acceptable and suited to the specific sites.

It is not the intention to produce an environment of totally consistent uniformity, as this can be bland and unpleasing. It is the intention that architects (refer to definition of architects) will be motivated to create designs of excellence. In order to do this an element of freedom is present to allow the full expression of creativity and allow for variations in taste.

The implementation of the design guidelines will ensure a development within which the following aims will be achieved:

- Preserve as far as possible the current natural beauty
- Preserve views from individual erven by careful placement of buildings
- Ensure a coordinated and harmonious architecture and landscape with the minimum of environmental impact
- Enhance the investment value of the scheme as a whole
- Protect owners of established properties from haphazard / unsightly architecture

The erven on the estate have been divided into four groups depicted as Green, Brown, Blue and Yellow sites on the plan of the estate layout. These guidelines apply to all of the erven on the estate but where indicated, there are some specific guidelines for the different sites due to the topographical layout in relation to the adjacent erven.

The guidelines are supplementary to the requirements of the local Authority and the National Building Regulations.

The KHOA reserves the right to make changes to the guidelines document. This will be done to ensure that the intention of the guidelines is maintained.

3. Objective

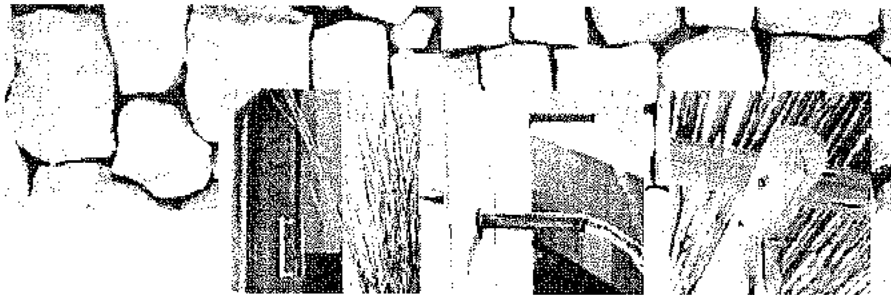
Objective

The objective of this summary is to give a clear but brief outline of what is not permitted within the development. It should be read in conjunction with the explanatory notes and diagrams in the text that follows.

Illustration and commentary is intended to guide the architect and not to be restrictive. Certain elements will not be allowed and therefore each architect must be sensitive to the goals set out in the guideline.

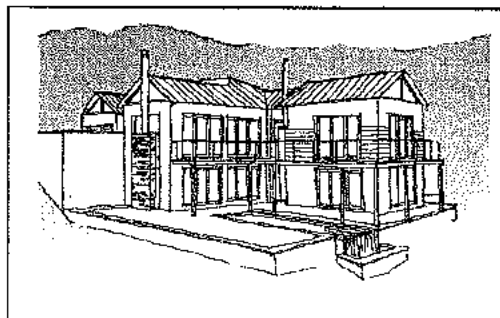
Design objectives include the following:

- Development of courtyards and patio gardens close to the home for wind protection and sunlight with a minimum of site fencing
- Creation of a soft transition between residential stands and fynbos demarcated areas
- All residential stands are adjacent to the open space, natural conservation areas, or beachfront
- Residential neighbourhoods are interconnected via the village street landscape, walkways and conservation areas
- Houses conform to site contours and embrace the landscape.
- Gardens create important microclimate with a lush effect
- Residential stands have minimum impact on the open space areas
- Consideration of the changing and seasonal climate changes
- To utilize local building material and construction skills



Design elements include the following:

- Picture Frame structures
- Roof setbacks
- Structure setbacks
- Roof forms
- Wall textures



4. Building Precincts

All erven have been planned in a similar size and the defined position of Building Precinct means it is possible to control the envelope and placement of houses. In this way, optimum views and orientation can be ensured for each house. By implementing a Building Envelope, each stand orientation has been placed with sun, views, slope and urban design in mind.

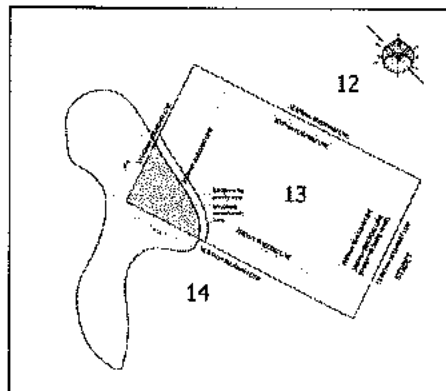
The definition of each building precinct with qualification notes for individual erven has been set in accordance with the Objective (Item 3) of this guideline.

- Precinct 1 – Blue : Beachfront
- Precinct 2 – Brown : Fynbos
- Precinct 3 – Yellow : Hilltop
- Precinct 4 – Orange : Village Square
- Precinct 5 – Green : Open spaces

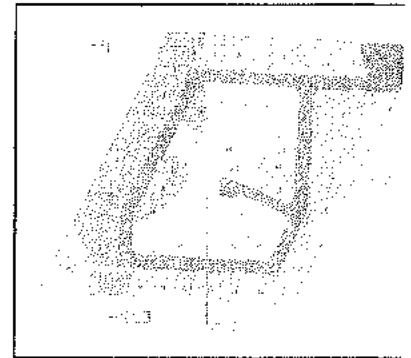
The Building Zone concept (especially when used in conjunction with no erf fences/walls) ensures the maximum fynbos between houses. Each erf has had a Building Zone positioned on it. All built work (including house, courtyards, swimming pool & areas of paving) and gardens must be within this Building Zone. Certain erven have a conservation area, which require that any building form is to be 1.000 mm away from these conservation areas.

- Conservation Erven : 3, 4 on the road side within building line
- : 5, 6 on the side within the building line
- : 7, building zone to be defined
- : 9, 10 on the side, building lines to be adjusted
- : 13, 14 within the beachfront landscape zone
- : 19, building zone to be defined
- : 30, building zone to be defined

Example:



Building



5. Architectural Language

Language

The general architectural language is drawn from the courtyard and contemporary architecture, with an emphasis on pared down, simple forms that are combined in an appropriate and poetic manner. Gratuitous decoration is discouraged in favour of an uncluttered architecture that is true to form and function.

From there the definition of Contemporary Coastal Architecture

The building and roof is the primary building components, with the interface between the primary buildings to be façade setbacks, the aspects that are most directly informed by the regional climate. The continuity of form and material of the roofs is paramount in the proposed architecture for the estate as a whole.

The enclosure of the courtyard and internal spaces is by means of light, transparent "walls" and the limited use of punctured solid planes. This transparent envelope is augmented by a series of shutters and screens that give depth to the elevation whilst providing the requisite shade/privacy.

The diversity of site conditions dictates a variety of responses in respect of the manner in which the building should meet with the ground. The use of various building heights is encouraged to differentiate between primary and secondary buildings. It should also reflect the contours of the site.

It is the developer's intention that an appropriate architectural language is developed that is born out of a response to regional conditions.

Although one might look to historically 'successful' architectural styles, it is our expressed intention to move away from an imposed architectural style, and look rather to the development of a contemporary architecture reflecting the present.

It is essentially an architecture that is sustainable, enduring, cost-efficient and able to be controlled in a manner ensuring a sense of harmonious continuity across the entire development. It is an architecture that promotes the idea of design.

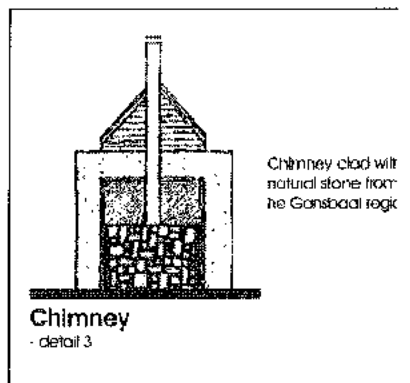
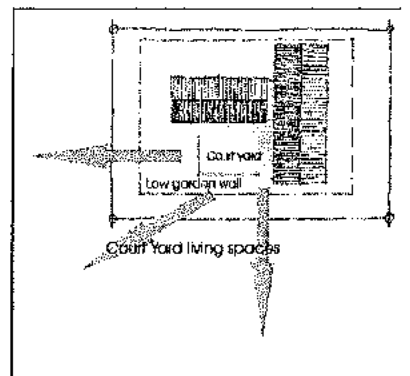
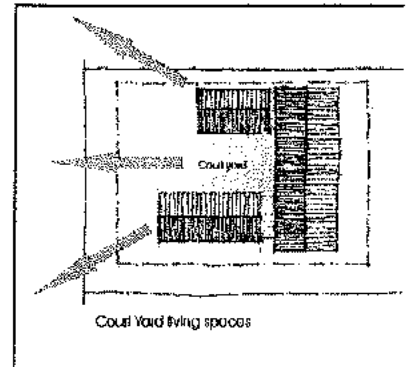
The proposed architecture responds to the requirements of the contemporary South African lifestyle, with an emphasis being placed on the indoor/outdoor relationship around the courtyard lifestyle, and the symbiotic relationship of man and nature.

Furthermore, it accommodates the requirements of the permanent resident, whilst offering the flexibility required by the transient occupation of holiday accommodation.

A general language is described as follows:

Roof

- Deep open eaves overhangs are encouraged
- Pitched roofs to be gabled with preferable ventilation and light penetration
- Rainwater removal to be considered as integral to the roof and building



The Architecture

- Courtyard architecture is encouraged
- No decorative pediments /applied feature trusses will be permitted
- Roof material to be profile sheets or roof tiles in natural materials

Walls

- Combination of masonry work and lightweight 'screens'
- Glazed walls layered with screening devices
- Use of solid planes with punctured openings is encouraged
- The contrast of a variety of textures is encouraged – smooth or textured plaster, natural stone work, natural timber cladding
- Recess brickwork in a bulk brickwork structure is encourage with glazed sections
- Lightweight cladding to stud frame construction
- Natural stone work to wall surface, stone plinths are discouraged

Verandas, porches, and pergolas

- Lean-to verandas and 'outdoor rooms' are encouraged, screened behind parapet-framed structures
- The use of natural materials is encouraged to blur the indoor/outdoor boundaries and to create transitional zones and climatic control
- The use of screens and natural timber pergolas is encouraged
- Preferred balustrade styles to be determined
- Natural timber decking
- Galvanised and/or painted steel framework
- Balustrades: galvanised and painted steel
- Stainless steel
- Natural timber

Apertures (windows and doors)

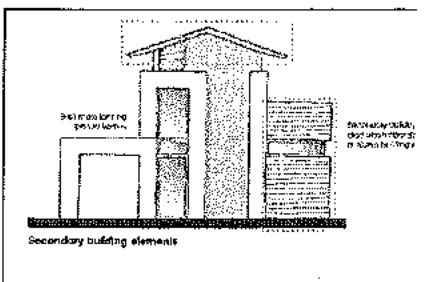
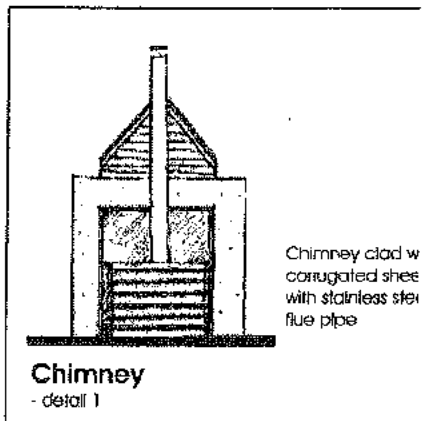
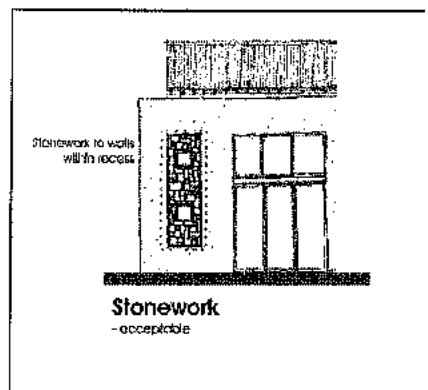
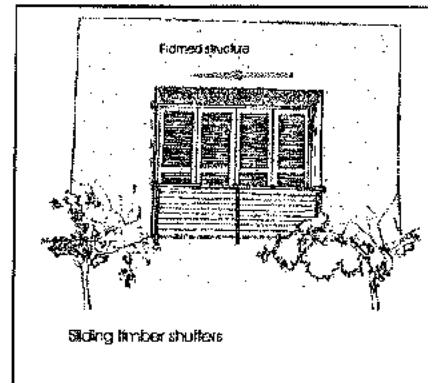
- The introduction of apertures will be by way of a defined proportioning system
- Sliding glazed walls and picture windows are encouraged
- The excessive use of small punctured openings is discouraged
- Full glazed doors are encouraged

Colour palette

- Muted earth tones
- Light colours
- Tones of White

The above colours are chosen so that they blend with the natural environment.

Language



6. Form and Space

Form and Space

The size of the individual house Envelope is to be restricted to reduce the visual impact. Landscaped flat roofs (where they merge with the landscape) are encouraged as they have a reduced visual impact. This form will also compliment the roof setback. The height restriction which, follows the contours, is a way to ensure that owners can effectively build accommodation as required within the natural landscape skyline.

The maximum Envelope of the houses is 70% of the Building Zone. The 2nd story is to be equal to or less than 50% of the ground floor footprint.

The Footprint is calculated as the ground floor (enclosed/ weatherproof) area (including walls) but excluding any planted roofs where that roof merges with the landscape.

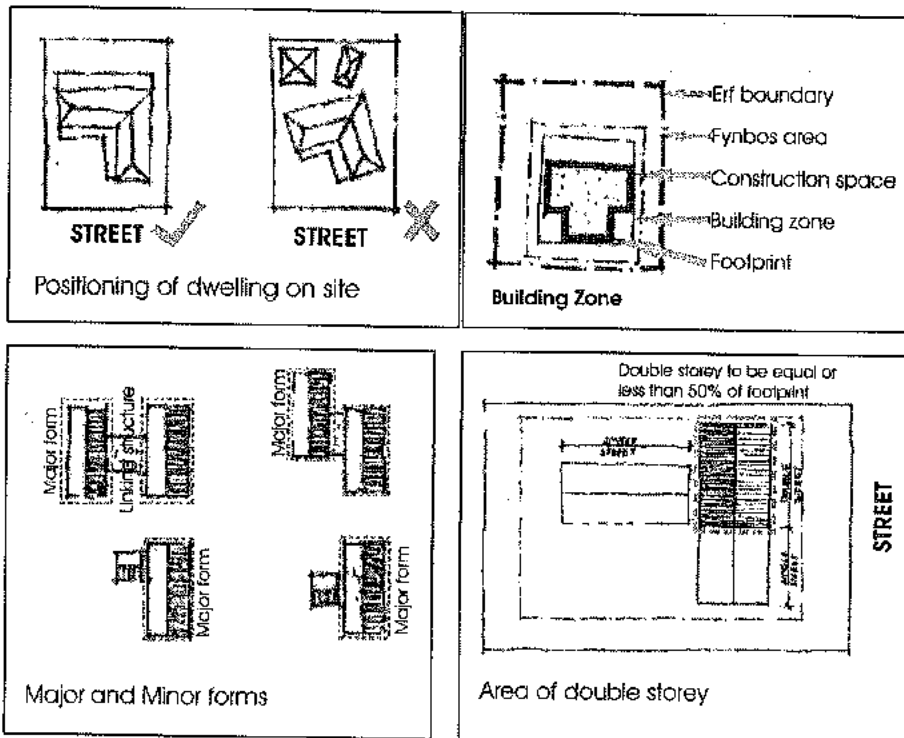
There is a blanket height restriction of 7.5m measured from natural ground level over the site pre-earthworks. Each plan is to be accompanied by a Land Surveyor Certificate indicating the beacon heights.

Erven on the beach escarpment sites, marked Blue, have a 6m height restriction.

Erven 8, 19 and 41 is restricted to 5.5m from the natural ground level, prior to earthworks.

The prescribed house forms must avoid diagonal lines, and must be parallel to the boundary lines. Rectangular forms are to be positioned in relation to the contours of the erven and must be parallel to each primary form.

Forms that will not be supported are triangular or round for terrace primary structures.



7. Beach Front Terraces

These even refers to Precinct 1, marked Blue, Erven 8 to 19 and 30 to 32 as per the General Plan.

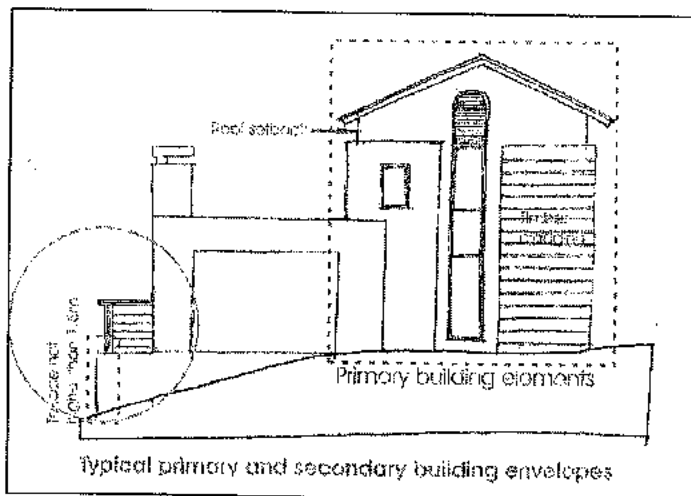
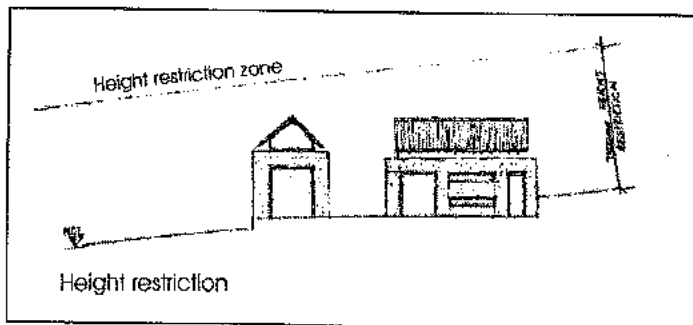
The macro-architecture of the beachfront sites is seen as particularly important owing to the highly visible nature of the sites. Setting the fronts of the houses back from the terrace edge and promoting a "long, low horizontal"-type of architecture will create a unifying set of strong horizontal lines across the site. These horizontals will reinforce the feeling that currently exists on the site. From a distance, the houses on the slope will read more as geological strips than as a collection of houses, and feel more "landscape" than "house."

The front-view facing edge of the platform can be built as a terrace with stone retaining walls or as a landscaped slope. The sides of this terrace are to return and merge into the landscape in a sympathetic manner.

If the terrace edge is constructed as a landscaped slope, it may fall within the Landscape Space (i.e. outside the Building Zone). The slope must be replanted and rehabilitated as elsewhere in the Landscape Space.

The height of the terrace edge may not exceed 1.5m (including balustrades if required) from natural ground level at that point.

The terrace as part of the Envelope must be set back 5m from the boundary. This applies to the primary building form and contributes to the defined Envelope.



8. Building Lines & Envelope Definition

Envelope

Because the Envelope, location and orientation is defined for each site, building lines therefore are general, and will vary per site due to:

- a. Conservation demarcated area
- b. Panhandle or entrance position
- c. Beach front erven
- d. Contours of the site

Lateral side building lines to be combined 3.500 mm with one side not being less then 1.000 mm where indicated. It is encourage that the lesser be on the southern and eastern boundary of each stand.

Rear building lines are to be 3.000 mm.

Street building lines are to be 4.500 mm for a direct garage entrance with the primary building form 5.500 mm from the street and, 3.000 mm for a side garage entrance with the primary building form 4.500mm from the street.

The swimming pool is to be 1.000 mm from the side boundary and 2.000 mm from the rear boundary

No building form may be closer than 1.000 mm from any boundary, excluding yard or screen walls.

No building line relaxation will be permitted.

Refer to Site Diagrams for detailed site restrictions and Building lines.

Erf Nr	Street - Direct	Street - Side Entrance	Rear	Combined Side
1 to 7	4.500 m	3.000 m	3.00 m	3.500 m
8 to 17	4.500 m	3.000 m	5.000 m	As indicated
18	4.500 m	3.000 m	1.000 m	3.500 m
19	4.500 m	3.000 m	2.000 m	3.500 m
20 to 25	Not permitted	3.000 m	2.000 m	A indicated
26	3.000 m	3.000 m	2.000 m	As indicated
27 & 28	4.500 m	3.000 m	2.000 m	3.500 m
29	4.500 m	3.000 m	1.000 m	3.500 m
30	Not permitted	3.000 m	1.000 m	As indicated
31 & 32	4.500 m	3.000 m	As indicated	As indicated
33	3.000 m	3.000 m	1.000 m	As indicated
34 to 36	4.500 m	3.000 m	2.000 m	3.500 m
37 & 38	3.000 m	3.000 m	2.000 m	As indicated
39 to 41	3.000 m	3.000 m	2.000 m	2.000 m
42	3.000 m	3.000 m	2.000 m	1.000 m
43	3.000 m	3.000 m	1.000 m	1.000 m

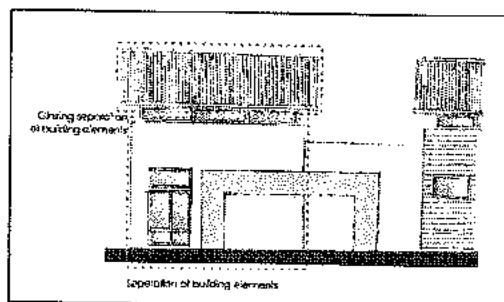
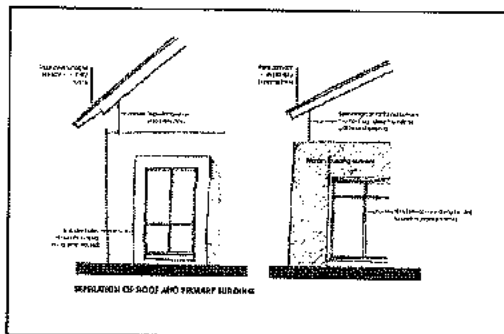
Diagrams supersede this table if there are any discrepancies.

9. Elements

Elements

This section is to be read in conjunction with Section 5 – Architectural Language and Section 6 - Form and Space.

- Roofs are limited to double-pitched, mono-pitched or flat roofs.
- All flat roofs are to be decked unless they form part of an outside living area. Only decking or paving can be used on such flat roof living areas.
- Roof pitch to be between 20° or 30°
- No parapet gables will be allowed. Bargeboards are recommended. Eaves should either be clipped eaves with no overhang or a substantial (greater than 1.2 metres) overhang to create a long, low effect.
- Roof-windows, co-planar with the roof, are allowed. Finishes are to merge with roof colour.
- Dormer windows: "Victorian" style dormer windows (with pitched or hipped roofs) will not be allowed on the Red/ beach escarpment houses. If motivated as part of an appropriate architectural language they will be considered for approval on the rest of the Estate. Mono-pitched roofs are suggested as an alternative. Long dormers of this type are acceptable as long as a substantial portion of the main roof remains on either side.
- Parapets: All parapet walls to roofs to be 450mm wide
- Pergolas: the use of pergolas is encouraged, particularly to shade areas of glass.



10. Materials and Finishes

Material & Finishes

Intention: a restricted palette of colours of quality materials. Darker colours have been favoured (for the Red/ beach escarpment sites especially) in order to blend with the landscape and to create the minimum visual impact. Please refer to the Colour Palette annexed.

- Walls: tinted plaster/lime wash from approved colour palette
- Approved natural stone (no "smartstone" or similar). Natural stone rubble walls are to be coursed level every half meter and to have a horizontal effect. No dressed stone (except as lintels.)
- Front terrace wall: (red/ beach escarpment sites only): approved natural stone as above or landscaped slope (to blend with surrounding vegetation.)
- Roofs: black or dark charcoal slate or "Brownbuilt profile" roof sheeting (aluminium finish recommended), copper, "Rhinezink", or Victorian Profile fibre cement
- Flat roofs are to be planted as extensions of the landscape unless part of outside living area.
- Fascias & gutters: in dark colours (black, dark brown or charcoal) to read as an extension of the roof.
- Doors, windows, and shutters: either weathered teak or similar, dark brown oiled timber, painted in colours (ref Colour Palette), and powder-coated aluminium in colours (ref Colour Palette).
- Shutters to have horizontal effect
- Frameless and stainless steel framed doors are allowed when used for the openings recessed behind pergolas and verandas.
- Burglar bars, screens & lattices: timber (weathered teak, dark oiled or painted as elsewhere) metal: painted or epoxy-coated (ref Colour Palette.)

MATERIALS NOT ALLOWED

- Solid boundary walls
- Artificial stone cladding
- Clay roof tiles (orange / terracotta coloured)
- Concrete block terraforce retaining walls
- Bright coloured wall paint
- No small pane windows and doors
- No canvas to covered stoeps.

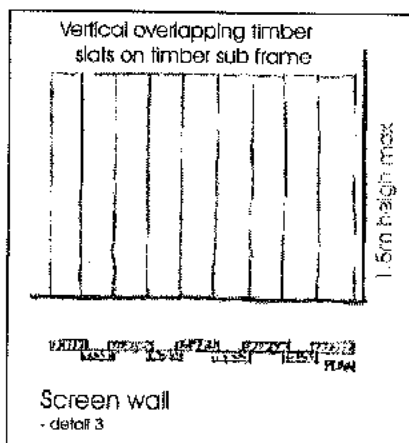
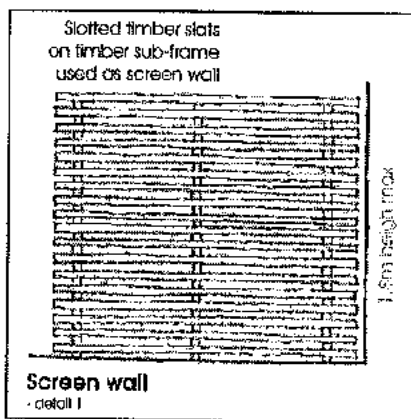
11. Outdoor Areas

-11-

Outdoor Areas

Intention: to blend with the Estate Landscape Architecture. As previously stated, walls and fences are only found within the Building Zone. This is to allow the fynbos to "flow" as freely as possible between the houses.

- There is to be no fencing around the residential erven. Within the Building Zone, limited fenced or walled spaces can be created contiguous with the house, to serve as courtyards, drying yards, car courts, etc.
- Courtyard walls, garden walls, fences: to match walls of house (i.e. stone or tinted plaster/limewash), "latte" in dark colour or natural weathered, slatted timber stained dark brown (ref Colour Palette [horizontal slats])
- Gateposts, street names & numbers: all to be Estate design.

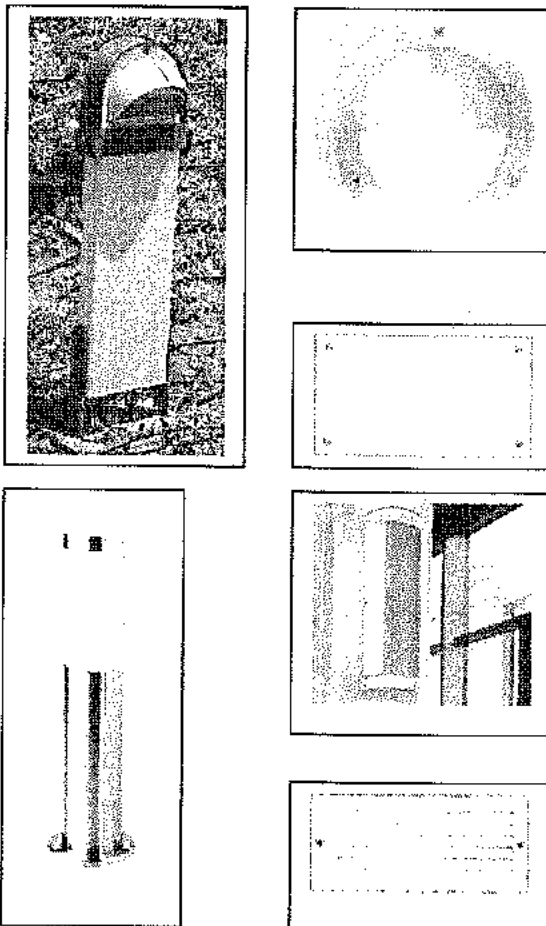


12. Lighting

Lighting

The general principle for the Estate is that lighting should be minimal and cause the least visual impact. At night, this will give a rural rather than an urban/suburban feeling to the site. Another benefit will be to protect the currently impressive starscape at night.

- Outdoor lighting in general is to be at low levels (bollard or wall mounted.)
- Lighting at entrances to driveways: subtle lighting to light number only.
- All lighting of gardens, courtyards and building exterior is to be subtle. No floodlights. Any lights above 1 000 mm height above ground level are to have baffles or hoods to direct the light downwards.
- Interior lighting must be designed in such a way that the light source is shielded from view outside. No naked light sources are to be visible from outside. Only reflected light should spill out from the house.



13. Green Architecture

Green Architecture

13.1. Pools

- No "feature" rocks / artificial rocks.
- Pools are to be either fenced with Estate approved pool fence (to Landscape Architect's design) or walled with walls of minimum 1100 mm high.
- Pool pump is to be in fully enclosed chamber to reduce noise.

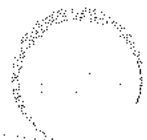
13.2. Landscaping

Intention: Indigenous gardens to retain habitat for birds, insects and small fauna. Continuity of fynbos, with houses forming islands within the landscape will allow the least disruption of the natural habitat and can preserve much of the interest (bird watching for instance) that the area currently offers.

- Water-wise gardening practices to comply with good practice in the area.
- Hard landscaping of driveways to tie in with Estate road surface.
- There are various plant palettes to suit the different habitats on the site. For planting, please refer to the Plant Lists annexed.
- Landscaping designs should make use of as much permeable surfaces as possible to encourage rainwater to soak into the ground.
- Surface and roof water must be collected and used to water gardens or dispersed into the surrounding vegetation in a way that will not cause erosion. The ECO is to advise on and approve of the water dispersal methods.

13.3. General

- Plumbing pipes must be fully concealed
- No protruding radio/TV aerials, outdoor radio systems or satellite TV dishes are permitted.
- Air conditioners are to be hidden behind a louvered or vented sub structure not higher than a 1.000 mm from the ground. Alternative designs to be presented to the ARC for approval.
- Solar heating panels must be flush with roof or unobtrusive
- All unsightly objects i.e. dust bins, refuse containers, washing lines & storage areas, pets' accommodation, kennels, water tanks, commercial type vehicles, boat or caravans, trailers or derelict vehicles must not be visible from roads, public open spaces, nature areas or other erven.
- Signage must be approved Estate design.



Hints for Architects/ Designers

It is the intention to promote and motivate architects/designers to incorporate the 5 basic principles of an environmentally friendly building, by means of green architecture.

"We strongly believe that for ecological design to take hold, it must be uplifting and inspire delight in the natural world."

It is encouraged to preserve the environment, contributing to healthier and environmentally safer building.

1. Harmonize with the site.

Preserving trees and other natural features wins points with any green building program.

2. Build as little as possible.

This house's greenest feature is its small footprint. The design not only minimizes the neighbours' sight lines into the proposed house, but also maximizes the views of the ocean.

3. Minimize energy dependence.

In addition to ensuring tight construction and a well-insulated structure, it is recommended to install high-quality windows—the majority of which face north for maximum light and heat gain in winter. Radiant floors throughout the house reduce year-round heating costs, and a gas-fired stove serves as the central hearth in case of a power outage. Solar geyser.

4. Maximize resource efficiency.

Excavated soil to be preserved on site. Rainwater to be captured and re-used for irrigation, external essentials and cleaning.

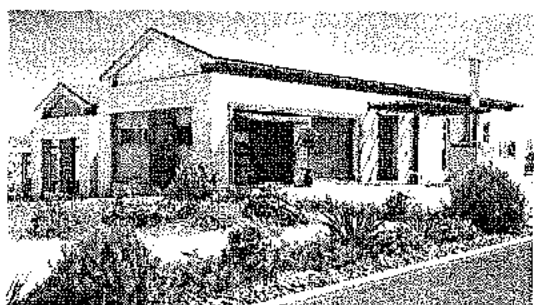
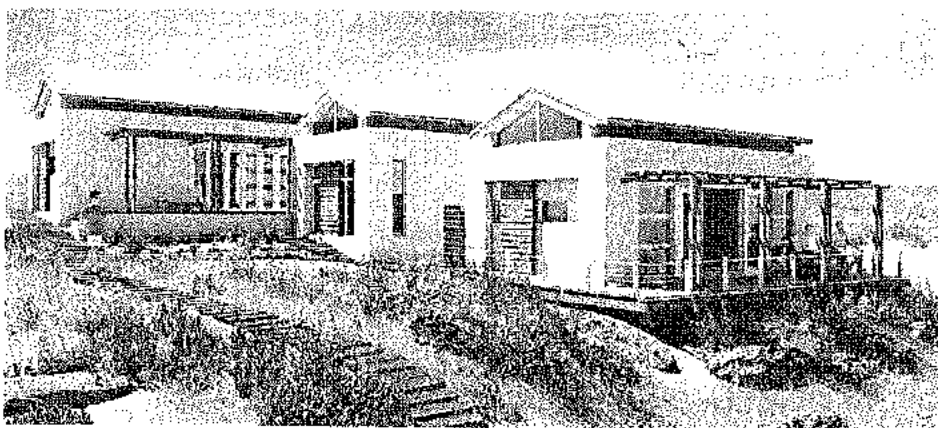
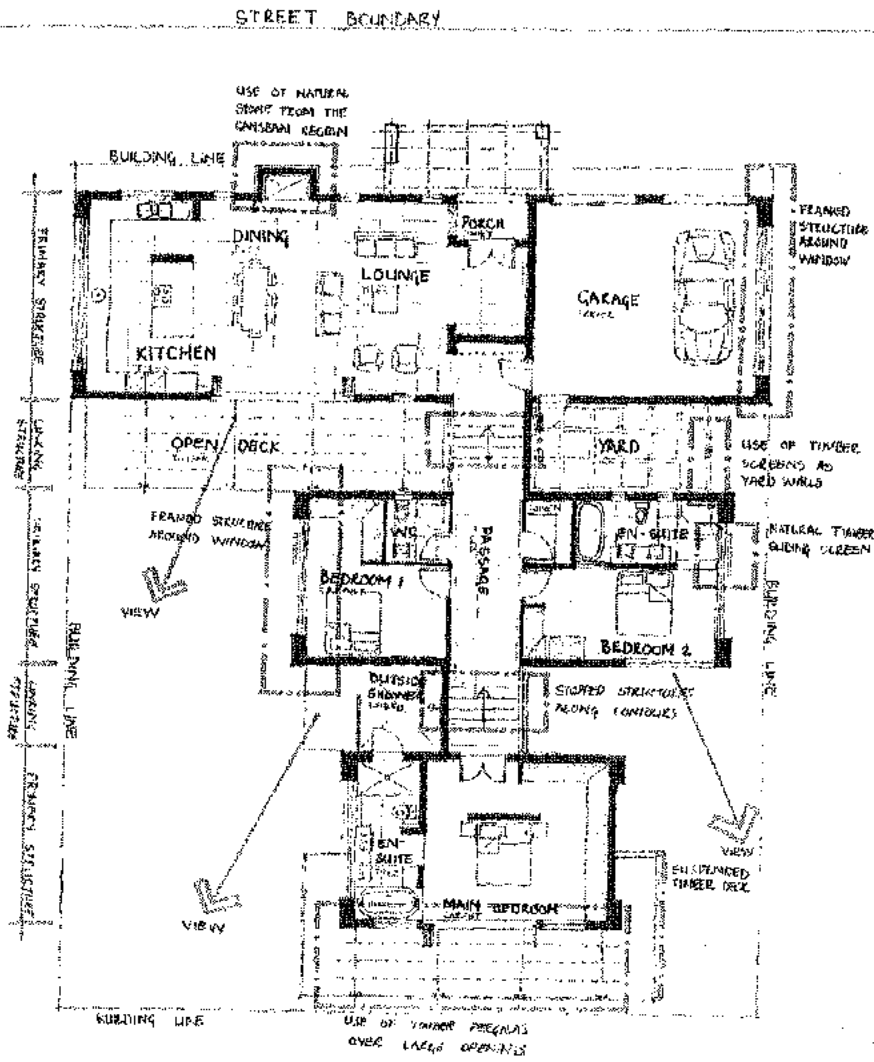
5. Demonstrate the beauty of ecological design

This can be achieved in the following architectural elements :

- "Grasscrete" paved walkway, which allows rainwater to seep into the ground rather than pooling next to the foundation)
- Minimize solid paved surfaces
- Set-backs on window openings to reduce the heat build-up through the windows
- Extensive roof overhangs to block the summer heat
- Gas stove
- Solar panel geyser
- Cool windows with 40-60% film protection



Typical House Synopsis



15. Procedure

Procedure

All owners can use their own Architect or designer. All designers and Architects shall be registered with the South African Council for the Architectural Profession (SACAP). The appointment shall be for a "full service" from the inception to the contract administration in terms of the Institute of Architects Procedural guide (PROCAP) and is covered by the Institute of Architects "Client Architect agreement."

It is essential that Architects be briefed by HOAARC and the Estate Architects, prior to commencing any design.

Preliminary sketch plans of buildings must be submitted to and approved by the Homeowners' Association before working drawings are commenced. Drawings must be to scale and indicate materials and colour being considered and all walls and preliminary landscape proposals. Type and extent of site lighting must be indicated on landscape plan.

The Homeowners Association reserves the right to request any changes in the design or site layout, which in their opinion, is required to conform to the building and landscape design manual / development plan.

All aesthetics are to be approved and submission fees are to be determined by HOAARC on an annual basis.

The estate Architect and HOAARC will consider the drawings and notify the Architect of their approval or of any suggested amendments as soon as possible after submission of the plans.

Drawings are required to be submitted to and approved by the Overstrand Municipality. All local authority scrutiny fees and connection fees are for the account of the homeowner.

Working drawings must be submitted to the Homeowners' Association for final approval. A landscaping proposal (showing site lighting) must accompany the working drawing. A copy of the working drawing submitted to the local authority must be lodged with the Homeowners' Association.

The Homeowners' Association may recommend fully motivated waivers under special conditions where waivers are recommended by consultants. The approval of such recommendations shall rest with the local authority.

A member of the Homeowners' Association shall be required to comply fully with any Annexure of the Homeowners' Association constitution. The items cover procedures for submission of plans and subdivision and compliance with the environmental contract.

The purpose of the process is to review all proposed construction items on the estate. The architectural review consultant will interpret the proposed works in accordance with the Architectural Guidelines.

All building plans to be accompanied by the following documentation for:

15.1 New Submissions

A non-refundable Architectural Review Fee of R 5,000 (including VAT) payable to the Home Owners Association (HOA). The application fee to increase annually by 10% from the review date, 01 January each year or as implemented by the Trustees. The implementation date is 01 January 2009.

An application form provided by the HOAARC. (Annexure A, Section 1)

15.2 Alterations, Additions, or Refurbishments Submissions following approved Plans

A non-refundable Architectural Review Fee of R 2,000 (including VAT) payable to the Home Owners Association (HOAARC). This to increase annually by 10% from the review date, 01 January each year or as implemented by the Trustees. The implementation date is 01 January 2009.

An application form provided by the HOAARC. (Annexure A, Section 2)

Building plans to be submitted in two stages, i.e. firstly sketch plans and secondly the final plans for council submission.

Submission Address

BPAS Architecture (Pty) Ltd.
 Unit 15, Canal Edge2, Block A Tel: +27 21 914 5960
 Tyger Waterfront Share Call 0861 r gitek (7448350)
 Carl Cronje Drive Fax: +27 21 914 5962
 Bellville E-mail: info@bpas.co.za

Stage 1 – Sketch Plan Submission (2 sets)

A copy of the registered erf diagram and a registered land surveyor's certificate, indicating the beacon heights and intermediate contours in 500 mm intervals.

Site Plan (minimum requirement 1:200 Scale)

1. Building lines and setback
2. Ground floor and first floor footprint
3. Calculated areas in terms of coverage, percentage of first floor and second floor
4. Position of buildings, pools and external structures
5. Extension of screen walls and associated structures
6. Private courtyards, yards and dry yards position
7. Overlaid roof plan indicating flat roofs as percentage of pitch roof
8. Extent of boundary wall enclosure
9. Service connections

Floor Plans (minimum requirement 1:100 Scale)

1. Description of rooms and areas
2. Extent of all door and window openings
3. Floor area size

Procedure**Elevations (minimum requirement 1:100 Scale)**

1. Permissible height guide lines
2. Permissible building guidelines
3. Roof pitch, roof material description
4. Extent of eaves and description of enclosure
5. All window and doors
6. Heights and description of yard walls, street screen walls and structures;
7. External material specification
8. Colour code and colour reference

Sections (minimum requirement 1:100 Scale)

1. Floor to ceiling height
2. Land fill, excavations and platforms
3. Maximum roof heights

When the sketch plans are approved by the Architectural Review Consultant (ARC), the applicant can proceed to complete the council working drawings. No deviation of the sketch plan will be permitted, and if there is a deviation, a new sketch plan is to be submitted for review. Final Plans can only be submitted if the ARC approves the sketch plan.

If the applicant is not in agreement with the decision of the ARC, the applicant must submit an Appeal Application to the board of Trustees with a comprehensive motivation of the appeal for consideration by the board of Trustees and the ARC.

The Final Plan must comply with the minimum standards of the National Building Regulations and the by-laws of the Local Authority.

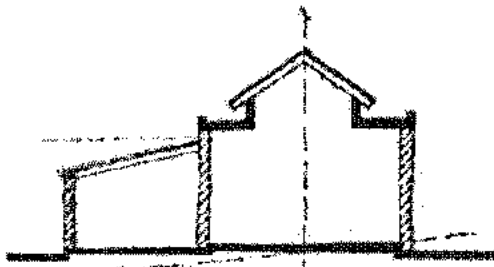
Stage 2

The applicant must submit six sets (two coloured for council submission) to the ARC who in return will recommend the plans for approval to the HOAARC. All approved plans must bear the stamp of approval by the HOAARC.

The Home Owners Association (HOAARC) will review plans every second Thursday and will comment and or approve within a weeks period from sitting. Additional fees will be charged for any re-submission that may occur at 50% of the application fee per submission.

All review meetings will be closed to applicants. A consultation with the ARC will be charged for at current institute rates. The decision of the HOAARC is final.

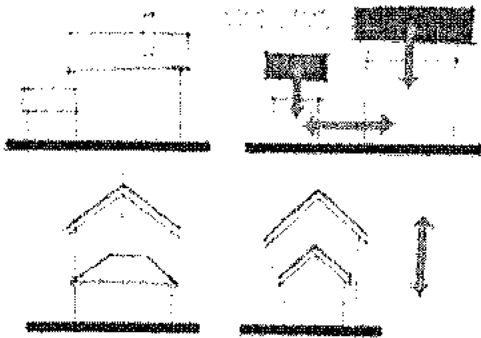
Refer to building procedures, code of conduct and building regulations for commencement of construction and completion.



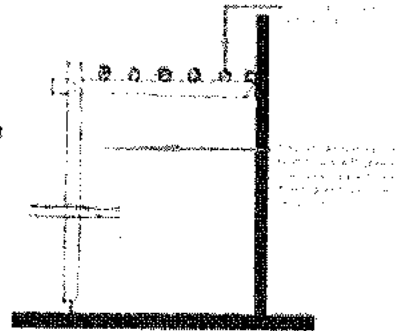
Primary & Secondary structure



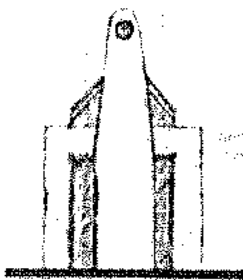
Sliding timber shutters



Primary structures



Pergola detail



Chimney detail



Precedent picture

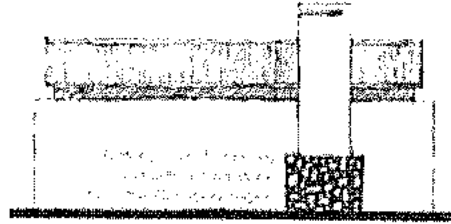


Timber screen

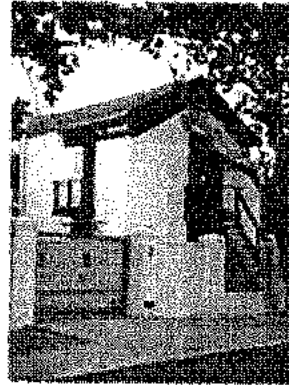
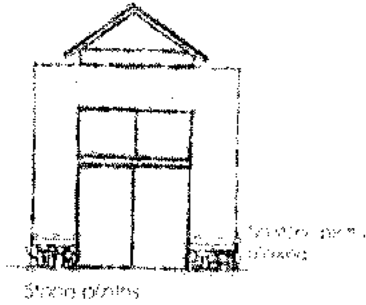




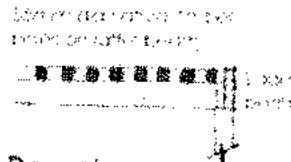
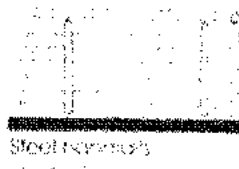
Chimney detail



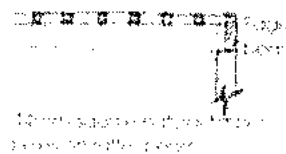
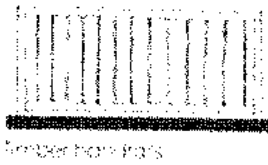
Chimney detail



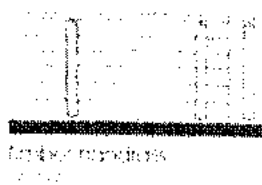
Precedent picture



Pergola
style 2



Pergola
style 3



E 13

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Email: planactive@hermanus.co.za

Website: www.planactive.co.za



TP A Theert
(Sub Merwe)

Our reference: 10326/ML

Your reference: Erf 3819, Gansbaai (1934)

9 MAY 2017

**THE MUNICIPAL MANAGER
OVERSTRAND MUNICIPALITY
P.O. BOX 26
GANSBAAI
7220**

FOR ATTENTION: MR SCHALK VAN DER MERWE

FILE NO:	EL 3819
	Gansbaai ✓
SCAN NO:	
COLLABORATOR NO:	1022885

Sir

**PROPOSED REZONING, CONSENT USE & AMENDMENT OF THE STRUCTURE PLANS:
ERF 3819 GANSBAAI**

- **PREMIER FISHING SA (PTY) LTD**

Reference is made to our application dated 14 December 2011 and the Environmental Authorisation dated 18 October 2016. During the public participation process for the land use application objections were received from Kolgansbaai Home Owners Association and Wright Approach Consultancy (on behalf of Mr Stuart Kermodé). Our response to the objections / comments is summarized below and was submitted to Overstrand Municipality on 12 May 2012. An updated response following the Environmental Authorisation follows each objection's response in the *blue tables with italic, blue underlined text*:

1. OBJECTIONS FROM KOLGANSBAAI HOME OWNERS ASSOCIATION

- ***The utilization of erf 3819 Gansbaai for industrial purposes is considered to be incompatible with the residential use of Kolgansbaai Estate.***

The Overstrand Municipal Wide Spatial Development Framework (2006) earmarks erf 3819 Gansbaai for industrial extension purposes (service industrial relating to fishing and mariculture). The Greater Gansbaai Spatial Plan (structure plan) earmarks erf 3819 Gansbaai for medium to high-density residential purposes. Although the proposed land use is in contrast to the existing spatial planning guidelines for the area, we believe that the application to amend the structure plans can be favourably considered because:

1. Although erf 3819 Gansbaai is situated in a mixed land use area, the predominant land use adjacent to and north of the subject property is for abalone or fishing related purposes.

Divine Inspiration Trading 329 (Pty) Ltd. trading as Plan Active
Reg. No. 2006/030921/07
Vat. No. 4770250340

10 MAY 2017

John Mc Lachlan: Ndip (Town Planning) Tech Witwatersrand; MSAPI
Pauline Spronk: B (Soc Sc) LIS, BA Hon (UNISA)

TP

2. Although the proposed zoning for erf 3819 Gansbaai will be Agriculture Zone (*Agriculture Zone 1 in terms of the Overstrand Zoning Scheme Regulations, 2013*), the proposed abalone farm will fit in with similar land uses adjacent to and north of the subject property.
3. The White Paper on Sustainable Coastal Development in South Africa provides that those activities dependent on a coastal location should, in respect of access to the sea, enjoy preference over those that are not. The proposed abalone farm on erf 3819 Gansbaai will support sustainable coastal development.
4. Gansbaai is a working / fishing harbour and this activity should be protected. The proposed zoning and land use for erf 3819 Gansbaai will protect the town's character and will contribute to the livelihood of the Gansbaai community.
5. The development proposal for erf 3819 Gansbaai will lead to economic growth and development, which will stimulate the creation of jobs on a sustainable basis.

Furthermore the Overstrand Municipal Growth Management Strategy (OMGMS, 2010) indicates that erf 3819 Gansbaai is included in an area earmarked for local economic opportunity. The proposed rezoning of erf 3819 Gansbaai from Undetermined Zone to Agriculture Zone (*Agriculture Zone 1 in terms of the new zoning scheme regulations*) therefore adheres to the growth management policy for the Gansbaai area.

It should be noted since our initial land use application and comments on the objections were submitted the Gansbaai Structure Plan was repealed and is no longer a spatial planning tool for the consideration of land use applications. The proposed rezoning and consent use is therefore in line with the existing relevant spatial planning policies for the area as described above.

- ***Kolgansbaai Home Owners Association will consider supporting the proposed development of erf 3819 Gansbaai if the following existing and future factors are addressed and / or considered:***

- Erf 3819 Gansbaai should establish a 50m open space buffer zone with a visual barrier (berm) from the southern communal boundary with Kolgansbaai Estate and similar buffer zones of 5 to 10 metre on the western boundaries of erf 3819 Gansbaai.

The request for an open space and visual buffer on the adjoining boundary of Kolgansbaai Estate and Erf 3819 Gansbaai is noted. It is however felt that a 50 metre buffer is unfeasible, especially in the light of the limited size (± 6 hectares), shape and development proposal layout of the subject property. We would furthermore like to refer to the Overstrand Municipality whom has determined and enforces adequate building line restrictions for each erf within its jurisdiction. Said building line restrictions will be strictly adhered to in terms of all development on Erf 3819 Gansbaai. The Gansbaai Scheme Regulations stipulate that 10m building lines are applicable for Agriculture Zone 1 properties. The proposed development adheres to the 10m building line restriction. No structures will be situated within the 10m building lines. Roads and parking bays are allowed to be provided within building lines. Consequently a 10m wide ring road will be constructed around the entire perimeter of the farm that will facilitate ease of movement around the farm and also serve as a buffer area between the proposed development and Kolgansbaai Estate.

A visual barrier may hold benefit and reduce potential visual impact to adjoining land uses. Please note however that the visual screening that is proposed may result in loss of winter sun to the erven in Kolgansbaai as it will be located directly north of said erven.

As mentioned the Gansbaai Scheme Regulations stipulate that 10m lateral and street building lines apply to Agriculture Zoned properties. The initial SDP was compliant. However, our client considered a larger buffer area after the same objections were received during the Environmental Impact Assessment (EIA) application process. The 10m buffer area next to Kolgansgaai Estate was enlarged to ensure that the buffer area meets the requirements of the objectors and the relevant departments that commented in the EIA process, namely to ensure that the impact and visual impact on the adjacent residential estate are kept to a minimum. The closest structures (drumfilter and reservoir areas) are positioned $\pm 20\text{m}$ (south-east – closest point) and $\pm 50\text{m}$ (south-west – farthest point) respectively from the common boundary with Kolgansbaai Estate. The Environmental Authorisation (EA) dated 14 October 2016 stipulates the following:

16. The following conditions adapted from the Final EIAR dated March 2016 must be adopted and implemented:
 - 16.1 A buffer area must be located in the south, on the border of Erf 3819 and the existing Kolgansbaai development. The said buffer must measure approximately 160m east to west, approximately 8m wide north to south, approximately 20m wide in the centre and approximately 30m wide in the west.
 - 16.2 Existing vegetation along the southern boundary of the site must be retained to maximise greenery in this area.

The site development plan was revised accordingly. The revised site development plan indicates that the above minimum width requirements for the buffer area are met. On the south-eastern boundary the closest structures (tea room, lavatories and supervisor offices) are positioned $\pm 10\text{m}$ from the boundary line. Our client therefore considered the impact that the proposed abalone farm might have on the adjacent area and the site development plan was amended accordingly. It is therefore our opinion that the request for a buffer area was sufficiently addressed in the EIA process and brought forward to the land use application process. Our client has to adhere to and implement the conditions as stipulated in the EA.

- ***The nature, location, use, aesthetics and visual impact of all buildings must be agreed on.***

The aspects that are mentioned (nature, location, use, aesthetics (design, colour, material) are governed by legislation. Consequently design, approval and construction of the buildings will be in line with the relevant statutory requirements. We note the development guidelines for Kolqansbaai;- however we need to state that the rights afforded to the owner of Erf 3819 Gansbaai are not affected by such guidelines.

Prior to any structure being constructed on the subject property the owners have to submit detailed site development plans and building plans for approval by the local authority. Consequently the municipality ultimately has to ensure that the design and location of the structures are not only in line with the development guidelines for the subject property but also the character of the adjacent properties and Gansbaai as a whole.

Since the objections were received in terms of the land use planning application a Visual Impact Assessment (VIA) was compiled by Megan Anderson Landscape Architects (dated June 2014).

The Environmental Authorisation confirmed that the following conditions from the VIA must be adopted and implemented:

19. The following conditions adapted from the Visual Impact Assessment compiled by Megan Anderson Landscape Architects dated June 2014 must be adopted and implemented:
 - 19.1 The platforms on Erf 3819 must be terraced, i.e each pair of platforms set lower than the previous sequence.
 - 19.2 New buildings must be designed so that they are visually recessive and aesthetically pleasing by using material similar to the material used for the existing development.
 - 19.3 The retention walls must be planted with indigenous vegetation in order break up the extensive platform from the northern section.
 - 19.4 Boundary treatments such as fencing along the boundaries of the site must be visually permeable and recessive.

Most of the above conditions can only be addressed with the compilation and submission of the building plans for approval. In addition to the above conditions from the EA the following conditions from Cape Nature will also ensure that the visual impact on the adjacent Kolqansbaai Estate will be kept to a minimum:

17. The following conditions adapted from the correspondence of CapeNature dated 6 April 2016 must be adopted and implemented:
 - 17.1 The buffer area must consist of intact thickets vegetation.
 - 17.2 The buffer area must be demarcated as a no-go area during the construction and operational phases.

From the above it is evident that the necessary mitigation measures will be put in place to ensure that the visual impact on the surrounding environment is kept to a minimum.

- **All access and egress to erf 3819 Gansbaai should be taken at a specific point on the eastern boundary of the subject property.**

We have forwarded the proposal in terms of access infrastructure to the applicant. They have indicated that the decision where to locate an entrance(s) on the subject will be in line with the rights afforded in terms of the title and other legislation that may be applicable.

With the revised SDP the access point to the proposed Abalone Farm will remain unchanged. The access point is positioned on the south-eastern erf boundary. The revised SDP also indicates the layout of the internal road infrastructure for the Abalone Farm.

- **No processing of abalone should be undertaken on site and mitigating measures must be put in place to ensure that no offensive odours will be generated on the site.**

The applicant has indicated that it is not the intention to remove abalone from the shell in the immediate future as live packing is the preferred method of distribution at present. Please be aware that this may however change in the future, in which case processing and packing may be undertaken on site. The definition of aquaculture in terms of the Gansbaai Scheme Regulations allows for a site or structure where the growth, processing and packing of shell and other sea creatures and / or freshwater creatures can take place under supervision. Consequently the application also makes provision for the processing and packing of abalone on site. In such an event all relevant legislation and the rights and restrictions in terms of zoning and land use will be adhered to. In all eventualities the necessary mitigating actions will be taken to control factory impacts.

Chapter 11, Section 103(2) of the the Overstrand Municipality's Bylaw on Municipal Land Use Planning (2015) stipulates transitional provisions for land use applications submitted before the commencement of the Bylaw. Consequently the aforementioned Bylaw and the latest Overstrand Zoning Scheme Regulations (2013) do not apply to this application and the rezoning and consent use application must be considered in terms of the applicable legislation at the time of submission. The definition of aquaculture in terms of the Gansbaai Zoning Scheme Regulations includes the processing of abalone. The additional rights obtained with this application will therefore afford the owner the right to process abalone on-site in line with the relevant legislation. The SDP currently

allows for hatchery / settlement / weaning facilities, grow out tanks, a broodstock building, sea weed tanks, drum filter and reservoir areas, generator rooms, kelp holding tanks, caning and drying facility as well as live packing and storage facilities.

- ***Noise generated on site must be adequately controlled.***

Our client takes notice of the abovementioned. Noise levels will be in line with the level prescribed by relevant legislation. The applicant has also indicated that future ambient noise levels will be similar to those already present on the existing abalone operation of Erf 1727 Gansbaai. Similar technologies already utilized on this site will be implemented to mitigate ambient noise from blowers, generators, pumps and other infrastructure to acceptable levels.

- ***Adequate provision should be made for services on site. All cabling must be underground. The availability of bulk services by the local authority must be confirmed by professional engineers.***

The Overstrand Municipality confirmed in their letter dated 16 February 2012 that electrical supply will be made available for the proposed development (subject to conditions, please refer to the letter attached). As requested in the aforementioned letter an electricity services report was compiled by Worley Parsons Engineers – please refer to their report dated 20 February 2012 attached. Furthermore a Bulk Water & Sewer Services Report (CES Report) for the proposed development was also requested by the Overstrand Municipality. Please refer to the CES report dated 27 February 2012 attached.

From the attached reports it is evident that adequate provision will be made for services on site. The developer of Erf 3819 Gansbaai will be liable for the Bulk Services Levies (as calculated by the Overstrand Municipality) as a contribution towards water, sewer and electricity infrastructure.

- ***The fencing must be aesthetically acceptable.***

The aesthetic character of materials used to control access along the erf perimeter is often governed by judgment values of an individual. As such individuals may have varying opinions of what is acceptable. The applicant has considered the comment and will utilize a suitable material.

In addition our client has to meet the requirements as stipulated in the EA dated 14 October 2016. As previously mentioned one of these conditions brought forward from the VIA reads as follows:

19.4 Boundary treatments such as fencing along the boundaries of the site must be visually permeable and recessive.

- ***Environmental implications such as pollution and the protection of rare species should be addressed by expert environmental consultants and the relevant departments.***

EnviroAfrica Environmental Planning and Impact Assessment Consultants were appointed to undertake the Environmental Impact Assessment on behalf of the owners. The environmental concerns will be addressed in the aforementioned application currently underway.

Since the public participation period for the land use application, a botanical assessment was compiled by Fynbos Ecoscapes dated 31 May 2011. The following conditions are stipulated in the EA dated 14 October 2016:

18. The following conditions adapted from the Botanical Assessment compiled by Fynbos Ecoscapes dated 31 May 2011 must be adopted and implemented:
 - 18.1 Search and Rescue operation of all *Satyrium carneum* and other species of conservation concern must be undertaken on-site under the supervision of a qualified botanist, prior to the commencement of construction.
 - 18.2 The bulbs retrieved during the search and rescue operation must be transplanted by a suitably qualified horticulturalist/botanist to other strandveld vegetation within nearby conservation areas.

The EIA therefore included all the necessary specialist studies and the recommendations of these studies were incorporated in the EA. It is therefore evident that the impact on the environment (protection of rare species and pollution) was considered and sufficiently addressed in the environmental application process.

2. OBJECTIONS FROM WRIGHT APPROACH CONSULTANCY (On behalf of Mr Stuart Kermode)

- It is not indicated whether there are any Milkwood trees located on erf 3819 Gansbaai and how they will be accommodated within the proposed development. The subject property is situated on a dune and the objector asks how the removal of vegetation will impact this specific dune system and how the applicant will prevent sand to blow into Kolgansbaai Estate?

As confirmed by EnviroAfria Environmental Consultants a specialist botanical study has been commissioned to report on the vegetation characteristics, plant communities, present status and conservation value of the natural flora in the area proposed for the expansion of the abalone farm. The study and subsequent report will clearly indicate any issues relating to the proposed sites including presence of threatened vegetation habitats, Milkwood trees, etc.

We note that land clearing may result in the distribution of dust to adjoining land uses. This risk will be managed and mitigated by means of measures stipulated in a construction phase environmental management plan which will be imposed as a condition should an environmental authorization be forthcoming. We would also like to point out that a similar impact would result from the development of future residential structures in Kolgansbaai.

In addition to the above the necessary mitigation measures have to be put in place as stipulated the Environmental Authorization. Conditions as stipulated by the Final EIAR, Cape Nature, the botanical assessment, the visual impact assessment and the Directorate: Development Management will have to be adhered to and will serve as mitigating measures to keep the impact on the environment to a minimum. The Directorate: Development Management (Region 1) provided for the protection of the Milkwood trees and the department's conditions read as follows:

This Directorate recommends that:

- Local labour, especially consisting of previously disadvantaged individuals should be used during the construction phase of the proposed development.
- The on-site Milkwood trees be retained as far as possible.
- The search and rescue operation should be carried out in late summer and again during winter/early spring to collect as many autumn and winter/spring flowering bulbs as possible.

The owners will therefore have to ensure that as many Milkwood trees as possible are retained for the proposed development. The impact on the dune system was considered during the EIA process and conditions with regards to vegetation protection, visual impact etc. were included in the Environmental Authorization for the proposed development.

- The objector is concerned about the proposed buildings being located on the highest point on the property and the visual impact the buildings might have. No architectural drawings / plans were submitted with the application. It is proposed that the buildings be located next to the existing buildings on Premier Fishing's existing abalone farm and that the height of the buildings be limited to 7,8m.

The construction of all structures will comply with relevant legislation governing positioning within the site, height and aesthetics. We would like to request that the author be more specific regarding the nature of the visual impact that he anticipates, given the fact that the administration hub is likely to be located adjacent to Kolgansbaai. We would furthermore like to state that the positioning of administration buildings at the highest elevation facing away from Kolgansbaai should result in a beneficial visual buffer which will ultimately benefit the adjacent residential development in terms of other sensory impacts. We are of the opinion that the administrative hub will serve as an ideal buffer between the residential estate and the growout platforms and associated infrastructure of the abalone farm.

The suggestion regarding the location of the proposed buildings next to the existing Premier Fishing's buildings on the adjacent farm was forwarded to the applicant whom indicated that this location was impractical. The main reason for this is the geotechnical characteristics of the site, along with fact that such a layout would result in the location of grow out platforms at an increased elevation which would in turn increase energy demand over the operation phase of the development.

The exact design and layout of the administrative hub have not been finalised and as such no architectural drawings are available at present.

Since the land use application was submitted and the public participation process concluded the site development plan for erf 3819 Gansbaai was revised, finalized and forms part of the Environmental Authorization issued by the Department of Environmental Affairs & Development Planning. Provision is made for two double storey office buildings on site. One of the proposed double storey offices will be positioned north of the Kolgansbaai Development, but farther away than the initial 10m proposed with the original SDP. The closest point of the offices will be ±25m from the common boundary with Kolgansbaai. The second office building is positioned to the southern part of the subject property. The administrative hub (supervisors' offices, tea room & lavatories) will also not be placed adjacent to Kolgansbaai Estate. Sufficient provision was made for a buffer between the respective erven as previously stipulated.

It is motivated that the proposed buffer and visual mitigating measures as shown on the SDP and as mentioned in the conditions of the EA sufficiently address the possible visual impact on Kolgansbaai Estate. The EA does not stipulate a maximum height for the structures on erf 3819 Gansbaai. Thus

the municipality will have to use their discretion when approving the building plans for erf 3819 Gansbaai to ensure that the proposed building plans meet the Overstrand Zoning Scheme Regulations' requirements as well as the requirements of the VIA's condition of approval with regards to the design of the structures.

- **The objector asks what assurance can be given that no other future development will take place on the subject property (for example commercial development, etc.)? Furthermore the Overstrand Municipal Wide Spatial Development Framework (SDF) stipulates that a residential buffer of at least 44m must be maintained between the existing Kolgansbaai Estate and future industrial developments. Currently there is only an ineffective ±11m buffer area in the form of an internal access road and therefore the site development plan should be amended.**

Application is made to rezone the subject property to Agriculture Zone with a consent use to utilize erf 3819 Gansbaai for aquaculture purposes. Consequently only the aforementioned land uses will be allowed on the subject property. Any additional land uses or changes in the existing land uses will necessitate the submission of another application in terms of the relevant scheme regulations. New applications will have to follow the same process than the current application, therefore including a public participation component were the adjacent property owners have to be informed of any proposed changes to the zoning or land use of the subject property.

Furthermore it should be noted that the Greater Gansbaai Spatial Plan and not the Overstrand Municipal Wide Spatial Development Framework (2006) refers to a buffer of at least 44m that has to be maintained between Kolgansbaai Residential Estate and industrial developments. The Overstrand Municipal Wide Spatial Development Framework (2006) makes no reference to the aforementioned buffer area. Furthermore it should be noted that the last mentioned Spatial Development Framework (SDF) is the latest SDF that was approved and accepted by Council. The Municipal Systems Act, Act no. 32 of 2000, states the following:

"Status of Integrated Development Plan (IDP)

35. (2) A spatial development framework contained in an integrated development plan prevails over a plan as defined in section 1 of the Physical Planning Act, 1991 (Act No. 125 of 1991)."

The Overstrand Municipal Wide SDF (2006) was approved by Council and forms part of the approved IDP of the Overstrand Municipality. Consequently the aforementioned SDF serves as the latest mandate for Council's consideration and decisions regarding land use applications and not the Greater Gansbaai Spatial Plan. The comment regarding the 44m buffer that has to be maintained is therefore irrelevant.

A 10m wide ring road will be constructed around the entire perimeter of the farm. This will facilitate ease of movement around the farm and also serve as a buffer area between the Kolgansbaai Estate and the proposed abalone farm. The administrative hub will be situated next to the 10m wide ring road, back side to the Kolgansbaai Estate and will consequently serve as a further visual barrier between the residential estate and the abalone farm. As previously mentioned we are of the opinion that a 50 metre buffer is unfeasible, especially in the light of the limited size (± 6 hectares) of the subject property.

Also refer to previous comments on responses above with reference to the Gansbaai Structure Plan no longer being applicable as well as the approved buffer area in terms of the EA.

- **The elevation of erf 3819 Gansbaai with regard to the ocean should be considered as water for the abalone will have to be pumped to this elevation.**

As confirmed by EnviroAfrica Environmental Consultants the feasibility of the development has been investigated by the applicant and found to be acceptable.

- **Noise impact is a great concern. How will the administrative buildings be orientated? How will the generator rooms be soundproofed and will the generators run continually? Where will the loading area for the delivery trucks be? What measures will be put in place to ensure the internal pumps do not cause a disturbance?**

As previously mentioned the noise levels will be in line with the level prescribed by relevant legislation. The applicant has also indicated that future ambient noise levels will be similar to those already present on the existing abalone operation of Erf 1727 Gansbaai. Similar technologies already utilized on this site will be implemented to mitigate ambient noise from blowers, generators, pumps and other infrastructure to acceptable levels.

Generators will not run continually.

Delivery trucks will offload nearby each respective area for which the delivery is destined, as such offloading of vehicles will occur in multiple locations as dictated by operational requirements. The loading zones will be determined in consultation with the engineering department of the Overstrand Municipality and in line with the provisions of the Gansbaai Scheme Regulations.

- It was also stressed that there is no time limit with regard to the erection of dwellings on the Kolqansbaai estate. The majority of erven can therefore remain vacant for an indefinite time. As the prevalent summer wind is from the southeast, a serious fire hazard exists for the proposed buildings on the application area.

We note the concern and would like to advise of the statutory obligation that rests on the owner of an undeveloped residential erf to ensure that the erf is kept tidy in a manner that reduces the risk of fires to adjacent erven.

TO CONCLUDE AND SUMMARIZE, it is evident that the various studies undertaken for the proposed Abalone Farm as well as the outcome of the Environmental Authorization stipulates various mitigating measures that has to be put in place to allow for the operation of the proposed Abalone Farm. We are of the opinion that most concerns raised in the initial public participation period were addressed with the ongoing studies and Environmental Impact Assessment still in process at the time. The conditions as stipulated in the EA not only protect the environment but also address the concerns of the possible impact the development might have on the adjacent properties. To summarize, the revised site development plan and Environmental Impact Assessment implies the following that addresses the concerns raised by the objectors:

- The buffer area between erf 3819 Gansbaai and the Kolqansbaai Estate will be enlarged (triangle shaped buffer running $\pm 20m$ wide south-east of the southern boundary with the widest portion on the western side of the boundary of $\pm 50m$ wide). The width and length of the buffer area as shown on the site development plan meets the requirements of the final EIAR as stipulated in the EA.
- The existing vegetation in the buffer area will be retained.
- The buffer area will be a no-go area during construction and operational phases.
- Search and Rescue operations will be undertaken prior to construction and following the construction phases, at least twice a year to ensure the protection of rare / conservation worthy plant species. Bulbs retrieved will be transplanted to nearby conservation areas.
- Milk wood trees will be retained as far as possible.
- To ensure the visual impact is kept to a minimum, the platforms will be terraced, the design of new buildings will visually recessive and aesthetically pleasing, the retention wall will be planted with indigenous vegetation and boundary treatments (fencing) along erf boundaries will be visually permeable and recessive.
- The Gansbaai Structure Plan was repealed and is no longer relevant to the application.

We trust that you will find our updated comments on the objections in order and will now be able to finalize the application.

Yours faithfully



M. LERM Pr. Pin (A/158/2009)
PLAN ACTIVE

**COMMENTS FROM THE ENGINEERING SERVICES DEPARTMENT FOR:
APPLICATION FOR CONSENT USE AND REZONING: ERF 3819,
GANSBAAI**

Water	:	According to GLS Report
Sewer	:	According to GLS Report
Roads and traffic	:	In order
Stormwater (SW)	:	According to the master plan by the developer
Electricity	:	According to the master

Conditions:

1. That a Bulk Services Contribution Levy (BICL) be paid by the developer to supplement municipal services and amenities in accordance with the relevant legislation and as determined by the Council. The BICL tariff is adjusted by Council annually. The total BICL payable will be the amount as determined by the BICL Policy and tariff at the date of **actual payment**. BICL amounts quoted in any document will normally be applicable to the particular year in which the document was compiled and Council will not be bound by the quoted amounts.
 - 1.1 **Developments containing Sectional Title Units/ Commercial Buildings** (non-free standing properties – property is not to be subdivided)

The BICLs are to be paid in full **prior** to submission of the building plans. Building Plans will not be accepted unless the BICL is paid in full.
 - 1.2 **Developments with free standing properties** (property that is subdivided and plots to be sold individually).


The BICLs are payable **prior** to clearance being issued by the Income Department of the Municipality.
2. that the developer at his cost constructs the internal municipal civil and electrical services for the development as well as any link or bulk municipal services that need to be provided;
 - 2.1 the Director: Infrastructure and Planning may require the developer to construct internal, link, and/or bulk municipal services to a higher capacity than warranted by the development for purposes of allowing other existing or future developments to also utilise such services, provided;
 - 2.2 the rates and prices of such work be established in terms of a system which is fair, equitable, transparent and cost effective;

- 2.3 if link municipal services have already been provided, the developer to contribute towards the cost thereof, the Director: Infrastructure and Planning to determine the amount of such contribution in terms of a system which is fair and equitable;
3. that servitudes for municipal services be registered in favour of the Council at the developer's cost in respect of all main services to be taken over by the Council and all existing municipal services concerned crossing private property;
4. that the developer indemnifies and keep the Council indemnified against all actions, proceedings, claims and demands, costs, damages and expenses arising out of the establishment of the township, the provision of services to the township or the use of servitude areas or municipal property:
 - 4.1 for a period which shall commence on the date that the installation of the services to the township are commenced with and shall expire after completion of the maintenance period;
 - 4.2 the developer to submit an acceptable public liability insurance policy to the Council and to pay the premium in advance for the period as set out above before any work concerned may commence;
 - 4.3 the insurance to be to an amount which shall not be less than that required by the SAACE;
 - 4.4 such indemnification against loss, claims or damages, to include claims pertaining to consequential damages by third parties and whether as a result of the damage to or interruption of or interference with the Council's services or apparatus or otherwise;
5. that a plan of all existing services be submitted to the Director: Infrastructure and Planning, by the developer and that any of the services that need to be relocated, be done by the developer at his cost to the satisfaction of the Director: Infrastructure and Planning:
 - 5.1 way-leaves must be obtained from the Operational Manager;
 - 5.2 such way-leaves to be obtained prior to any excavation on public property or property where existing services are located;
6. that the developer may enter into an agreement with the Council to install or upgrade bulk and/or link municipal services and amenities at an agreed cost, subject to the following:

- 6.1 such costs to be established in accordance with a system which is fair, equitable, transparent, competitive and cost effective;
 - 6.2 such costs shall be set-off against (part or full) development contributions payable in respect of engineering services;
 - 6.3 to the extent that such costs exceed the development contributions payable, the Council will refund the developer the difference with interest calculated at the prime rate, when funds are available;
7. that plans of all the internal municipal civil and electrical (high and low voltage supply) services and such link services as required by the Director: Infrastructure and Planning, prepared by an ECSA registered professional engineer/technologist, be submitted to the Director: Infrastructure and Planning for his prior approval;
 8. the "Guidelines for the Provision of Engineering Services in Residential Townships" (Blue Book), SABS 1200 specifications and the Design and Construction Standards for civil and electrical services of the Council to be used as the standard design and construction criteria with which such plans must comply;
 9. the Director: Infrastructure and Planning to be notified in writing of all deviations from the Standard Design and Construction Criteria when plans are submitted for his approval and such deviations to be separately approved in writing by the Director: Infrastructure and Planning;
 10. the successful completion of such works to be supervised and certified by an independent professional civil engineer/technologist i.e. a professional civil engineer/technologist who has no direct financial interest in the development, other than payment as standard professional fees for the work concerned; and
 11. such independent professional civil engineer/technologist to furnish the Director: Infrastructure and Planning with satisfactory proof of his professional indemnity insurance to an amount which shall not be less than that required by the SAACE and which insurance shall be valid for the relevant contract and maintenance period;
 12. that a stormwater management plan, which may include attenuation facilities to ensure that the pre-development run-off is not exceeded and that erosion and pollution is minimised, be submitted to the Director: Infrastructure and Planning for approval and that the approved management plan be implemented by the developer at his cost to the satisfaction of the Director: Infrastructure and Planning;
 13. that the above stormwater management plan include the following:

- 13.1 pre-development run-off from the catchment area;
 - 13.2 post-development run-off from catchment area;
 - 13.3 existing stormwater reticulation system and the capacity thereof;
 - 13.4 connection of internal stormwater reticulation system;
 - 13.5 overland escape routes
14. that all municipal civil and electrical services installed or constructed by the developer, be maintained after completion thereof for a maintenance period, as described in the General Condition of Contract for works of Civil Engineering Construction – 2004, of 12 months, and
15. that a Certificate of Completion together with as-built services plans be provided by the independent professional engineer/technologist to the Overstrand Municipality. As-built plans to be on quality paper, together with a DXF file thereof;
16. that the developer furnish the Council with a bank guarantee equal to 2.5% of the value of the provided municipal civil and electrical services as certified by the independent professional engineer/technologist. The guarantee shall be to the satisfaction of the Director: Infrastructure and Planning and valid for the 12 months maintenance period which commences from date of the Certificate of Completion;
17. that the developer provide bulk meters for water and electricity at approved positions as well as individual meters at each consumption point;
18. that an approved central refuse collection area/room to sufficiently accommodate the refuse generated by the development be provided and which is to be provided with the following:
- a. properly ventilated;
 - b. a cement floor;
 - c. a tap and running water, as well as a drainage point which is connected to the sewer network;
 - d. is at a position nearest to an access road for the development and be accessible for the refuse truck at all times, to the satisfaction of the Director: Infrastructure and Planning;
19. that the developer will be responsible for the disposal of industrial waste at the Gansbaai Landfill site, at the prescribed tariff as approved by Council;
20. that the developer appoint a consulting electrical engineer to determine the electricity demand for the development and pay a fee to Overstrand Municipality to determine the capacity in the existing electricity network;

21. that damage to the existing roads, used as routes for access to the development, for the provision of services, be repaired by the developer;
22. that it remains the responsibility of the developer to ensure that sufficient water pressure is provided to the development;
23. that servitudes be registered in favour of Council at the developer's cost, in respect of all the existing and future services crossing the property and that the servitudes be accessible at all times;
24. that the developer submit plans of the proposed access to the development, to the Senior Manager: Engineering Services, Overstrand Municipality, for prior approval;
25. that the developer apply for a temporary water connection on the prescribed application form at Overstrand Municipality's Finance Department, before commencement of construction;
26. that the developer apply for a bulk water connection on the prescribed application form, at Overstrand Municipality's Finance Department and that the installation of the bulk water meter, by the developer, be done under the supervision of the Operational Manager, Gansbaai;
27. that the connection to the main water line will only be done by the Operational Department after payment of the connection fee, by the developer.


DENNIS HENDRIKS
SENIOR MANAGER:
ENGINEERING SERVICES

13/2/2013
DATE



Western Cape
Government

Agriculture

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



TP- A Theart
(5 old merwe)



OUR REFERENCE : 20/9/2/4/2/667
YOUR REFERENCE :-
DEA&DP REFERENCE : E12/2/4/1-E2/10-2037/11
ENQUIRIES : Cor van der Walt

Enviro Africa
PO Box 4
ONRUS
7201

FILE NO:	Enviro 3819 & 538
	GB
SCAN NO:	
COLLABORATOR NO:	825564

Att: Charel Bruwer

PROPOSED EXPASION OF AN AQUACULTURE OPERATION: DIVISION CALEDON
ERF NO 3819, GANSBAAI
ERF NO 538, GANSBAAI

Your application of 12 May 2015 has reference.

The Western Cape Department of Agriculture has no objection to the proposed expansion of the Aquaculture operation.

Please note:

- 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



AS ROUX Pr Eng

DIRECTOR: SUSTAINABLE RESOURCE MANAGEMENT

2015-07-17

Copies:

Department of Environmental Affairs & Development Planning

1 Dorp Street

CAPE TOWN

8001

Overstrand Municipality

PO Box 26

GANSBAAI

7220



OVERSTRAND MUNICIPALITY
P.O. Box 26
GANSBAAI
7220

Date:
22.03.2012

Enquiries:
Ms Magda le Roux
Tel: 021 980 3215
Fax: 021 980 3053

(S v/d Marneel)
I le Roux

GANSBAAI ADMINISTRATION

Attention: S. Müller

ERF 3819, GANSBAAI: APPLICATION FOR AMENDMENT OF THE GREATER GANSBAAI SPATIAL PLAN, AMENDMENT OF THE OVERSTRAND INTEGRATED SPATIAL DEVELOPMENT FRAMEWORK, REZONING AND CONSENT USE.

YOUR REF: ERF 3819, GANSBAAI (1934)

OUR REF: 00418/12

I refer to your letter dated 09 March 2012 and received 19 March 2012 we would like to comment as follows.

Eskom has no objection to the proposal provided that the following requests are adhere to:

1. Should it be necessary to relocate any of the existing Eskom services for possible future needs of applicant at least 3 months notice in writing is required and the cost will be entirely for the account of the Developer/ Applicant.

Yours faithfully


MAGDA LE ROUX
LAND DEVELOPMENT (BRACKENFELL)

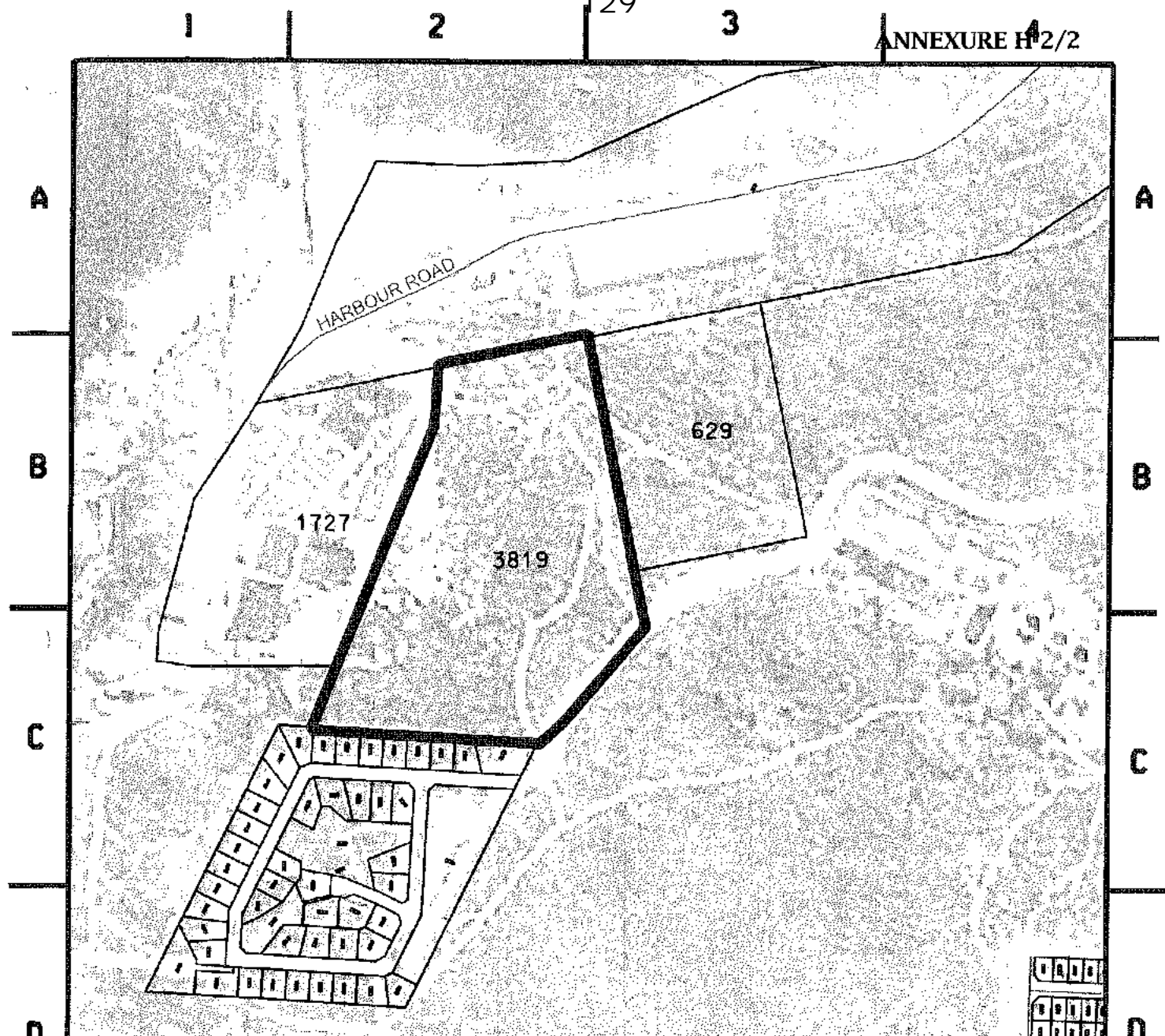
FILE NO:	E-3819 GB
SCAN NO:	12
COLLABORATOR NO:	334425

Western Region
Eskom Road Brackenfell 7560 PO Box 222 Brackenfell 7561 SA

Eskom Holdings SOC Limited Reg No 2002/015527/06

On file
27/03/2012





LEGEND

----- CADASTRAL BOUNDARY

————— AREA OF INTEREST

OUT OF ESKOM SUPPLY AREA

						//	
						//	

REV	REVISION DESCRIPTION	BY	CHKD	AUTH	DATE
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CALEDON TSA
ERF 3819, GANSBAAI
AMENDMENT OF THE INTEGRATED SPATIAL
DEVELOPMENT FRAMEWORK,
REZONING AND CONSENT USE
WAYLEAVE REQUEST

00418/12

AUTH:

DATE:

CHKD: *M. Le Roux*
M. LE ROUX

DATE: 22/3/2012

DRAWN: J. STRZALKOWSKI

DATE: 2012/03/19

OUT OF ESKOM SUPPLY AREA	SET	SHEET	REVISION



(S. veldman)
I la Roux



BREEDE-OVERBERG

Catchment Management Agency

Overstrand se Ombudsagentskap

I-Artse se kalwato lom Mandla Hlabangwe



Breede-Overberg CMA
Private Bag X3055
Worcester
6850

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Breede-Overberg CMA
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E-mail: fsmith@booma.co.za

Cell: 082 445 5059

Navrae / Enquiries / Imibuzo:



Verwysing / Reference / Referensi:

Datum: / Date:

F Smith

023 347 8131

4/10/1/G40L Erf 3819,
Gansbaai (2)

20 August 2012

Overstrand Municipality
P.O. Box 26
Gansbaai
7220

Sir/Madam

COMMENT ON THE PROPOSED AMENDMENT OF THE GREATER GANSBAAI SPATIAL PLAN, AMENDMENT OF THE OVERSTRAND INTEGRATED SPATIAL DEVELOPMENT FRAMEWORK, REZONING AND CONSENT USE, ERF 3819, GANSBAAI.

With reference to the application dated 09/03/2012, the subsequent correspondence and technical information dated 19/07/2012, and the additional enquiry dated 03/08/2012, the following:

After having had the opportunity to assess the information submitted, herewith the following:

- The BOCMA at this stage, has no further queries and as such, no objections against the proposed amendment of the greater Gansbaai Spatial Plan, amendment of the Overstrand Integrated Spatial Development framework, Rezoning and Consent use.

The BOCMA will gladly comment on any additional information provided for review. The BOCMA reserves the right to revise initial comments and request further information based on any additional information that might be received.

Please do not hesitate to contact this office if you have any further queries.

Please ensure to quote the above reference in doing so.

Erf 3819, Gansbaai (2) 4/10/1/G40L


FILE NO:	ERF 3819 98 Page
SCAN NO:	
COLLABORATOR NO:	473196

Yours faithfully.

PP.


PHAKAMANI BUTHELEZI

Chief Executive Officer


17-8-2012

OVERBERG

DISTRIKSMUNISIPALITEIT
DISTRICT MUNICIPALITY
UMASIPALA WESITHILI



MELD ASB/PLEASE QUOTE

Ons Verw./Our Ref.: 18/3/9/11/2

Navrae/Enquiries: N.J.Dreyer

Bylyn/Ext.: 0828923341

Privaatsak: X22

Private Bag:

BREDASDORP

7280

Tel.: (028) 4251157

Faks/Fax: (028) 4251014

Hermanus Office/Kantoor

028 - 3131243 (T)

028 - 3131263 (F)

14 March 2012

Town Planning Department
Overstrand Municipality
Gansbaai
7220



*Sold name
I la houk*

RE: ERF 3819, GANSBAAI

This department has no objection to the application for rezoning and consent use of the abovementioned property.

Yours truly,

THE DIRECTOR: COMMUNITY SERVICES
Nd/pc



FILE NO:	E2 3819 9B
SCAN NO:	5
COLLABORATOR NO:	334411

*Onwomb
ERF 3819/115*

(S van der Merwe)
I La RouxWestern Cape
Government

Health

23 APR 2012
DIRECTORATE: PUBLIC HEALTH PROGRAMMES

GANSBAAI SUB-DIRECTORATE: ENVIRONMENTAL AND PORT HEALTH

REFERENCE: 19/3/1/R3001

ENQUIRIES: Mr G.J. Olivier

Tel: 0233488131 Fax: 0866137156 E-mail: golivier@pgwc.gov.za

Director: Infrastructure & Planning
Overstrand Municipality: Gansbaai Administration
P O Box 26
GANSBAAI
7220

Attention: S van der Merwe

ERF 3819, GANSBAAI: APPLICATION FOR AMENDMENT OF THE GREATER GANSBAAI SPATIAL PLAN, AMENDMENT OF THE OVERSTRAND INTEGRATED SPATIAL DEVELOPMENT FRAMEWORK, REZONING AND CONSENT USE

- 1 Your request for comments on the above application under reference Erf 3819, Gansbaai (1934), dated 9 March 2012, refers.
- 2 From an environmental health point of view there is no objection against the application for the purpose of establishing an abalone farm on condition that:
 - 2.1 No nuisances (fly breeding, odours, etc), water source pollution or health hazards occur at any time during the construction phase or thereafter during the operational phase.
 - 2.2 Any further requirements of the applicable Municipal Health Services authority (Overberg District Municipality: Environmental Health Component) are also adhered to.

Yours Faithfully

PROGRAMME MANAGER: ENVIRONMENTAL HEALTH

Date: 2012-04-17

Brewelskloof Hospital Private Bag X3079, Worcester, 6849

FILE NO:	EL 3819 GB
SCAN NO:	
COLLABORATOR NO:	34544



agriculture,
forestry & fisheries

Department:
Agriculture, Forestry and Fisheries
REPUBLIC OF SOUTH AFRICA

Private Bag X120, Pretoria (Tshwane), 0001
Delpen Building, C/o Annie Botha & Union Street, Riviera, 0084

From: Directorate Land Use and Soil Management
Tel: 012-319-7634 Fax: 012-329-5838 E-mail: ThokoB@daff.gov.za
Enquiries: Helpdesk Ref: 2011_12_0223

Plan Active Town & Regional Planners
P.O. Box 296
HERMANUS
7200

2012-04-17

Dear Sir/Madam

**PROPOSED REZONING, CONSENT USE AND AMENDMENT OF THE STRUCTURE
PLANS OF ERF 3819, DIVISION GANSBAY, WESTERN CAPE PROVINCE**

Your letter 10326/ML dated 14 November 2011 refers.

With reference to the above-mentioned subject this Department has no objection against the proposed rezoning from Undetermined Zone to Agriculture Zone and a consent use for the development and use for aquaculture purposes from an agricultural point of view.

Yours faithfully

DELEGATE OF THE MINISTER: LAND USE AND SOIL MANAGEMENT



MINISTRY OF LOCAL GOVERNMENT,
ENVIRONMENTAL AFFAIRS AND
DEVELOPMENT PLANNING

M 3/6/5

Mr James Lawson-Smith
Premier Fishing SA (Pty) Ltd
P.O. Box 383
GANSBAAI
7220

Tel: (028) 384 1162
Fax: (028) 384 1163

Dear Mr Lawson-Smith

APPEAL LODGED IN TERMS OF SECTION 43(2) OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) AGAINST THE ENVIRONMENTAL AUTHORISATION FOR THE PROPOSED EXPANSION OF AQUACULTURE OPERATIONS ONTO ERF NO. 3819 AND LOT 32A OF ERF NO. 538, GANSBAAI

The appeal lodged against the Environmental Authorisation ("EA") granted on 14 October 2016, for the above proposed development, refers.

After careful consideration of the appeal, as well as supporting documentation received, I have decided in terms of section 43 (6) of the National Environmental Management Act, 1998 (Act 107 of 1998) ("NEMA"), to confirm the abovementioned decision of the competent authority and to dismiss the appeal. The abovementioned EA which is confirmed in this appeal decision and the conditions under which the authorisation is granted must be complied with, however Conditions E6 and E7 and section H are excluded from this appeal authorisation. Conditions E2 and E5.2 are substituted to read as follows:-

Condition E 2:

"The Environmental Authorisation is valid for a period of five years from the date of the appeal decision and within this period commencement must occur."

Condition E 5.2:

"The notice must also include proof of compliance with the following conditions described herein:

Conditions: 10 and 18."

1. REASONS FOR THIS APPEAL DECISION

The reasons for dismissing the appeal and confirming the aforementioned decision of the competent authority are contained below:

Ground of appeal

1.1 The impact that the abalone processing plant would have on the surrounding environment should have been critically evaluated. It is a permanent development in a pristine coastal environment which would result in negative impacts on the area. Convenience, job-creation and the increase in abalone production should not have a heavier weighting than the impacts that would result from the development in a pristine coastal area.

The impact of the abalone processing plant was critically assessed during the Scoping and Environmental Impact Assessment process. During the process the following specialist studies were completed to add specialist information to the Environmental Impact Assessment:

- *Excavation Report completed by Pro-Active Archaeological Consultants dated 12 December 2014.*
- *Botanical Assessment for proposed construction of Abalone Farm on Erf 3819 and Lot 32A of Erf 538, Gansbaai, Caledon District completed by Fynbos Ecoscapes Botanical Consulting dated 31 May 2011.*
- *Visual Impact Assessment completed by Megan Anderson Landscape Architects dated June 2014.*

The Botanical Assessment concluded amongst other things that "Most of the natural vegetation on site is in poor condition, and as a whole the site is of low regional conservation value." This is in contrast to the statement that the development will take place in a pristine coastal environment. The principles as contained in the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA") were taken into consideration to make sure that the development is the best practicable environmental option and that all negative impacts are mitigated into acceptable standards, and that the people's environmental rights are considered. The Social, Economic and Environmental impacts of the development including the disadvantages and benefits were considered and evaluated.

1.2 The expansion is outside of the industrial area of Gansbaai and is actually situated in the residential area which would undoubtedly negatively affect the property values.

The development is the expansion of an existing facility. It is not a new facility that is being introduced into the area. The Overstrand Municipality, has indicated that the proposed development is located within the Urban Edge identified in terms of the Overstrand Integrated Development Framework, 2006 and is earmarked as an industrial extension area. The

development has thus been planned for the area and should not affect the values of properties surrounding it.

- 1.3 The expansion is against the high-water mark and the harbour wall of the new harbour. Development of this type in pristine coastline should be carefully and critically considered. Environmental impacts should be the pinnacle factor that should be considered.

The seashore vegetation in the abstraction / pumpstation areas, as well as the discharge areas are assessed to have very low conservation value due to the existing degree of transformation in these locations. Both the pumpstation location and discharge location have in the past been impacted to fairly sterile environments by past development of Erf 1727 and the Gansbaai Harbour. The Botanical Assessment concluded amongst other things that "Most of the natural vegetation on site is in poor condition, and as a whole the site is of low regional conservation value."

- 1.4 The proposed access route through the existing harbour road is not acceptable. This road leads through the old harbour which was never intended to be an access route. This road then leads through the harbour area and the coast past the houses on Van Dyk Steef. The applicant is apparently not aware of how busy this road gets during the holiday season. The harbour area would not be able to handle the extra traffic and would also be a nuisance to the tranquillity and silence in the area. I have no objection against access to the site through the alternative access road through Kolgansbaai.

As mentioned in the Responding Statement "The proposed development will depend for the most part on the same service providers, vendors and customers as most interactions will be of a shared service nature." This shows that the biggest increase in traffic will be during the construction phase which was mitigated in the Environmental Management Programme. The construction phase is also temporary and the impact on traffic will be temporary. It was also mentioned in the Responding Statement that "the proposed development will have its primary access route located to the east of the property adjacent Kolgansbaai."

- 1.5 The visual impact is significant. Where currently holiday goers and permanent residents are enjoying the beautiful, pristine coastal area the proposed development would impact this by the construction of offices, a petrol station, workshops, store rooms, security office and waste processing plant. It can thus be concluded that this is not the best area for this type of development.

It was assessed that the overall visual impacts were rated to be of medium to high significance before mitigation and medium to low after mitigation. The building of a facility will always have a visual impact, but this impact was mitigated as stated within the Visual Impact Assessment. The expansion of the existing facility is in line with the Overstrand Integrated Development Framework, 2006 and future industrial development will take place on the site. It was also assessed in the Botanical Assessment that the current state of the site "...is in poor condition, and as a whole the site is of low regional conservation value"

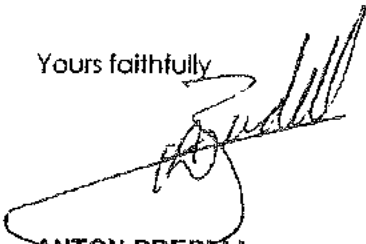
- 1.6 Concerns were raised regarding noise levels which would result from the factory. On two occasions I requested a site meeting with EnviroAfrica on the development footprint to discuss the lay-out of the development and to raise other concerns, but these were not forthcoming. *The Applicant has shown that noise should not be an impact due to the fact that the proposed development will have a similar sound profile to the existing abalone farm situated on Erf 1727 Gansbaai for which they are not aware of any complaints that has been registered and the pumphouse infrastructure will remain in the same location within a building. Similarly, blowers and generators are located in buildings which are soundproofed.*
- 1.7 The negative impacts on the environment and surrounding community does not share the same importance as that of the financial and commercial concerns in the environmental assessment. It is my opinion that better mitigation, remediation and rehabilitation measures should be put in place to limit the impacts on the environment and surrounding community. If this is not possible alternative site locations should be assessed. *The Assessment has shown that the applicable location is the most suitable location for the proposed development, not only because of the fact that this is the expansion of an existing facility but also that the environment is degraded on which the new facility will be constructed. The Public Participation Process was also concluded in line with the minimum legal requirements and all Interested and Affected Parties were communicated with and their concerns were addressed. With regards to the request for a site visit the Applicant replied that "While we as independent EAP would be more than willing to meet Mr Nel on site there is the issue of cost related to such a request. We estimate that there will be little or any value in a site meeting as it would be very difficult to traverse a terrain overgrown in Acacia Cyclops. The terrain is also not pegged and marked and it would not be possible to point out the location of individual components of the proposed infrastructure." All impacts that could arise during construction and operation of the facility was assessed and mitigated in the Environmental Impact Assessment Process. Included in this process is the development of an Environmental Management Plan which will result in the future sustainable operation of the facility taking into consideration any future impacts.*
- 1.8 Developments of this scale and type in a sensitive environmental area with permanent impacts on the environment and surrounding community should not be lightly decided upon. *All decisions made must be in line with the Constitution of the Republic of South Africa, 1996. Section 24 states that "Everyone has the right— (a) to an environment that is not harmful to their health or well-being; and (b) to have the environment protected, for the benefit of present and future generations, through reasonable legislative and other measures that— (i) prevent pollution and ecological degradation; (ii) promote conservation; and (iii) secure ecologically sustainable development and use of natural resources while promoting justifiable economic and social development". Further, Chapter 2 of NEMA provides a number of principles that decision makers have to consider when making decisions that may affect the environment. Therefore, when a Competent Authority considers granting or refusing environmental authorisation based*

on an Environmental Impact Assessment, these principles must be taken into account. It is thus emphasised that this decision was not taken lightly and that all the previously mentioned and relevant documentation was taken into consideration during the Appeal process.

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.

Yours faithfully



ANTON BREDELL
MINISTER OF LOCAL GOVERNMENT,
ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

DATE: 22/6/2017

CC : 1. C Bruwer (Enviro Africa)
2. Natasha Bleding (DEA&DP: Development Management (Region I))

Fax: (086) 513 2141

Fax: (021) 483 4372

From: To:*00865132141 14/10/2016 10:27 #130 P.001/026



Directorate: Development Management
(Region 1)

REFERENCE: E12/2/4/1-E2/10-2037/11
ENQUIRIES: Natasha Bieding
DATE OF ISSUE: 14 OCT 2016

ENVIRONMENTAL AUTHORISATION

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2010 AND 2014: PROPOSED EXPANSION OF AQUACULTURE OPERATIONS ONTO ERF 3819 AND LOT 32A OF ERF 538, GANSBAAI

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

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, 2010 and 2014, the Competent Authority herewith **grants Environmental Authorisation** to the applicant to undertake the listed activities specified in section B below with respect to Layout alternative 1, described in the EIA Report, dated March 2016.

The applicant for this Environmental Authorisation is required to comply with the conditions set out in section E below.

A. DETAILS OF THE APPLICANT FOR THIS ENVIRONMENTAL AUTHORISATION

Premier Fishing SA (Pty) Ltd.
c/o L Lawson-Smith
P O Box 383
GANSBAAI
7220

Tel.: (028) 384 1162
Fax: (028) 384 1163

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

7th Floor, 1 Dorp Street, Cape Town, 8001
Tel.: +27 21 483 5833/3185 Fax: +27 21 483 4372
E-mail: Natasha.Bieding@westerncape.gov.za

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

From: To: 00865132141 14/10/2016 10:31 #130 P.002/026

B. LIST OF ACTIVITIES AUTHORISED

Listed Activities	Activity/Project Description
<p>Government Notice No. R. 544 of 18 June 2010 – Activity Number: 9</p> <p>Activity Description: "The construction of facilities or infrastructure exceeding 1000 metres in length for the bulk transportation of water, sewage or storm water -</p> <p>(i) with an internal diameter of 0,36 metres or more; or</p> <p>(ii) with a peak throughput of 120 litres per second or more,</p> <p>excluding where:</p> <p>a. such facilities or infrastructure are for bulk transportation of water, sewage or storm water or storm water drainage inside a road reserve; or</p> <p>b. where such construction will occur within urban areas but further than 32 metres from a watercourse, measured from the edge of the watercourse".</p>	<p>Infrastructure will be constructed and installed for the bulk transportation of water, sewage or storm water.</p>
<p>Government Notice No. R. 544 of 18 June 2010 – Activity Number: 14</p> <p>Activity Description: "The construction of structures in the coastal public property where the development footprint is bigger than 50 square metres, excluding</p> <p>(i) the construction of structures within existing ports or harbours that will not increase the development footprint or throughput capacity of the port or harbour;</p> <p>(ii) the construction of a port or harbour, in which case activity 24 of Notice 545 of 2010 applies;</p> <p>the construction of temporary structures within the beach zone where such structures will be demolished or disassembled after a period not exceeding 6 weeks".</p>	<p>The footprint of the development will exceed 50 square metres and will be constructed in the coastal public property.</p>
<p>Government Notice No. R. 544 of 18 June 2010 Activity Number: 16</p> <p>Activity Description: "The construction or earth moving activities in the sea, an estuary, or within the littoral active zone or a distance of 100 metres inland of the high-water mark of the sea or an estuary, whichever is the greater, in respect of –</p> <p>(i) fixed or floating jetties and slipways;</p> <p>(ii) tidal pools;</p> <p>(iii) embankments;</p> <p>(iv) rock revetments or stabilising structures including stabilising walls;</p> <p>(v) buildings of 50 square metres or more; or</p> <p>(vi) infrastructure covering 50 square metres or more –</p> <p>but excluding</p>	<p>The footprint of the development will exceed 50 square metres and will be constructed 100 metres inland of the high-water mark of the sea.</p>

From:

To: 00865132141

14/10/2016 10:35

#130 P.003/026

<p>(a) if such construction or earth moving activities will occur behind a development setback line; or</p> <p>(b) where such construction or earth moving activities will occur within existing ports or harbours and the construction or earth moving activities will not increase the development footprint or throughput capacity of the port or harbour;</p> <p>(c) where such construction or earth moving activities is undertaken for purposes of maintenance of the facilities mentioned in (i)-(vi) above; or</p> <p>(d) where such construction or earth moving activities is related to the construction of a port or harbour, in which case activity 24 of Notice 545 of 2010 applies".</p>	
<p>Government Notice No. R. 544 of 18 June 2010 Activity Number: 17 Activity Description: "The planting of vegetation or placing of any material on dunes and exposed sand surfaces, within the littoral active zone for the purpose of preventing the free movement of sand, erosion or accretion, excluding where the planting of vegetation or placement of material relates to restoration and maintenance of indigenous coastal vegetation or where such planting of vegetation or placing of material will occur behind a development setback line".</p>	<p>The planting of vegetation/landscaping will take place on the seaward boundary of Lot 32A.</p>
<p>Government Notice No. R. 544 of 18 June 2010 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 or more than 5 cubic metres from:</p> <p>(i) a watercourse;</p> <p>(ii) the sea;</p> <p>(iii) the seashore;</p> <p>(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-</p> <p>but excluding where such infilling, depositing, dredging, excavation, removal or moving;</p> <p>(a) is for maintenance purposes undertaken in accordance with a management plan agreed to by the relevant environmental authority; or</p> <p>(b) occurs behind the development setback line".</p>	<p>5 cubic metres of material will be infilled and/or deposited within 100 metres inland of the high water mark of the sea.</p>

From:

To:"00865132141

14/10/2016 10:39

#130 P.004/026

<p>Government Notice No. R. 544 of 18 June 2010 Activity Number: 23 Activity Description: "The transformation of undeveloped, vacant or derelict land to –</p> <ul style="list-style-type: none"> (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; - <p>except where such transformation takes place –</p> <ul style="list-style-type: none"> (i) for linear activities; or (ii) for purposes of agriculture or afforestation, in which case Activity 16 of Notice No. R. 545 applies". 	<p>Transformation of undeveloped Erf 3819BG will take place and the development footprint will exceed 5 hectares.</p>
<p>Government Notice No. R. 544 of 18 June 2010 Activity Number: 25 Activity Description: "The release of genetically modified organisms into the environment, where assessment for such release is required by the Genetically Modified Organisms Act, 1997 (Act No. 15 of 1997) or the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004)".</p>	<p>Genetically modified organisms will be used as part of the operations at the expanded facility.</p>
<p>Government Notice No. R. 544 of 18 June 2010 Activity Number: 33 Activity Description: "The expansion of facilities, infrastructure or structures for aquaculture of-</p> <ul style="list-style-type: none"> (i) finfish, crustaceans, reptiles or amphibians, where the production output of such facility, infrastructure or structures will be increased by 20 000 kg (wet weight) or more; (ii) molluscs where the production output of such facility, infrastructure or structures will be increased by 30 000 (wet weight) or more; <p>aquatic plants where the production output of such facility, infrastructure or structures will be increased by 60 000 kg (wet weight) or more".</p>	<p>The output of the expanded facility will increase to approximately 300 tonnes per annum.</p>
<p>Government Notice No. R. 544 of 18 June 2010 Activity Number: 43 Activity Description: "The expansion of structures in the coastal public property where the development footprint will be increased by more than 50 square metres, excluding such expansions within existing ports or harbours where there would be no increase in the development footprint or throughput capacity of the port or harbour".</p>	<p>Structures will be expanded in the coastal public property and the development footprint will exceed 50 square metres.</p>

From:

To:*00865132141

14/10/2016 10:43

#130 P.006/026

<p>Government Notice No. R. 544 of 18 June 2010 Activity Number: 45 Activity Description: "The expansion of facilities in the sea, an estuary, or within the littoral active zone or a distance of 100 metres inland of the high-water mark of the sea or an estuary, whichever is the greater, for –</p> <ul style="list-style-type: none"> (i) fixed or floating jetties and slipways; (ii) tidal pools; (iii) embankments; (iv) rock revetments or stabilising structures including stabilising walls; (v) buildings by more than 50 square metres; (vi) infrastructure by more than 50 square metres; (vii) facilities associated with the arrival and departure of vessels and the handling of cargo; (viii) piers; (ix) inter- and sub-tidal structures for entrapment of sand; (x) breakwater structures; (xi) coastal marinas; (xii) coastal harbours or ports; (xiii) structures for draining parts of the sea or estuary; (xiv) tunnels; or (xv) underwater channels – <p>where such expansion will result in an increase in the development footprint of such facilities but excluding where such expansion occurs:</p> <ul style="list-style-type: none"> (a) behind a development setback line; or (b) within existing ports or harbours where there will be no increase in the development footprint or throughput capacity of the port or harbour". 	<p>The current development and present infrastructure will be expanded by more than 50 square metres within 100 metres inland of the high-water mark of the sea.</p>
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From:

To: 00865132141

14/10/2016 10:46

#130 P.006/026

<p>Government Notice No. R. 545 of 18 June 2010 Activity Number: 12 Activity Description: "The construction of facilities, infrastructure or structures for aquaculture of -</p> <ul style="list-style-type: none"> (i) finfish, crustaceans, reptiles or amphibians where the facility, infrastructure or structures will have a production output of 200 000 or more kg per annum (live round weight); (ii) molluscs where the facility, infrastructure or structures will have a production output of 150000 or more kg per annum (live round weight); (iii) aquatic plants where the facility, infrastructure or structures will have a production output of 200 000 or more kg per annum (live round weight); <p>excluding where the construction of facilities, infrastructure or structures is for purposes of offshore cage culture in which case activity 13 in this Notice will apply".</p>	<p>The output will increase to approximately 300 tonnes per annum.</p>
<p>Government Notice No. R. 545 of 18 June 2010 Activity Number: 14 Activity Description: "The construction of an island, anchored platform or any other permanent structure on or along the sea bed excluding construction of facilities, infrastructure or structures for aquaculture purposes".</p>	<p>The existing abstraction point will be altered and a new abstraction point will be located south of the existing pumphouse. Abstraction points for abalone farming need to be secure from seawater forces and are therefore fixed to the ocean floor by means of permanent concrete platforms.</p>
<p>Government Notice No. R. 983 of 4 December 2014 – Activity Number: 3 Activity Description: "The development and related operation of facilities or infrastructure for the slaughter of animals with a product throughput of—</p> <ul style="list-style-type: none"> (i) poultry exceeding 50 poultry per day; (ii) reptiles, game and red meat exceeding 6 units per day; or (iii) fish, crustaceans and amphibians with a wet weight product throughput of 20 000 kg per annum". 	<p>The facility will cater for the slaughter of abalone with a wet weight product throughput of 20 000 kg per annum.</p>
<p>Government Notice No. R. 983 of 4 December 2014 – Activity Number: 6 Activity Description: "The development and related operation of facilities, infrastructure or structures for aquaculture of—</p> <ul style="list-style-type: none"> (i) finfish, crustaceans, reptiles or amphibians, where such facility, infrastructure or structures will have a production output exceeding 20 000 kg per annum (wet weight); (ii) molluscs and echinoderms, where such facility, infrastructure or structures will have a production output exceeding 30 000 kg per annum (wet weight); or 	<p>The output of the expanded facility will increase to approximately 300 tonnes per annum.</p>

From:

To: 00865132141

14/10/2016 10:50

#130 P.007/026

<p>(iii) aquatic plants, where such facility, infrastructure or structures will have a production output exceeding 60 000 kg per annum (wet weight); excluding where the development of such facilities, infrastructure or structures is for purposes of sea-based cage culture in which case activity 7 in this Notice applies.</p>	
<p>Government Notice No. R. 983 of 4 December 2014 – Activity Number: 9 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".</p>	<p>infrastructure will be constructed and installed for the bulk transportation of water, sewage or storm water.</p>
<p>Government Notice No. R. 983 of 4 December 2014 – Activity Number: 10 Activity Description: "The development and related operation of infrastructure exceeding 1000 metres in length for the bulk transportation of sewage, effluent, process water, waste water, return water, industrial discharge or slimes – (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 sewage, effluent, process water, waste water, return water, industrial discharge or slimes inside a road reserve; or (b) where such development will occur within an urban area".</p>	<p>infrastructure will be constructed and installed for the bulk transportation of sewage, effluent, process water, waste water, return water, industrial discharge and/or slimes.</p>

From: To: 00865132141 14/10/2016 10:54 #130 P.008/026

<p>Government Notice No. R. 983 of 4 December 2014 – Activity Number: 17</p> <p>Activity Description: "Development—</p> <ul style="list-style-type: none"> (i) in the sea; (ii) in an estuary; (iii) within the littoral active zone; (iv) in front of a development setback; or (v) if no development setback exists, within a distance of 100 metres inland of the high-water mark of the sea or an estuary, whichever is the greater; <p>in respect of—</p> <ul style="list-style-type: none"> (a) fixed or floating jetties and slipways; (b) tidal pools; (c) embankments; (d) rock revetments or stabilising structures including stabilising walls; (e) buildings of 50 square metres or more; or (f) infrastructure with a development footprint of 50 square metres or more — <p>but excluding—</p> <ul style="list-style-type: none"> (aa) the development of infrastructure and structures within existing ports or harbours that will not increase the development footprint of the port or harbour; (bb) where such development is related to the development of a port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies; (cc) the development of temporary infrastructure or structures where such structures will be removed within 6 weeks of the commencement of development and where indigenous vegetation will not be cleared; or (dd) where such development occurs within an urban area". 	<p>Development will take place within 100 metres inland of the high-water mark of the sea.</p>
<p>Government Notice No. R. 983 of 4 December 2014 – Activity Number: 18</p> <p>Activity Description: "The planting of vegetation or placing of any material on dunes or exposed sand surfaces of more than 10 square metres, within the littoral active zone, for the purpose of preventing the free movement of sand, erosion or accretion, excluding where —</p> <ul style="list-style-type: none"> (i) the planting of vegetation or placement of material relates to restoration and maintenance of indigenous coastal vegetation undertaken in accordance with a maintenance management plan; or (ii) such planting of vegetation or placing of material will occur behind a development setback". 	<p>The planting of vegetation/landscaping will take place on the seaward boundary of Lot 32A.</p>

From:

To: 00866132141

14/10/2016 10:57

#130 P.009/026

<p>Government Notice No. R. 983 of 4 December 2014 – Activity Number: 19</p> <p>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—</p> <ul style="list-style-type: none"> (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— <p>but excluding where such infilling, depositing, dredging, excavation, removal or moving—</p> <ul style="list-style-type: none"> (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". 	<p>5 cubic metres of material will be infilled and/or deposited within 100 metres inland of the high water mark of the sea.</p>
<p>Government Notice No. R. 983 of 4 December 2014 – Activity Number: 27</p> <p>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—</p> <ul style="list-style-type: none"> (i) the undertaking of a linear activity; or (ii) maintenance purposes undertaken in accordance with a maintenance management plan". 	<p>1 hectare or more of indigenous vegetation, will be cleared.</p>
<p>Government Notice No. R. 983 of 4 December 2014 – Activity Number: 29</p> <p>Activity Description: "The release of genetically modified organisms into the environment, where assessment for such release is required by the Genetically Modified Organisms Act, 1997 (Act No. 15 of 1997) or the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004)".</p>	<p>Genetically modified organisms will be used as part of the operations at the expanded facility.</p>

From:

To: 00865132141

14/10/2016 11:01

#130 P.010/026

<p>Government Notice No. R. 983 of 4 December 2014 – Activity Number: 41</p> <p>Activity Description: "The expansion and related operation of facilities, infrastructure or structures for aquaculture of—</p> <ul style="list-style-type: none"> (i) finfish, crustaceans, reptiles or amphibians, where the annual production output of such facility, infrastructure or structures will be increased by 20 000 kg (wet weight) or more; (ii) molluscs and echinoderms where the annual production output of such facility, infrastructure or structures will be increased by 30 000 kg (wet weight) or more; or (iii) aquatic plants where the annual production output of such facility, infrastructure or structures will be increased by 60 000 kg (wet weight) or more; <p>excluding where the expansion of facilities, infrastructure or structures is for purposes of sea-based cage culture in which case activity 42 in this Notice will apply".</p>	<p>The output of the expanded facility will increase to approximately 300 tonnes per annum.</p>
<p>Government Notice No. R. 983 of 4 December 2014 – Activity Number: 52</p> <p>Activity Description: "The expansion of structures in the coastal public property where the development footprint will be increased by more than 50 square metres, excluding such expansions within existing ports or harbours where there will be no increase in the development footprint of the port or harbour and excluding activities listed in activity 23 in Listing Notice 3 of 2014, in which case that activity applies.</p>	<p>Structures will be expanded in the coastal public property and the development footprint will exceed 50 square metres.</p>

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14/10/2016 11:04

#130 P.011/026

<p>Government Notice No. R. 983 of 4 December 2014 – Activity Number: 54</p> <p>Activity Description: "The expansion of facilities—</p> <ul style="list-style-type: none"> (i) in the sea; (ii) in an estuary; (iii) within the littoral active zone; (iv) in front of a development setback; or (v) if no development setback exists, within a distance of 100 metres inland of the high-water mark of the sea or an estuary, whichever is the greater; <p>in respect of—</p> <ul style="list-style-type: none"> (a) fixed or floating jetties and slipways; (b) tidal pools; (c) embankments; (d) rock revetments or stabilising structures including stabilising walls; (e) buildings where the building is expanded by 50 square metres or more; or (f) infrastructure where the development footprint is expanded by 50 square metres or more. <p>but excluding—</p> <ul style="list-style-type: none"> (aa) the expansion of infrastructure or structures within existing ports or harbours that will not increase the development footprint of the port or harbour; or (bb) where such expansion occurs within an urban area". 	<p>The existing facility will be expanded by more than 50 square metres within 100 metres inland of the high-water mark of the sea.</p>
<p>Government Notice No. R. 984 of 4 December 2014 – Activity Number: 14</p> <p>Activity Description: "The development and related operation of—</p> <ul style="list-style-type: none"> (i) an island; (ii) anchored platform; or (iii) any other structure or infrastructure on, below or along the sea bed; <p>excluding —</p> <ul style="list-style-type: none"> (a) development of facilities, infrastructure or structures for aquaculture purposes; or (b) the development of temporary structures or infrastructure where such structures will be removed within 6 weeks of the commencement of development and where indigenous vegetation will not be cleared. 	<p>The existing abstraction point will be altered and a new abstraction point created south of the existing pumphouse. Abstraction points for abalone farming need to be secure from seawater forces and are therefore fixed to the ocean floor by means of permanent concrete platforms.</p>

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#130 P.012/026

<p>Government Notice No. R. 985 of 4 December 2014 – Activity Number: 2</p> <p>Activity Description: "The development of reservoirs for bulk water supply with a capacity of more than 250 cubic metres.</p> <p>(a) In Western Cape:</p> <ol style="list-style-type: none"> i. A protected area identified in terms of NEMPAA, excluding conservancies; ii. In areas containing indigenous vegetation; or iii. In urban areas: <ol style="list-style-type: none"> (aa) Areas zoned for use as public open space; or (bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, or zoned for a conservation purpose". 	<p>The combined capacity of the header tanks for the bulk water supply will be more than 250 cubic metres.</p>
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The abovementioned list is hereinafter referred to as "**the listed activities**".

The holder is herein authorised to undertake the following alternative that includes the listed activities as it relates to the development:

The expansion of the existing abalone facility on Erf 3819 Gansbaai and Lot 32A of Erf 538 to increase the production capacity from 75 ton per annum to approximately 300 ton per annum.

The expansion will comprise of the following main components:

- an administrative hub which includes *inter alia*, an office building, a reception area, boardroom, storeroom, kitchen, bathroom, locker area, tearooms and restrooms for staff;
- hatchery and broodstock building;
- platforms with grow-out tanks;
- associated operational infrastructure which include *inter alia*, a pumphouse station, generator rooms, sea water intake supply lines, splitter room, internal pipeline infrastructure, blower rooms;
- drumfilters and header tank/reservoir buildings;
- various kelp and feed holding tanks as well as grading areas;
- seaweed culture ponds;
- seawater outlet pipeline infrastructure;
- processing unit where abalone may be live packaged or canned or processed;
- a workshop;
- sewage pumpstation and reticulation infrastructure;
- security kiosk with supervisor office;
- internal access road infrastructure;
- parking areas; and
- security boundary and/or fencing.

Electricity will be obtained from the Overstrand Municipality.

Water supply will be from existing bulk water infrastructure provided by the Overstrand Municipality.

Sewage will be gravitated to the north of the site and pumped by means of rising main into the existing network and treated at the Gansbaai Waste Water Treatment Works.

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Solid waste will be collected by the Overstrand Municipality and incorporated into the municipal waste stream.

C. SITE DESCRIPTION AND LOCATION

The listed activities will be undertaken on Erf 3819 Gansbaai and Lot 32A of Erf 538 Gansbaai, situated approximately 1.5 kilometres south west of the central business district of Gansbaai at the following co-ordinates:

34° 35' 28.14" South
19° 20' 25.06" East

The SG digit codes are:

Erf 3819: C01300090000381900000
Lot 32A of Erf 538: C01300090000053800000

Refer to Annexure 1: Locality Plan and Annexure 2: Site Plan.

The above is hereinafter referred to as "the site".

D. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER

EnviroAfrica
c/o Charel Bruwer
P O Box 4
ONRUS RIVER
7201

Tel.: (028) 316 2888
Fax: (086) 513 2141

E. CONDITIONS OF AUTHORISATION

Scope of authorisation

1. The holder is authorised to undertake the listed activities specified in Section B above in accordance with and restricted to Layout alternative 1 described in the EIA Report dated March 2016 on the site as described in Section C above.
2. The Environmental Authorisation is valid for a period of **five years** from the date of issue and this period which commencement must occur.
3. The holder shall be 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.
4. Any changes to, or deviations from the scope of the alternative described 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 information in order 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.

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Written notice to the Competent Authority

5. Seven calendar days' notice, in writing, must be given to the Competent Authority before commencement of construction activities.
 - 5.1 The notice must make clear reference to the site details and EIA Reference number given above.
 - 5.2 The notice must also include proof of compliance with the following conditions described herein:

Conditions: 6, 7, 10 and 18.

Notification and administration of appeal

6. The applicant must in writing, within 12 (twelve) calendar days of the date of this decision and in accordance with Regulation 10(2)-
 - 6.1 notify all registered Interested and Affected Parties ("I&APs") of -
 - 6.1.1 the outcome of the application;
 - 6.1.2 the reasons for the decision as included in Annexure 1;
 - 6.1.3 the date of the decision; and
 - 6.1.4 the date of issue of the decision;
 - 6.2 draw the attention of all registered I&APs to the fact that an appeal may be lodged against the decision in terms of Chapter 7 of the Environmental Impact Assessment Amendment Regulations, 2010 detailed in section F below;
 - 6.3 draw the attention of all registered I&APs to the manner in which they may access the decision;
 - 6.4 publish a notice in the newspapers contemplated in Regulation 54(2)(c) and (d), and which newspaper was used for the placing of advertisements as part of the Public Participation Process, that -
 - 6.4.1 informs all I&APs of the decision;
 - 6.4.2 informs all I&APs where the decision can be accessed; and
 - 6.4.3 informs all I&APs that an appeal may be lodged against the decision in terms of Chapter 7 of the Regulations; and
 - 6.5 provide the registered I&APs with-
 - 6.5.1 the name of the holder (entity) of this environmental authorisation;
 - 6.5.2 the name of the responsible person for this environmental authorisation;
 - 6.5.3 the postal address of the holder;
 - 6.5.4 the telephonic and fax details of the holder; and
 - 6.5.5 an e-mail address if any.
7. The listed activities, including site preparation, may not commence within 20 (twenty) calendar days from the date of issue of this Environmental Authorisation. In the event that an appeal is lodged with the Appeal Authority, the effect of this Environmental Authorisation is suspended until the appeal is decided.

Management of activity

8. The draft or Environmental Management Programme ("EMPr") submitted as part of the application for Environmental Authorisation is hereby approved and must be implemented.

From:

To: *00866132141

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#130 P.015/026

9. The EMPr must be included in all contract documentation for all phases of implementation.

Monitoring

10. The holder must appoint a suitably experienced Environmental Control Officer ("ECO"), or site agent where appropriate, before commencement of any land clearing or construction activities to ensure compliance with the EMPr and the conditions contained herein.
11. A copy of the Environmental Authorisation, EMPr, any independent assessments of financial provision for rehabilitation and environmental liability, closure plans, audit reports and compliance monitoring reports must be kept at the site of the authorised activities, and must be made available to anyone on request.
12. Access to the site referred to in Section C must be granted, and the environmental reports mentioned above 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.

Auditing

13. The holder must submit an Environmental Audit Report ("audit report") to the competent authority within six months after commencement of construction activities; one (1) once a year during the construction phase; and another, one (1) year after the completion of the construction phase of the development.
- 13.1 The audit report must indicate the date(s) on which construction was completed, compliance with the conditions of this Environmental Authorisation and recommendations for improved environmental management.
- 13.2 Records of the audit must be maintained for safekeeping and must be made available to the competent authority upon request.
- 13.3 The competent authority may require remedial action should the audit report reflect that rehabilitation is inadequate.
- 13.4 If the audit report is not submitted, the competent authority may give 30 days' written notice and may have such an audit undertaken at the expense of the applicant and may authorise any person to take such measures necessary for this purpose.
- 13.5 The audit report must be prepared by an independent person.

Specific Conditions

14. Should any heritage remains be exposed during excavations or any other actions on the site, these must immediately be reported to the Provincial Heritage Resources Authority of the Western Cape, Heritage Western Cape. 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: meteorites, archaeological and/or palaeontological remains (including fossil shells and trace fossils); 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 with heritage significance; rock art and rock engravings; shipwrecks; and/or graves or unmarked human burials including grave goods and/or associated burial material.

15. A qualified archaeologist and/or palaeontologist must be contracted where necessary (at the expense of the holder) to remove any heritage remains. Heritage remains can only be disturbed by a suitably qualified heritage specialist working under a directive from the relevant heritage resources authority.

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16. The following conditions adapted from the Final EIAR dated March 2016 must be adopted and implemented:
- 16.1 A buffer area must be located in the south, on the border of Erf 3819 and the existing Kolgansbaal development. The said buffer must measure approximately 160m east to west, approximately 8m wide north to south, approximately 20m wide in the centre and approximately 30m wide in the west.
 - 16.2 Existing vegetation along the southern boundary of the site must be retained to maximise greenery in this area.
17. The following conditions adapted from the correspondence of CapeNature dated 6 April 2016 must be adopted and implemented:
- 17.1 The buffer area must consist of intact thicket vegetation.
 - 17.2 The buffer area must be demarcated as a no-go area during the construction and operational phases.
18. The following conditions adapted from the Botanical Assessment compiled by Fynbos Ecoscapes dated 31 May 2011 must be adopted and implemented:
- 18.1 Search and Rescue operation of all *Satyrium carneum* and other species of conservation concern must be undertaken on-site under the supervision of a qualified botanist, prior to the commencement of construction.
 - 18.2 The bulbs retrieved during the search and rescue operation must be transplanted by a suitably qualified horticulturalist/botanist to other strandveld vegetation within nearby conservation areas.
19. The following conditions adapted from the Visual Impact Assessment compiled by Megan Anderson Landscape Architects dated June 2014 must be adopted and implemented:
- 19.1 The platforms on Erf 3819 must be terraced, i.e each pair of platforms set lower than the previous sequence.
 - 19.2 New buildings must be designed so that they are visually recessive and aesthetically pleasing by using material similar to the material used for the existing development.
 - 19.3 The retention walls must be planted with indigenous vegetation in order break up the extensive platform from the northern section.
 - 19.4 Boundary treatments such as fencing along the boundaries of the site must be visually permeable and recessive.

F. RECOMMENDATIONS

This Directorate recommends that:

- Local labour, especially consisting of previously disadvantaged individuals should be used during the construction phase of the proposed development.
- The on-site Milkwood trees be retained as far as possible.
- The search and rescue operation should be carried out in late summer and again during winter/early spring to collect as many autumn and winter/spring flowering bulbs as possible.

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G. GENERAL MATTERS

1. Notwithstanding this Environmental Authorisation, the holder must comply with any other statutory requirements that may be applicable when undertaking the listed activities.
2. Non-compliance with a condition of this Environmental Authorisation or EMPr may render the holder liable to criminal prosecution.
3. If the holder does not commence with a listed activity within the period referred to in Condition 2, this Environmental Authorisation shall lapse for that activity, and a new application for Environmental Authorisation must be submitted to the Competent Authority. If the holder wishes to extend the validity period of the Environmental Authorisation, an application for amendment in this regard must be made to the Competent Authority at least **three months** prior to the expiry date of the Environmental Authorisation.

Note that: (1) in terms of Regulation 28(2) of the NEMA EIA Regulations, 2014, failure to lodge an application for amendment at least three months prior to the expiry of the validity period of the Environmental Authorisation may result in the lapsing of the Environmental Authorisation, due to the Competent Authority being unable to process the application for amendment within this period; (2) It is an offence in terms of Section 49A(1)(a) of NEMA for a person to commence with a listed activity if the competent authority has not granted an Environmental Authorisation for the undertaking of the activity.

4. The holder must submit an application for amendment of the Environmental Authorisation to the Competent Authority where any detail with respect to the Environmental Authorisation must be amended, added, substituted, corrected, removed or updated. If a new holder is proposed, an application for Amendment in terms of Part 1 of the EIA Regulations, 2014 must be submitted.

Please note that an amendment is not required if there is a change in the contact details of the holder. In this case, the Competent Authority must only be notified of such changes.

5. The manner and frequency for updating the EMPr is as follows:
Amendments to the EMPr, must be done in accordance with Regulations 35 to 37 of GN No. R.982 of 4 December 2014 or any relevant legislation that may be applicable at the time.

H. APPEALS

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

1. An appellant must –

- 1.1 submit a notice of intention to appeal to the Minister, within 20 (twenty) calendar days of the date of the decision;

- 1.1.1 If the appellant is an applicant, the appellant must provide each person and organ of state which was a registered interested and affected party in relation to the applicant's application, within 10 days of having submitted the notice with the Minister, with—

- (a) a copy of the notice lodged with the Minister; and
- (b) a notice indicating that the appeal submission will be made available on the day of lodging it with the Minister and where and for what period the appeal submission will be available for inspection by such person or organ of state.

From: To: "00865132141" 14/10/2016 11:30 #130 P.018/026

- 1.1.2 If the appellant is a person other than an applicant, the appellant must provide the applicant, within 10 days of having lodged the notice with the Minister, with—
- (a) a copy of the notice lodged with the Minister; and
 - (b) a notice indicating where and for what period the appeal submission will be available for inspection by the applicant.
- 1.2 submit the appeal within 30 (thirty) calendar days after the lapsing of the 20 (twenty) calendar days contemplated in regulation 60(1), for the submission of the notice of intention to appeal;
- 1.3 that a responding statement may be made on the appeal within 30 (thirty) calendar days from the date the appeal submission was lodged with the Minister; and
- 1.4 if a respondent introduces any new information not dealt with in the appeal submission of the appellant, the appellant is entitled to submit an answering statement to such new information to the Minister within 30 days of receipt of the responding statement.
2. A person, organ of state or applicant who submits a responding or answering statement in terms of regulation 63 must within 10 (ten) calendar days of having submitted the responding or answering statement, serve a copy of the statement on the other party.
3. All notice of intention to appeal and appeal forms must be submitted in hard copy by means of one of the following methods:
- By post: Western Cape Ministry of Local Government, Environmental Affairs and Development Planning
Private Bag X9186
CAPE TOWN
8000
- By facsimile: (021) 483 4174; or
- By hand: Attention: Mr Jaap de Villiers (Tel: 021-483 3721)
Room 809
8th Floor Utilitas Building, 1 Dorp Street, Cape Town, 8001
- PLEASE NOTE:** No appeal, responding and answering statement may be lodged by e-mail.
4. A prescribed notice of intention to appeal form and appeal form as well as assistance regarding the appeal processes is obtainable from the office of the Minister at: Tel. (021) 483 3721, E-mail Jaap.DeVilliers@westerncape.gov.za or URL <http://www.westerncape.gov.za/eadp>.

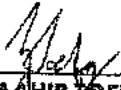
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I. DISCLAIMER

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 ZA AHIR JOFEY
DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)

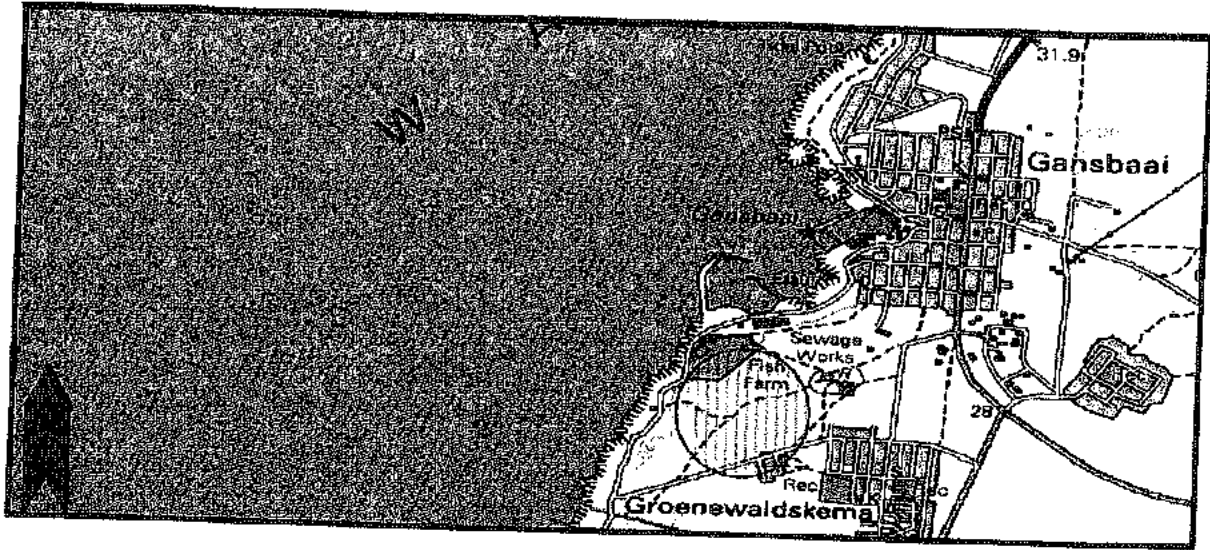
DATE OF DECISION: 14/10/2016

Copied to: (1) C Bruwer (Enviro Africa)
(2) S van der Merwe (Overstrand Municipality)

Fax: (086) 513 2141
Fax: (028) 384 0241

From: To: 00865132141 14/10/2016 11:50 #130 P.020/026

ANNEXURE 1: LOCALITY MAP



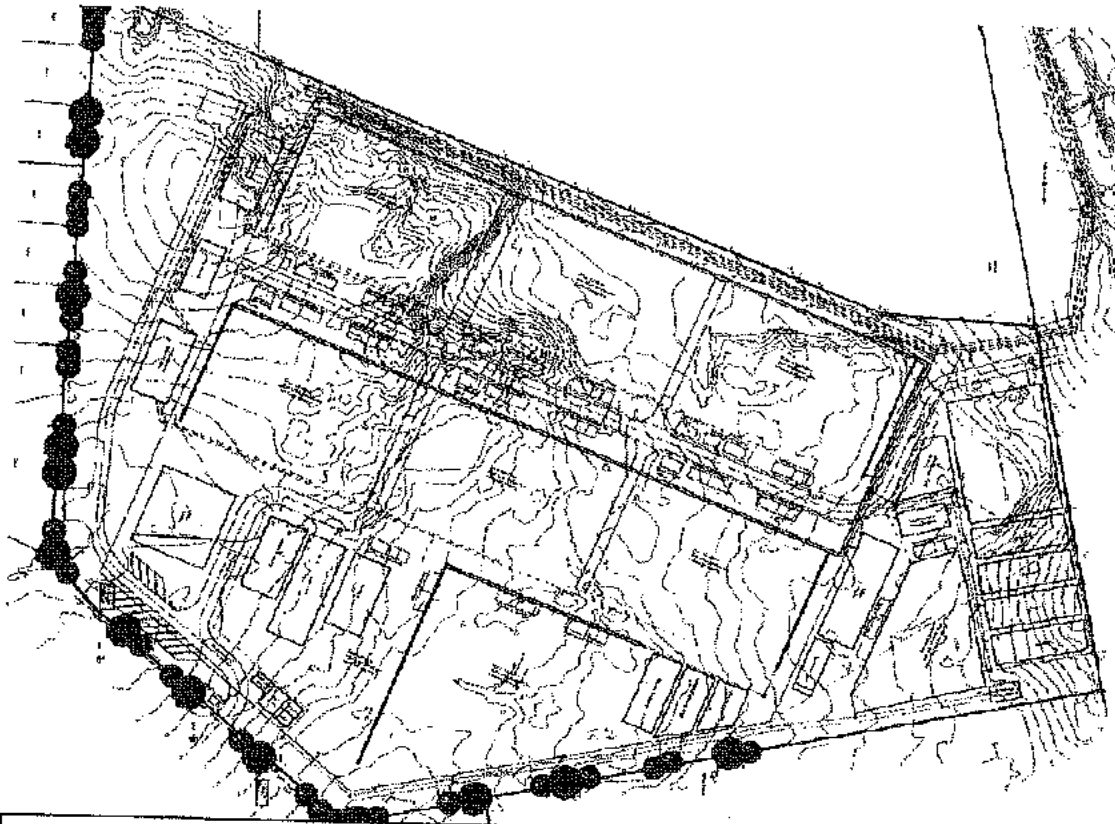
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ANNEXURE 2: SITE PLAN

Preferred layout (L1) of the proposed development with higher level detail for components located on Erf 3819. The preferred layout entails a clustered configuration of internal infrastructure with a buffer strip of natural vegetation in the south of the site closest to Kolkarsbaai residential development. The preferred layout would also have two discharge points as indicated in the diagram.

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ANNEXURE 3: REASONS FOR THE DECISION

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

- a) The information contained in the Application Form dated 8 May 2011, the Scoping Report received by this Department on 2 Augustus 2012, the EMPr submitted together with the EIA Report in March 2016, and the additional information received by the Competent Authority on 22 September 2016 and 4 October 2016;
- b) Relevant information contained in the Departmental information base, including the Guidelines on Public Participation, Alternatives (dated March 2013);
- c) This application was submitted in terms of the 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 under the previous EIA Regulations, but are now listed in terms of the EIA Regulations, 2014. In accordance with regulation 53(3) of GN No. R. 982 of the EIA Regulations, 2014, these activities may be authorised as if applied for;
- d) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the NEMA; and
- e) The comments received from I&APs and responses to these, included in the EIA Report dated March 2016.

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 that were considered to be the most significant for the decision is set out below.

1. Public Participation

The public participation process included:

- Identification and engagement with I&APs;
- fixing two notice boards at the site alternative site where the listed activities are to be undertaken;
- a Background Information Document ("BID") was compiled that contained sufficient details and this was made available to potential I&APs
- giving written notice to the owners and occupiers of land adjacent to the where the listed activities are to be undertaken, the municipality and ward councillor, and the various organs of state having jurisdiction in respect of any aspect of the listed activities;
- the placing of a newspaper advertisement in the "Gansbaai Courant" on 23 February 2012
- making the Scoping Report available to I&APs for public review; and
- making the EIA Report available to I&APs for public review.

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

2. Alternatives

Layout alternative 1 (preferred and herewith authorised)

In terms of layout alternative 1, certain components are split in separate buildings in new locations. In this regard the cannery and drying buildings will be constructed as two adjacent linear configurations, set in the east section at the entrance of the site. A storage building with two headertank buildings will be constructed adjacent to the canning and drying buildings. A workshop building will be constructed in the south section of Erf 3819.

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Layout alternative 2 (rejected)

In terms of layout alternative 2, the components as detailed in layout alternative 1 will be located in the closest proximity to the existing residential Kolgansbaai development.

An additional cannery and building will be located at entrance on the eastern section of the site. The main administrative office building, workshop, staff area and parking will be located directly adjacent to the existing residential Kolgansbaai development.

Due to the abovementioned layout, no buffer area will exist between the proposed development and the most northern dwelling to be constructed as part of Kolgansbaai development.

The significant differences between layout alternative 1 and 2 are in the placement of the infrastructure and associated components.

Layout alternative 1 is preferred and layout alternative 2 rejected based on the following reasons:

- certain components associated with the proposed expansion in terms of layout alternative 1 are split into separate buildings in new locations, whereas the components in terms of layout alternative 2 will be located closest to Kolgansbaai, which will have a direct impact on the residents;
- layout alternative 1 will make it possible for a vegetated buffer zone to be maintained between the existing Kolgansbaai development and the proposed expansions;

"No-Go" Alternative

The "no-go" alternative would mean that the existing mariculture facility located on Erf 1727 would not be expanded and thus remain in its present state. It would also mean that the prevailing status quo on Erf 3819 and Lot 32A would remain. As such, the present infrastructure remains in its current state and the production capacity would remain unchanged, i.e. approximately 75 tons per annum.

The "no-go" alternative was rejected, as the economic benefits associated with the proposed expansions will not be realised.

3. Impact Assessment and Mitigation measures**3.1 Activity need and desirability**

The demand for abalone currently surpasses the supply of the commodity and Premier Fishing requires an expansion of the existing facility in order to increase its operating capacity to meet the demand. This in turn will increase turnover and likely increase in benefits such as the need to secure the current employment at the facility.

In addition to the above, the site is located adjacent to the current operational abalone culture facility. The development of increased production capacity by means of the proposed expansion in this location will result in symbiosis between the two facilities.

3.2 Regional/ planning context

A landuse application will be submitted to the competent authority to permit the development.

The promotion of aquaculture is generally supported in terms of forward planning at the municipal level through policies such as the Spatial Development Framework (2006) and the Overstrand Integrated Development Plan of (2010).

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3.3 Services/ bulk infrastructure

The expansion will require some additional infrastructure such as, *inter alia*: a pumphouse station, generator rooms, sea water intake supply lines, splitter room, internal pipelines, blower rooms, seawater outlet pipeline infrastructure, pumpstation and reticulation infrastructure.

The municipality confirmed that it has the capacity to service the expansion, which includes electricity, potable water, sanitation and waste removal.

3.4 Biophysical

The area is characterised by undulating topography with a gradient sloping from approximately 6m above mean sea level on the northern borders of the site where Lot 32 A is located, to approximately 34m above mean sea level in the south west.

The site consists of natural vegetation (Overberg Dune Strandveld) interspersed with bare sand. Most of the natural vegetation is in poor condition and has been heavily impacted by alien invasive vegetation in places. Milkwood trees are present in the south of the site, with a patch of Aghulhas Limestone Fynbos located in the interior of the site. Lot 32A has been transformed by past levelling and construction of concrete parking/structures. The proposed development will clear and transform approximately 6 hectares of vegetation. Owing to past disturbance, the site it has low local and regional conservation value. Given the small size of this site and its location close to urban development in the greater Gansbaai region means that it has little value in terms of supporting ecological and evolutionary processes in future. The site is cut off from the coast by the development of an abalone farm to the west and the harbour development to the north. As such, the site is in the process of becoming fragmented as surrounding land parcels are developed. Due to these conditions, the overall assessment of the direct impacts on vegetation was deemed as low at a local and regional scale. Measures will however be implemented to mitigate the botanical impacts (refer to condition 18). In addition, a buffer strip will be maintained on the southern boundary where coastal thicket will be preserved.

The site's coastal environment comprises of the sea below the low water mark at the lowest elevation, followed by an intertidal zone, consisting of mainly of large rocks located in gullies on solid bedrock with little or no interstitial sand gradients. The infrastructure and components will therefore be located on specific sections of the site to avoid certain coastal impacts. In this regard, the new abstraction point and location of sea water abstraction infrastructure will be located where the area below the low water mark is deep enough to house the suction head without experiencing air cavitation. The infrastructure will furthermore be located in a sheltered rocky location which reduces the risk of impacts during periods of rough seas.

Clearing of natural vegetation on dunes may lead to the risk of erosion or influence the distribution of drift sand. However, development already exist along the shoreline in proximity to the site. Given the levelling of the site to accommodate the abstraction and discharge lines as well as grow out platforms will reduce the risk of erosion once the gradients are stabilised.

Water quality of seawater effluent discharged back into the ocean may also be affected as a result of increased nutrient concentration and chemicals added during the growth process. Nutrient rich waste water may lead to eutrophication of coastal waters and as such needs to be mitigated

It is expected that the no high risk on the marine ecology will exist based on a number of factors, which includes:

- water quality of seawater will be governed by standards before being discharged. This will be ensured through regular monitoring, water checks and chemical analysis that will have to be conducted.

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- introduction of non-endemic pathogenic organisms by means of translocation will be governed by protocols which include measures such as the collection of breed stock only from local waters;
- management practices will be implemented to reduce the likelihood of disease outbreaks, which include sound biosecurity measures.
- water quality will be further improved by circulating used water from the main growing platforms into seaweed culture ponds. Seaweed utilises nutrients during which would have otherwise be discharged into the sea. The cultured seaweed is used as a feeding supplement to the abalones which reduces the requirement for natural kelp and manufactured food source.

No rivers, wetlands, groundwater-dependent communities or ecosystems, flood plains, estuaries, tidal flats or salt marshes are present on site.

3.5 Visual

The Landscape Character of the site and surrounding area is classified as predominantly coastal with areas of naturally vegetated dunes and mountains as well as transformed areas where settlement and industry has occurred. In view of the fact that the proposal is for the expansion of an existing aquaculture facility, the proposed development will not be out of character with the immediate surroundings.

Receptors are highly visually sensitive, and these include residents to the north, north east and south, with moderately sensitive receptors being camp site users and visitors to the harbour and nearby restaurants. However, the site is not visible to viewers travelling along the R43 tourist route.

The visual impacts of the proposed expansion include change from unbuilt vegetated site to built and industrial type site, visibility to high sensitivity receptors and additional lighting at night. According to the Visual Impact Assessment Report, the overall visual impact of the proposed expansion is medium to low, if the required mitigation measures are implemented. Certain changes to the initial layout of the proposed expansion activities also helped to further mitigate the visual impacts. This mainly relates to the siting of the buildings further from the southern boundary and the reduced road width and associated parking. The visibility and visual impact of the development will be further reduced through the implementation of further mitigation measures that have been made part of the conditions of this authorisation (refer to condition 19).

3.6 Traffic

The development will have a notable traffic impact during the construction phase. Construction material and services will have to be transported onto the site. This impact will however be of a temporary nature and will be mitigated by standard measures, as made part of the EMPr.

Traffic Impacts during the operational phase are deemed to be low, as the proposed expansion will not cause a significant increase in traffic. The development will share many services with the existing operation.

3.7 Noise

The proposed expansion will result in noise during the construction phase. This will however be temporary in nature and may be mitigated through proper site management, as is required in the EMPr. Noise during the operational phase of the development will be limited. Measures will be put in place to mitigate the noise during the operational phase. The generator rooms will be positioned away from the southern boundary, particularly to limit the impacts on Kolgansbaai. Insulation to generator rooms will be of such a nature that noise levels will be kept to acceptable norms and standards. The buffer area in the south of the site will further mitigate potential noise impacts in the operational phase. The workshop area which is to be located in the south of the site, will face north to further reduce noise impacts on Kolgansbaai.

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3.8 Archaeological

Shell midden was present in the interior of the property as well as Late Stone Age and Middle Stone Age lithics, pottery and bone. A number of test pits were excavated to assess the content and context of the midden. The integrity of the midden was deemed as relatively low, of poor quality and with little primary deposit. The site had been significantly disturbed by previous development and footpaths have caused erosion in some parts.

Heritage Western Cape indicated in its correspondence dated 14 July 2015 that the development can proceed, as proposed.

3.9 Socio-economic

The proposed expansion will result in an increased demand for labour and materials during the construction and operational phases, which will likely benefit the local area. The current owner(s) respects the principles of employment equity and related legislation.

4. National Environmental Management Act Principles

The National Environmental Management 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 harmonisation 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 the National Environmental Management Act, 1998 (Act No. 107 of 1998) and that any potentially detrimental environmental impacts resulting from the listed activities can be mitigated to acceptable levels.

-----END-----

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Environmental Planning and Impact Assessment Consultants
Omgewingsbeplanning en Impakbeoordeling Konsultante

ENVIRONMENTAL MANAGEMENT PROGRAMME

for the

**CONSTRUCTION AND MANAGEMENT OF
ACTIVITIES RELATING TO THE PROTECTION OF
THE NATURAL ENVIRONMENT OF**

**DEA&DP REG No E12/2/4/1-E2/10-2037/11:
PROPOSED EXPANSION OF AN AQUACULTURE
OPERATION ON ERF 3819 GANSBAAI AND LOT
32A OF ERF 538 GANSBAAI**

compiled by
EnviroAfrica

April 2015

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TERMS AND ABBREVIATIONS:

The following definitions are applied:

Audit.-[Site Completion] Environmental Site Inspection and verification of construction activities to EMP

Bund - enclosure under / around a storage facility to contain any spillage.

Batch plant - a concrete or plaster mixing facility and associated equipment and materials.

Contractor - the principal persons / company and all other sub-contractors involved in the construction of the project.

Construction phase - The construction phase period of a cellular communications Construction site is defined as from the commencement of site establishment up to and including the practical site handover.

DEA&DP Department Environmental Affairs & Development Planning

Declaration of Understanding – Form that is signed by all contractors involved in the construction works of their understanding and acceptance of the EMP and site-specific additions to the EMP.

Development site - boundary and extent of development works and infrastructure.

ECO - Environmental Control Officer: - Must be a suitably qualified independent site environmental consultant appointed to ensure compliance to the EMP.

ESA – Environmental Site Agent

ESO - Environmental Site Officer - . Must be a person with adequate environmental knowledge to understand and implement the EMP by conducting on site inspections determined by the ECO and the client.

ECO vs ESO - ECO might also mean the ESO but the ESO does not mean the ECO. The ESO is responsible to the ECO

ER – Engineers representative or Main contractors representative

On Site Start-Up Meeting – The OSSM held at site to discuss EMP and determine Site Specific additions that will be included as the basis for the EMP.

AUTHORISATION – Record of Decision issued by DEA&DP for the authorisation to commence construction under certain environmental compliances.

OSSM-On Site Start-Up Meeting.

CMC	Cape Metropolitan Council
DEA&DP	Department of Environmental Affairs and Developemtn Planning
DEA&T	Department of Environmental Affairs and Tourism
DWAF	Department of Water Affairs and Forestry
EIA	Environmental Impact Assessment
EMP	Environmental Management Programme, although the term Environmental Management <i>Plan</i> is often used interchangeable with <i>Programme</i> .
EMS	Environmental Management System
IEM	Integrated Environmental Management
*ECO	Environmental Control Officer
*ESO	Environmental Site Officer
ER	Engineer's Representative
HWC	Heritage Western Cape
I&AP	Interested & Affected Party
SAHRA	South African Heritage Resources Agency

Environment means the surroundings within which humans exist and that are made up of:

- o the land, water and atmosphere of the earth;
- o micro-organisms, plant and animal life;
- o any part of the combination of the above two bullets and the interrelationships between them;
- o the physical, chemical, aesthetic and cultural properties and conditions of the foregoing that influence human health and well-being.

Potentially hazardous substance is a substance, which, in the reasonable opinion of the Engineer, can have a deleterious (detrimental) effect on the environment.

Method Statement is a written submission by the Contractor to the Engineer or relevant responsible person such as the Project Leader, in response to the Specification, or a request by the Engineer/Project Leader, setting out the plant, materials, labour, method, responsible persons and timeframe that the Contractor proposes using to carry out an activity, identified by the relevant specification or the Engineer/Project Leader when requesting the Method Statement, in such detail that

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the Engineer/Project Leader is enabled to assess whether the Contractor's proposal is in accordance with the Specifications and/or will produce results in accordance with the Specifications.

The Method Statement shall cover applicable details with regard to:

- o construction procedures;
- o materials and equipment to be used;
- o getting the equipment to and from site;
- o how the equipment/ material will be moved while on site;
- o how and where material will be stored;
- o the containment (or action to be taken if containment is not possible) of leaks or spills of any liquid or material that may occur;
- o timing and location of activities;
- o compliance/non-compliance with the Specifications;
- o any other information deemed necessary by the Engineer/Project Leader.

reasonable means, unless the context indicates otherwise, reasonable in the opinion of the Engineer/Project Leader after he has consulted with a person, not an employee of the client, suitably experienced in "environmental implementation plans" and "environmental management plans", both as defined in the Environmental Management Act (Act No 107,1998).

solid waste means all solid waste, including construction debris, chemical waste, excess cement/concrete, wrapping materials, timber, tins and cans, drums, wire, nails, food and domestic waste (e.g. plastic packets and wrappers).

contaminated water means water contaminated by the Contractor's activities, e.g. concrete water and runoff from plant/ personnel wash areas.

construction site means the area influenced and affected by the construction activities or under the control of the Contractor, often referred to as "the Site".

contractor's camp means the designated and suitably demarcated areas on the Site within which all site offices and staff facilities are situated and within which equipment will be stored, for instance, borrow areas, batching plant, crusher plant, sand washing plant, workshop, offices, rest areas, ablution areas, etc., whichever is applicable.

construction means the period of the project during which the actual works are carried out, deemed to include site establishment, site preparation, the works, maintenance period and decommissioning.

precautionary principle means the basic principle, that when in doubt or having insufficient or unreliable information on which to base a decision, to then undertake actions that will have minimum risk.

The CLIENT The person/organisation (usually the landowner if the CLIENT or holder of the servitude rights) with rights to undertake the development of the site.

Audit/Monitoring Regular inspection and verification of construction activities for degree of compliance to the Environmental Management Programme.

Bund Enclosure under/around a storage facility to contain any spillage – the storage capacity of the bund must be 120% of the total capacity of the possible spillage amount

Batch plant Machinery used on site for the large-scale mixing and production of concrete or plaster and associated equipment and materials.

Contract An accepted offer to execute specified work within a stated time for a monetary reward. It takes the form of all the documents and drawings issued when tenders are invited (in which the nature and quantity of the work to be executed are set out), the schedules of which documents have been priced by the contractor for completion within a stated time, and the acceptance, in writing, of the Contractor's price) (source: SABS 0120; 1986).

OR

The General Conditions of Contract and Special Conditions, Specifications, Drawings, Tender, written records of matters agreed after the submission of the Contractor's tender, Letter of Acceptance and Agreement, together with other documents which the parties have agreed in writing shall form part of the Contract and such amendments or additions to the Contract as may be agreed in writing between the parties (source: GCC, 1990).

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Contractor	The natural or juristic person or partnership whose tender has been accepted by, or on behalf of the Employer and where applicable, includes the Contractor's heirs, executors, administrators, trustees, judicial managers or liquidators, as the case may be.
Developer	The developer is the person/body responsible for the development of the project and could be the same as, or different to the CLIENT.
Emergency	A situation requiring immediate action and where failure to implement appropriate actions timeously may result in environmental damage.
Engineer	A person who represents the CLIENT and is responsible for the technical, environmental and contractual implementation of the works to be undertaken.
Engineer's Representative	<p>The person appointed from time to time by the Engineer in terms of the General Conditions of Contract. The Engineer's Representative shall:</p> <ul style="list-style-type: none"> • Observe the execution of the Works, examine and test materials and workmanship and receive from the Contractor such information as he shall reasonably require. • Have the authority: <ul style="list-style-type: none"> ○ Given to him by any provisions of the Contract. ○ Given to him by the Engineer. ○ To deliver to the Contractor oral or written communications from the Engineer. ○ To receive on behalf of the Engineer oral or written communications from the Contractor. <p>The powers and authority of the Engineer's Representative would be subject to certain conditions.</p>
Environmental Awareness Course	An environmental education course for the Contractors management staff and labour force which informs them of the requirements of the EMP.
Environmental Completion Statement	A report document submitted to the relevant authority showing that the EMP environmental controls were appropriately implemented on a project.
Environmental Completion Audit	Similar to an Environmental Completion Statement but it is more detailed and will contain detailed information regarding controls and their effectiveness. This document would be required for large projects normally where a professional environmental scientist was appointed as the ECO.
Environmental Management Programme:	<p>A programme for managing potential impacts identified during the approval process. It could consist of one or more of the following components, depending on necessity dictated by the nature of the development:</p> <ul style="list-style-type: none"> ○ Standard Environmental Specification ○ Detailed Environmental Specification ○ Guideline documents and tools for implementation by the different role players ○ The Environmental Education Course ○ Standard Revegetation Specification ○ Detailed Revegetation Specification <p>As mentioned earlier, the term <i>Environmental Management Plan</i> is often used interchangeable with <i>Environmental Management Programme</i>, and for the purposes of this document will be assumed to have the same definition.</p>
*ESO (Environmental Site Officer)	Designation is reserved for suitably qualified environmental site managers, who are to be appointed by the Engineer, and are mainly associated with large and complex developments.
*ECO (Environmental Control Officer)	Designation is reserved for suitably qualified authority or officer acting on their behalf. The ECO is usually a professionally registered Environmental Scientist..
Environmental Specification	For the purposes of this study, this designation is reserved for the combination of the Standard Environmental Specifications and the Detailed Environmental Specifications.
General Conditions of Contract	A document that sets out the general rights and obligations of the parties to a contract, on such matters as sureties, quality of work, program, supervision, insurance, co-operation with others, provision of plant, material and labour, the regulation of wages, samples, tests, examination, commencement and completion of work, penalties for delay, requirements for maintenance, methods of dealing with defects, variations, measurements and payments, and the settlement of disputes. In South Africa the most widely accepted general conditions of contract for general civil engineering works is the SA/CE General Conditions of Contract for Works of Civil

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No Go Areas	Engineering Construction (sixth edition, 1990). Areas identified as being environmentally sensitive in some manner and delineated on plan, and on the site with pegs or fencing and which are out of bounds to unauthorised persons. Authorisation must be obtained from the Engineer/Project Leader prior to entry.
Particular Specification	A specification that covers construction work involving a specialist type of operation that is not adequately covered in a Standardized Specification.
Project Specification	A specification that describes the Works in general terms (including the locality, the conditions on Site, the extent of the Contract, the construction programme, and the service facilities available and to be taken into consideration) and that may include clauses that amend or amplify or add to any requirement(s) of a standardized specification (or standard or particular specification) in the sequence in which the requirements and specifications occur in the contract documents.
Reference Group:	The funding body and major role-players (including the environmental authorities) who may resolve environmental disputes, which could arise between the different role-players on site.
Revegetation Specification Site	This designation is reserved for the combination of the Standard Revegetation Specifications and the Detailed Revegetation Specifications. The boundary and extent of development works and infrastructure, including any areas off the main site on which works are to be carried out in order to allow the development to proceed successfully.
Specification	A technical description of the standards of materials and workmanship that the Contractor is to use in the Works to be executed, the performance of the Works when completed and may include the manner in which payment is to be made. It is essential for the specifications to be clear, concise and to the point, and use should not be made of ambiguous terms or phraseology.
Standard Specification	An established or accepted model specification. In South Africa the most widely accepted standard specification for general civil engineering works is the set of SABS 1200 Standardized Specifications (refer to definition below), however, other Standard Specifications such as BS, AAWA and Standard Water Specifications are also used.
Standardized Specification	A specification that is published by the South African Bureau of Standards (SABS) and that so covers a particular class of civil engineering construction that the specification is generally applicable throughout the Republic of South Africa.
Top material	This refers to any surface material in the construction area, whether it is soil, fine material or stones including vegetation.
Works	The works to be executed in accordance with a contract.

ENVIRONMENTAL MANAGEMENT PLAN/PROGRAMME OF CONSTRUCTION AND MANAGEMENT OF ACTIVITIES RELATING TO THE PROTECTION OF THE ENVIRONMENT DURING THE CONSTRUCTION PHASE and OPERATIONAL PHASE OF ERF 3819 GANSBAAI AND LOT32A OF ERF 538 GANSBAAI

1. INTRODUCTION

This Environmental Management Plan/Programme (EMP) is likely to form part of the conditions as set out in the Environmental Authorisation

This EMP binds all contractors, sub-contractors and other persons working on the site to adhere to the terms and conditions of the EMP throughout the construction and operation of Premier Fishing abalone upgrade/expansion on Erf 3819, Gansbaai.

Any other Site Specific additional activities decided and agreed upon at the "On Site Start-Up Meeting" must be included to form part of the EMP.

EMP Circulation List

Full copies of this EMP will be made for the ECO, Site Engineer and/or Contractor. Appendices will also be made and circulated where relevant.

2. COMMENCEMENT OF WORKS

The site project contractors must timeously receive a copy of the site EMP and any other further additional information that pertains to site conditions/amendments or deviations from original site plan. This EMP must form part of the Contractors Contract.

A copy of the EMP must be on site at all times and available for presentation to any authority requesting to see such document.

No work on site may take place until:

- o The Environmental Contract is signed between the relevant parties
- o One weeks written notice given to the Department before commencement of any construction activity (As per Authorisation)
- o EMP has been approved by the relevant authorities
- o On-Site Start-Up Meeting has been held
- o Site and No-Go areas has been demarcated
- o Contractors are in possession of the EMP and other relevant documentation
- o Contractors signed the Declaration Of Understanding
- o All mandatory site equipment is in place

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- o On Site Environmental Education & Awareness training session has taken place with all relevant construction personnel present.

NB: Work refers to: Camp Establishment, Earthmoving activities and any pre-liminary construction activities.

3. ENVIRONMENTAL CONDITIONS OF APPROVAL:

- o AUTHORISATION (Record of Decision) Conditions Of Approval – see Appendix 9 for full AUTHORISATION
- o Original EIA Reports Recommendations – see Appendix 10
- o Local Authority Conditions of Approval – if applicable
- o (see attached as appendices)

4. ISSUES OF CONCERN:

Issues of concern that were identified in the Environmental Impact Assessment process and included in the AUTHORISATION include but are not restricted to the following:

The pre-determined environmental issues and respective activities must be addressed during the “On Site Start-Up Meeting” (OSSM) and reflected in the On-Site Start-Up Report.

Such activities include but shall not be limited or restricted to;

- o Access route
- o Demarcation of working footprint and removal and storage of topsoil material
- o Waste management
- o Mandatory site equipment
- o Establishment of construction site compound and fuel stores
- o Ablution & Toilet Facilities
- o Refuse Management
- o Concrete works & batching proposals
- o Soil Erosion Control
- o Fire fighting equipment & Emergency fire reaction plan
- o Overhead power line and/or AC cable supply route (method statement required)
- o New access road construction (method statement required)

5. ON-SITE START-UP MEETING:

The mandatory **on-site start-up** meeting that is conducted preferably **14 days but not less than 5 working days** prior to commencement of any site/camp establishment, earthworks and/or construction activities and will relate to additional discussed information that must be complied with during the entire construction phase.

ON-SITE START-UP MEETING REPORT to be attached as Appendix 1 to the this 3819 Gansbaai EMP. The Start-Up Meeting Report to include all site-specific issues and arrangements as discussed and agreed on at site start-up meeting.

The On-Site Start-Up Meeting additional information pertains to specific site construction agreements that was discussed on site by all the relevant parties and agreed on and must be included in the On Site Start-Up Meeting Report. **(The arrangements and agreements must fall within the conditions as set out in the AUTHORISATION)**

At the on-site start-up meeting (OSSM) the following issues must be addressed:

- The EMP & other relevant site documents
- Project to be discussed and all uncertainties are cleared
- Method statement/s to be discussed
- Power line installation access routes
- Road and construction area to be demarcated
- Materials stockpile and lay down areas to be demarcated
- Method of stockpiling to be discussed
- Fire fighting procedures
- Mandatory fire fighting equipment & fire preventative measures
- Solid waste removal intentions
- Placement, type and service of toilets to be agreed on
- Placement and type of rubbish bins and removal of rubbish to be agreed on
- Labour overnight camp to be demarcated and services agreed on
- Environmental Education and awareness training session to all contractors & onsite staff/labour

The following people must attend the on site Start-Up Meeting:

- Main contractor's representative.
- Site supervisor/foreman
- Environmental consultant (EC/ECO)
- Environmental site officer (ECO/ESO)

Minutes of the on site Start-Up Meeting will be condensed to a report format and circulated to all attendees of the above named meeting for their perusal and comments if needed. A Non-response is deemed to be an acceptance of the contents and agreements of the report. **(Appendix 1)**

The main contractor must provide (i) a list of all sub-contractors and their scope of work for the contract and (ii) a time schedule of works.

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The On-site Start-up Meeting report will also form part of this Environmental Management Plan. If any discrepancies between the start-up report and the EMP arise then the EMP will take precedence until clarification on the discrepancy is clarified. If any discrepancies between the EMP and the AUTHORISATION then the AUTHORISATION will take precedence until clarification on the discrepancy is clarified.

NB: IT IS THE RESPONSIBILITY OF THE MAIN CONTRACTORS TO ENSURE THAT ALL SUB- CONTRACTORS, THAT WORK ON THE SITE DURING AND AFTER THE CIVILS CONTRACT, ARE INFORMED OF THE ENVIRONMENTAL CONDITIONS PERTAINING TO THE SITE.

NO WORK WILL START UNTIL THE ABOVE IS IN PLACE AND AGREED ON.

6. METHOD STATEMENT:

Method statements from the contractor will be required for specific sensitive actions on request of the authorities, the Client or ECO. A method statement forms the base line information on which sensitive area work takes place and is a "live document" in that modifications are negotiated between the Contractor and ECO/CLIENT, as circumstances unfold. All method statements will form part of the EMP documentation and are subject to all terms and conditions contained within the EMP main document.

These documents must be available to the authorities for inspection or on request.

A method statement describes the scope of the intended work in a step-by-step description in order for the ECO and the CLIENT to understand the contractor's intentions. This will enable them to assist in devising any mitigation measures, which would minimize environmental impact during these tasks.

The Contractor must submit the method statement before any particular construction activity is due to start. Work may not commence until the ECO and CLIENT'S REPRESENTATIVE have approved the method statement.

Method statements need to be compiled by the contractor for approval by the ECO and CLIENT'S REPRESENTATIVE. The contractor must submit written method statements to the CLIENT for the purposes of the environmental specification, a "Method Statement" is defined as a written submission by the contractor to the CLIENT setting out the plant, materials, labour and method the contractor proposes using to carry out an activity, in such detail that the CLIENT and the ECO is able to assess whether the contractor's proposal is in accordance with the specifications and/ or will produce results in accordance with specifications.

The contents of the Method statement cannot be changed or altered.

The method statement must cover applicable details with regard to:

- Construction procedures

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- Materials and equipment to be used
 - Getting the equipment to and from site
 - How the equipment/ material will be moved while on site
 - How and where material will be stored
 - The containment (or action to be taken if containment is not possible) of leaks or spills of any liquid or material (of any potential hazardous material) that may occur
 - disposal of hazardous substances and building materials to appropriately licensed waste disposal facilities
 - Timing and location of activities
 - Compliance/ non-compliance with the Specifications, and
 - Any other information deemed necessary by the the CLIENT and the ECO.

The Contractor must abide by these approved method statements, and any activity covered by a method statement must not commence until the CLIENT and the ECO has approved of such method Statement .

NB: No work may commence or take place until the Method Statement has been approved by all relevant parties.

Explanation of method statements and a pro forma method statement sheet that must be completed by the Contractor for each activity requiring a method statement is attached as **Appendix 4 & Appendix 5.**

7. ENVIRONMENTAL DECLARATION of UNDERSTANDING

(for the Environmental Management Plan (EMP))

The purpose of the Environmental Declaration of Understanding agreement between the applicant / client, the engineer, the contractor and the Environmental Consultant is;

1. to enforce compliance by all PARTIES with the AUTHORISATION & this Environmental Management Plan.
2. To maintain proof of compliance with the site Authorisation.
3. Applicant to inform all relevant parties of Authorisation & EMP (as per condition of AUTHORISATION).
4. to protect the ENVIRONMENT of the site against environmental damage;
5. to make good any damage to the ENVIRONMENT.
6. Ensure that all contractors and sub-contractors are familiar with the EMP & Authorisation and sign the mandatory Declaration of Understanding indicating their undertaking to work within the framework of the environmental requirements.

This agreement outlines the obligations on the ECO to ensure compliance by all parties with the EMP

8. PENALTIES

The CLIENT (on recommendation by the ECO) reserves the right at all times for the duration of this agreement to impose restrictions and associate penalties on the contractor with respect to the specific nature, timing and extent of construction activities on environmentally sensitive sites.

In instances of non-compliance with the EMP by the contractor (or any of their employees) or sub-contractor/s (or any of their employees) that move on or off the site, the on site ECO must issue a written warning indicating the non-conformance to the contractor.

The CLIENT, in consultation with the Environmental Consultant/ECO must determine the amount of the penalty applicable in accordance with the Penalties for Non-Compliance Schedule of Tariffs (**Appendix 2**).

Such penalty amount must be produced in writing and presented to the contractor within seven (7) days of the written warning.

The CLIENT may recover penalties by deducting the fine from the offending contractor.

The contractor will be responsible for all costs incurred where emergency procedures are implemented to deal with accidents impacting on the environment as well as the rehabilitation of such damage in conjunction with the ECO and site engineer.

In serious cases, at the discretion of the CLIENT and the Environmental Consultant/ECO, any multiple offences can be added together.

The ECO (after consultation with Environmental Consultant/The CLIENT) may also *stop the works or part thereof until the situation is resolved; no extension of time is claimable by the contractor.*

These penalties do not preclude any prosecution under any law or regulation.

This set of procedures must be understood by all relevant onsite project managers / project managers and site workers.

See **appendix 2** for the the CLIENT Penalties for Non- Compliance

9. RESPONSIBILITY OF THE CLIENT (as the Applicant)

The CLIENT must be responsible for ensuring compliance with the conditions contained in the AUTHORISATION by any person acting on his behalf, including but not limited to an agent, servant, employee or any person rendering a service to the CLIENT in respect of the activity, including but not limited to contractors and consultants.

The CLIENT is responsible for appointing the ECO, Site Engineer and Contractor for the duration of the construction contract and for ensuring that the Site Engineer and Contractor fulfil their obligations in terms of this EMP.

The CLIENT and or it's representative must notify DEA&DP and any other relevant authority, in writing, within 24 hours thereof if any condition of this authorisation is not adhered to.

10. THE SITE ENGINEER / SITE MAIN CONTRACTOR

The Site Engineer / Site main contractor is responsible for ensuring that the construction contract and daily construction activities as per the original site specifications are implemented in terms of the Construction Phase Environmental Management Plan which includes additional on site Start-Up Meeting agreements

The Site Engineer and the ECO are expected to develop a close working relationship and to stay in contact with each other.

The Site Engineer issues site instructions to the Contractor and all requests and communications between the ECO and Contractor are via the Site Engineer.

The only exception to this is where the ECO needs to issue a "stop works" order on the Contractor or the Site Engineer if serious environmental harm is about to happen or is happening as a result of construction activity. This "stop-order" must be confirmed by the ECO as soon as practically possible to all affected construction personnel.

When the ECO is not on site the resident engineer will be responsible for implementation of the EMP. Any construction and construction related activities that might lead to damage to the environment should be immediately brought to the attention of the site ECO.

The site engineer or the appointed engineers representative must complete the daily "ENVIRONMENTAL DAILY CHECKLIST" (see Appendix 6)

11. THE CONTRACTOR

The Contractor must ensure that all of its sub-contractors, employees, suppliers, agents, etc., are fully aware of the environmental issues detailed in the site EMP. The Contractor must liaise closely with the Site Engineer and the ECO and must ensure that the works on site are conducted in an environmentally sensitive manner and fully in accordance with the requirements of the EMP, at all times.

Main bulk service providers such as Telkom and Eskom must be advised of the construction activities as well as the requirements of this EMP and the Contractor must be responsible for their activities conducted within their work areas.

All contractors working on site must have proper and competent contractor supervision during their time of contract.

If more than one contractor work on the site simultaneously then the responsibility lies on each contractor to adhere to the conditions of the EMP and related documents.

This is for the duration of the contract.

The supervisors must work closely with the appointed environmental officer and discuss the daily programme with the appointed environmental officer. Any problems that might lead to damage to the environment must be discussed prior to commencement of the activity.

THE ECO MUST ENSURE THAT ALL CONTRACTORS / SUB-CONTRACTORS HAVE SIGNED THE “DECLARATION OF UNDERSTANDING” (Appendix 3) IN THIS CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN BEFORE CONSTRUCTION COMMENCES

12. SITE PERSONNEL: ENVIRONMENTAL AWARENESS TRAINING

All daily site construction personnel must attend an on site Induction Environmental Education and Awareness Training session together with any site specific environmental training they may require to carry out their duties.

All contractor and sub-contractor teams involved in work on site must be briefed on their obligations towards environmental controls and methodologies in terms of this EMP prior to commencement of any construction and construction related activities

The on site Environmental Education & Awareness Training session must take the form of an on-site environmental talk and where necessary relevant demonstrations conducted by the ECO.

The on-site Environmental Education & Awareness Training session must be aimed at all levels of site contractors, sub-contractors and related site workers & site management.

In the case of new workers coming on site throughout the construction programme, the site contractor is responsible to ensure all new labour arriving on site is made aware of the contents of the EMP and is briefed on the Environmental Education and Awareness.

13. ENVIRONMENTAL CONTROL OFFICER:

13.1 Frequency of site visits:

An ECO must be appointed for the duration of the construction phase (as required by the AUTHORISATION). The ECO must comply with the following:

- Conduct a start-up meeting before construction commences
- ECO to monitor the development on at least a bi-weekly basis until development is completed
- Conduct a closing down visit ASAP after completion of the Development
- Conduct an Environmental compliance audit within 6 months after completion of the civil contract.

13.2 Requirements for the Posts:

Environmental Control Officer: [ECO]

- A recognised environmental practitioner with a degree in environmental management and a sound knowledge of the environment & environmental management principles.
- An independent person with 10 or more years of environmental site management and able to ensure EMP compliance monitoring experience on construction projects.

13.3 Monitoring responsibilities of the ECO:

- The ECO will undertake daily, weekly or bi-weekly or as the need arises, site inspections and to monitor and assist in environmental tasks. The ECO must compile relevant reports/checklist and submit these to EnviroAfrica / The CLIENT
- Is to ensure that the mitigation/rehabilitation measures and recommendations referred to in the Record of Decision are implemented and to ensure compliance with the provisions of the EMP
- Must notify DEA&DP and any other relevant authority, in writing, within 24 hours thereof if any condition of the AUTHORISATION is not adhered to.
- Is responsible for the environmental issues involved with the construction phase of the project;
- Co-ordinating any aspect of site activity that may have an effect on the environment;
- Must work in close conjunction with the CLIENT/Site representative, contractors and sub-contractors
- Must identify and demarcate the impact area i.e. construction footprint area before any construction activities commence
- Must demarcate the necessary areas for storage of materials, ablutions, eating areas of contract workers, etc
- Must identify 'No go' areas and areas sensitive to erosion and have these areas demarcated. Environmental awareness training of the workers is essential. This must be in the form of an on site talk and must be conducted at an appropriate technical level
- The ECO will keep a site inspection diary if regular contractor site meetings are not held. The purpose of the site diary is to record construction progress and environmental compliance. This information is then recorded in the form of a ECO checklist and/or diary entries and photographic records for visual reference. (Appendix 8).
- These documents must be available to the authorities for inspection or on request. The diary must include meetings/discussions with the contractor and must reflect environmental queries, agreed actions and dates of eventual compliance. These must form part of the official environmental record.

13.4 Authority of the ECO:

The ECO has the authority to stop works if in his/her opinion there is a serious threat to or impact on the environment caused directly from the construction operations.

This authority is to be limited to non-compliance to the EMP and emergency situations where consultation with the Environmental Consultant is not immediately available.

The ECO is to inform the Environmental Consultant of the reasons for the stoppage as soon as possible. A relevant reason should be supplied to the CLIENT/Site representative as soon as possible after stoppage of such works.

Upon failure by the contractor or his employee to show adequate consideration to the environmental aspects of this contract i.e. willful destruction of the environment, the ECO may recommend to the CLIENT/site representative to have the contractor's representative or any employee(s) removed from the site or work suspended until the matter is remedied.

No extension of time will be considered in the case of such suspensions and all costs will be borne by the contractor

13.5 Appointment of an ESO. (Environmental Site Officer)

When necessary the ECO may appoint a ESO to carry out the site inspections and the following will apply:

- The ESO is appointed prior to commencement of construction activities, site inspections are decided upon between the CLIENT and the ECO depending on the environmental sensitivity of the construction areas and site location.
- The frequency of site inspections is also determined prior to commencement of works but can change if the need arises.

13.6 Qualifications of an ESO.

The appointed Environmental Site Officer must fulfil the following criteria:

- Have at least 5 years experience as a Environmental Site Officer.
- Have a sound understanding of the contents of the EMP.
- Must be able to enforce compliance to all relevant site documents.
- Have a basic knowledge of the NEMA and other relevant information.
- A construction background would be an advantage.
- Must be able to work with site personnel and resident engineers.

14. CHANGES TO MANAGEMENT PLAN

Although care has been taken to address all known relevant environmental issues for the construction phase, it may become necessary to add or amend certain procedures or instructions to improve the efficiency of the Construction Phase Environmental Management Plan (EMP).

Only those additions or amendments of this CP EMP that will either improve environmental protection or can be proved not to have any negative effect to the immediate and surrounding environment will be considered.

Changes or deviations have to be motivated in writing by means of a Method Statement and the same procedures for a standard Method Statement have to be followed.

Any additions or amendments must be submitted by the ECO to DEA&DP (if so requested) after the ECO has consulted with the Environmental Consultant and the CLIENT.

No deviation from the contents of the CP EMP is allowed without the above-named prescribed procedures

15. RECORD KEEPING

All records relating to the implementation of this management plan (e.g. Declaration of Understanding, ECO Checklist and/or diary, Method Statements, etc.) must be kept together and can be retrieved easily. These records must be available for scrutiny by any relevant authorities.

Photographs

Photographs are to be taken of the site prior to, during and immediately after construction, as a visual reference. These photographs must be stored with other records related to this EMP.

Any environmental non-compliances reported must have the support of sufficient photographic proof to mitigate the non-compliance report.

16. ENVIRONMENTAL COMPLETION STATEMENT

An Environmental Completion Statement is a report by the ECO/ER stating completion of the project and compliance with the EMP and conditions and should be included in the environmental report kept by the ECO.

The following environmental statements must be completed on completion of all site construction activities and submitted in line of sequence to the relevant office for perusal and reference.

16.1 ESO: ENVIRONMENTAL CLOSING STATEMENT:

The ECO must submit an **environmental closing statement** on completion of the construction phase of the development. The environmental closing statement must cover all aspects of weekly construction activities that took place during the ESO site inspections.

16.2 ECO: ENVIRONMENTAL COMPLETION STATEMENT:

The ECO must submit an **environmental closing statement** relating to all environmental and technical issues that occurred on site as well as any conclusions regarding incidents such as written warnings, stoppages of works and penalty fines.

16.3 ENVIRONMENTAL AUDIT REPORT

An Environmental Audit Report by the ECO must be submitted to the CLIENT for submission to the Department of Environmental Affairs and Development Planning, in case they should require this, within six months after construction has been completed and also after the sites have been rehabilitated.

17. MANAGEMENT SPECIFICATIONS (PROGRAMME)

(This EMP is additional to conditions as set out in the AUTHORISATION)

17.1 Fauna and Flora

The Contractor must not deface, paint, damage or mark any natural features, if these should occur (e.g. trees, rock formations, buildings, etc.) situated in or around the Site for survey or other purposes unless agreed beforehand with the Engineer and the ECO. Any features affected by the Contractor in contravention of this clause must be restored/rehabilitated to the satisfaction of the Engineer and the ECO

Except to the extent necessary for the carrying out of the works, flora must not be removed, damaged or disturbed nor must any vegetation be planted. Trapping, poisoning and/or shooting of animals is strictly forbidden. No domestic pets or livestock are permitted on Site. Where the use of herbicides, pesticides and other poisonous substances are to be used, the Contractor must submit a Method Statement.

All incidents of harm to any animal or natural vegetation (apart from the agreed upon areas) must be reported to the ECO.

17.2 Protection and Rescue of Fauna and Flora

The removal of fauna from the site must be done in accordance with the requirements of the Nature Conservation Ordinance regulating these activities.

All flora identified during construction to be rescued must be removed and placed in an area specifically allocated for these plants to ensure that the necessary care thereof will take place until being relocated and planted in designated areas.

The areas of vegetation that are to be protected during construction must be demarcated and indicated on a site plan. A Method Statement is to be submitted to the ECO by the Contractor, detailing the method of fencing for protection of the conservation areas as indicated in the EIAR

17.3 Clearing of Vegetation, Stripping & Conservation of Topsoil

A Method Statement must be submitted detailing the methods to be used for vegetation clearing. All cleared areas must be stabilised as soon as possible. Burning of cleared vegetation on site is prohibited. The burying of cleared vegetation or use as part of backfill or landscape shaping is prohibited unless written approval is obtained from the ECO.

Cleared vegetation may be used for mulch or slope stabilisation of the Site. Should bulk vegetation be removed from the designated working areas (foot print area) then tall vegetation shall first be removed through brush cutting and chipping of larger shrub material; this may be added to the topsoil material stockpiles as mulch. Unless otherwise agreed upon, only indigenous plant material shall be used for this purpose.

Prior to any activities within the demarcated work areas, topsoil material shall be removed to a depth of 300mm or deeper if specified by the engineer in consultation with the ECO, and stockpiled in a designated area for use in rehabilitation of the site post construction. Any

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area where the topsoil will be impacted by construction activities, including the construction offices and storage areas, must have the topsoil stripped and removed and covered with herbaceous vegetation (other than alien species), overlying grass and other fine organic matter and stockpiled for subsequent use in rehabilitation.

Topsoil storage areas must be convex and should not exceed 2m in height. The Contractor must ensure that the material does not blow or wash away. Topsoil must be treated with care, must not be buried or in any other way be rendered unsuitable for further use (e.g. by mixing with spoil) and precautions must be taken to prevent unnecessary handling and compaction. In particular, topsoil must not be subject to compaction greater than 1 500 kg/m² and must not be pushed by a bulldozer for more than 50 m. Trucks may not be driven over the stockpiles.

Topsoil from different soil types must be stockpiled separately and replaced in the same areas from which they were taken if this proves to be the case. Specific attention should be given to the areas that may house rare and threatened species. Topsoil areas must be demarcated in order to ensure the safekeeping of topsoil and to separate different stockpile types.

17.4 Protection of Archaeological & Paleontological remains

The Record of Decision specifically states as Condition 5 that:

- "Should any heritage remains be exposed during excavations, these must immediately be reported to the Provincial Heritage Resources Authority of the Western Cape, Heritage Western Cape (in terms of the National Heritage Resources Act, 1999 (Act No 25 of 1999)). Heritage remains uncovered or disturbed during earthworks must not be disturbed further until the necessary approval has been obtained from Heritage Western Cape.
 - If any archaeological remains (including but not limited to fossil bones and fossil shells, coins, indigenous and/or colonial ceramics, any articles of value or antiquity, marine shell heaps, stone artefacts and bone remains, structures and other built features, rock art and rock engravings) are discovered during construction they must immediately be reported to Heritage Western Cape and must not be disturbed further until the necessary approval has been obtained from Heritage Western Cape.
 - If any shipwrecks are discovered during construction they must immediately be reported to South African Heritage Resources Agency ("SAHRA") and must not be disturbed further until the necessary approval has been obtained from SAHRA.
 - If any graves or unmarked human burials are discovered, they must be treated with respect and SHRA must be notified immediately and must not be disturbed further until the necessary approval has been obtained from SAHRA. An archaeologist must be contracted to remove the remains at the expense of the developer."

This means that if remains or artefacts are discovered on Site during earthworks, work in the vicinity must cease and the Contractor must immediately inform the Engineer and the ECO who must contact the South African Heritage Resources Agency (SAHRA) for information on the appropriate course of action to be taken.

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In the event that previously unknown archaeological features are exposed during the construction phase, the Contractor should inform the Engineer and the ECO who will advise the CLIENT on the necessary course of action.

Note that the Contractor may not, without a permit issued by the responsible heritage resource authority; destroy, damage, excavate, alter, deface or otherwise disturb any archaeological site or archaeological material. The latter is a criminal offence under the Heritage Resources Act.

17.5 Appropriate use of Machinery

Contractor must at all times carefully consider what machinery is appropriate to the task while minimizing the extent of environmental damage.

The contractor may not operate any machinery including a fuel driven compressor outside the demarcated area.

Where practical, all maintenance of plant and machinery on Site must be performed in workshops. If it is necessary to do maintenance outside of a workshop area, the Contractor must obtain the approval of the Engineer and the ECO prior to commencing activities

All vehicles and equipment must be routinely inspected for fuel and oil leaks and kept in good working order and serviced regularly. Leaking equipment must be repaired immediately or removed from the Site. When servicing equipment, drip trays must be used to collect the waste oil and other lubricants. Drip trays must also be provided in construction areas for stationary plant (such as compressors) and for "parked" plant (such as scrapers, loaders, vehicles). Drip trays will be kept free of water that will float the oil to overspill. All drip trays / bungs to attain a 120% capacity of the plant fuel / oil capacity.

Appropriate 2.5kg (minimum requirement) dry powder SABS approved and service certified fire fighting extinguisher must be a mandatory item on all vehicles working and moving on or off the construction site.

17.6 Demarcating and fencing

Final site demarcation must be carried out with all relevant parties (who will be responsible) present for the day-to-day activities on the site, they include;

The CLIENT	Representative
Environmental Consultant	Environmental Consultant (EC)
Main Contractor	Project Site Manager
Sub-contractor	Project contractor
ECO/ESO	Environmental Control Officer or Site Officer

The proposed site will be demarcated prior to the commencement of any construction whatsoever, this includes site establishment, the moving of construction material or any other items onto the site, ect.

The site will be demarcated with appropriate strong steel dropper poles. A single strand of orange baler twine is to be attached to the dropper poles to indicate boundaries and no-go

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areas for site personnel and vehicular movement. (Alternative fencing may be decided upon dependent on site requirements)

The construction area i.e. road, stockpile areas and development footprint etc. must be demarcated and fenced off with steel dropper poles and orange baler twine approximately 1m high is considered adequate. The demarcation will be agreed on during the start-up meeting. All fencing and fence placement / positioning must be approved by the ECO on site. Work areas and access routes must be clearly demarcated to minimise environmental impact.

NB Steel dropper poles and orange baler twine has proven to be the most environmentally friendly means of on site demarcation.

In the event that sensitive features are threatened by construction activities, temporary fencing off of these areas (for individual areas such as trees or rocks) or the construction area (when working in a mainly natural environment) is recommended.

The Contractor must maintain in good order all demarcation, fencing and barriers for the duration of construction activities, or as otherwise instructed. Any temporary fencing removed for the execution of any portion of the works is to be reinstated by the Contractor as soon as practicable. The Contractor at the end of the contract must remove all demarcation, fencing or barriers not forming part of the final works on Site.

Once in place the demarcation barriers may not be moved or altered without consultation with the site ESO and the main contractor

17.7 "NO-GO" Areas

"NO-GO" areas, if so designated by the EMP, AUTHORISATION or ON SITE START-UP MEETING, are certain pre-determined or as a result of the OSSM must be "NO-GO" areas. The contractor must ensure that no person, machinery, equipment enter the "NO-GO" areas at any time during the contract period.

If so required by specifications in the EMP, certain areas must be "No go" areas. The Contractor must ensure that, insofar as he has the authority, no person, machinery, equipment or material enters the designated "No Go" areas at any time.

Areas of special importance will be decided upon between the Engineer, Contractor and the ECO and demarcated as "No go" areas on a site plan and fenced off. Such areas are out of bounds to the Contractor and his staff, sub-contractors and their staff or suppliers and their staff and to any other person involved in the construction, without the written permission specified by the ECO.

17.8 Water, Storm water, Erosion & Sedimentation Control

The Contractor must take appropriate and active measures to prevent erosion resulting from his own construction activities and operations as well as storm water control measures to the satisfaction of the ECO.

Occupants on site must have access to safe drinking water. Water to be supplied by the contractor shall be from a legal source and comply with recognised standards for potable and other uses.

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During construction the Contractor must protect areas susceptible to erosion by installing all the necessary temporary and permanent drainage works as soon as possible.

It is illegal to discharge water into a public stream if the quality does not conform with the required health or water standards. Other measures as may be necessary must be taken to prevent the surface water from being concentrated in streams and from scouring the slopes, banks or other areas. All potential hazardous fluids / materials must be protected from the rain to prevent them being washed into storm water channels. All such measures must be discussed with and approved by the ECO.

17.9 Fuel, Tar Compounds and Oil

No Fuels and flammable materials are to be stored on the site.

Basic guidelines to follow if any fuels are to be stored are as follows:

- These areas must comply with general fire safety requirements.
- All vehicles, equipment, fuel and petroleum services and containers must be maintained in a good condition that prevents leakage and possible contamination of soil or water supplies. Drip trays are to be used in these storage areas to prevent contamination of the ground in the event of spillages or leaks
- Quantities of fuels must never be more than 2 x 200 litres at any time.
- All plants / fuel tanks must have a drip tray present to use in the event off accidental spillage of oils and fuels and must contain a capacity level of 120% of the capacity of the plant fuel and oil tanks.
- A suitable leak proof container for the storage of oiled equipment (filters, drip tray contents and oil changes etc.) must be established.
- Fuels and oils must be safely located out of harms way from the elements and safety and fire prevention must be strictly adhered to.
- All spills are to be recorded in the ESO diary.

Fuel Storage proposals must be cleared by the ECO before any storage or stockpiling takes place.

17.10 Hazardous Substances

If potentially hazardous substances are to be stored on site, the Contractor must provide a Method Statement detailing the substances/materials to be used, together with the storage, handling and disposal procedures of the materials to the Engineer and the ECO.

Paints: - No paint products may be disposed of on Site and brush/roller wash facilities must be established to the satisfaction of the Engineer and the ECO. Oil based paints and chemical additives and cleaners such as thinners and turpentine must be strictly controlled. A Method Statement detailing the paint management procedures is required.

Hazardous building materials: -Hazardous building materials (e.g. asbestos, fibre claddings, refrigerants, coolants, sub-station cooling oils, etc) must be identified and dealt with in accordance with the relevant safety and health legislation. All such material must be

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separated on Site and disposed off at appropriate licensed disposal sites. The Contractor must supply the ECO with a certificate of disposal.

Hazardous materials should be stored under lock and key in designated areas with properly displayed and visible warning signs.

17.11 Concrete Works

The Engineer (in collaboration with the ECO) must indicate the permitted location of batching plants (including the location of cement stores and sand and aggregate stockpiles), if these are to be present on Site, on a site plan. A Method Statement indicating the layout and preparation of such facilities must be submitted

Cleaning of equipment and flushing of mixers must not result in pollution of the surrounding environment. All wastewater resulting from batching of concrete must be disposed of via the contaminated water management procedure. Used cement bags must be stored in weatherproof containers to prevent wind dispersion and water contamination. Used cement bags must be disposed of on a regular basis via the solid waste management system, and must not be used for any other purpose.

Disposal of cement bags on site must be arranged with the site ECO.

All visible remains of excess concrete must be physically removed and disposed of on completion of cement work. Washing the remains into the ground is not acceptable. All excess aggregate must also be removed.

The following recommendations must be implemented to minimise impact.

- The concrete mixing must take place on top of boarding and/or sheeting so as to protect the ground. This board and or sheeting must be removed from the site once the mixing is complete
- Concrete batching to take place at identified areas only in consultation with the ECO
- Cement contaminated water may not enter a natural or man-made (e.g. trench / sloop or dam) water system. Preventative measures include establishing sumps from where contaminated water can be either treated in situ or removed to an appropriate waste site.
- Dry mixing batching areas to be carefully placed in consultation with the ECO
- If possible/appropriate ready mix concrete must be used.
- Cement bags are to be stored securely out of harms way from the elements (wind and rain). Bags has to be covered and placed on plastic sheeting
- Sand and stone to be stored on plastic if it is stored outside the future fenced off site.
- Excess or spilled concrete must be confined within the works area and then removed to a waste site.
- Wash-down areas must be confined to within the concrete batching area only.

NB: In the event of Ready Mix concrete deliveries taking place on site the site foreman must ensure that no wash-down of ready mix trucks takes place on or around the site except at

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the concrete batching area where concrete waste water may be contained into the existing bunding pit, any alternative method of disposal must have to approval of the site ECO.

17.12 Blasting / drilling

In the event where blasting or rock drilling is required, the following recommendations must be implemented:

- A Method statement must be provided for each case separately prior to commencement of blasting works.
- The contractor must take all necessary precautions to prevent damage to special features and the general environment, which includes the removal of fly rock.
- The contractor must ensure that no pollution results from drilling operations, either as a result of oil and fuel drips, or from drilling fluid. The contractor must take all reasonable measures to limit dust generation as a result of drilling operations.
- The ECO must be given 24-hour notice before blasting events.

17.13 Fires and smoking

No fires are allowed.

If Smoking is allowed on site then arrangements to be made for disposal of cigarette buds. No smoking will be allowed outside the agreed upon areas.

Adequate fire fighting equipment according to the fire hazard during the construction period must be available on site and in good working order (at least one type ABC (all purpose) 2.5 kg extinguisher and 3 fire beaters per working area). The persons on site must be trained in the use of such equipment.

The main contractor must provide a list of all authorities involved in fire fighting in the region. This list must include emergency contact numbers and must be visible at the site office.

Welding, gas cutting or cutting of metal will only be permitted inside the working areas.

The Contractor must pay the costs incurred to organizations called to put out any fires started by him. The Contractor must also pay any costs incurred to reinstate burnt areas as deemed necessary by The CLIENT.

It is required that contractors have available [if there is cell phone reception] the emergency telephone numbers of the nearest local Fire Fighting Station and that an emergency fire fighting re-action plan has been drawn up with on site workers and the resident land-owner / farmer.

17.14 Emergency Procedures

It is the responsibility of the contractor to assess the potential risks to the environment as a result of the project. As such, the contractor must have the necessary standard emergency operating procedures in place to deal with any potential emergency such as oil spills or fire.

All staff should be made aware of the necessary basic emergency procedures in the event of an emergency including injuries to staff. The appropriate equipment and identified personnel to deal with such basic emergencies should be available on site.

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Fire: The Contractor must advise the relevant authority of a fire as soon as one starts and must not wait until he can no longer control it. The Contractor must ensure that his employees are aware of the procedure to be followed in the event of a fire.

Spills: The Contractor must ensure that his employees are aware of the procedure to be followed for dealing with spills and leaks, which must include notifying the Engineer, the ECO and the relevant authorities. Treatment and remediation of the spill areas must be undertaken to the reasonable satisfaction of the ECO and Local Authority.

17.15 Dust Control

The Contractor must take all reasonable measures to minimize the generation of dust as a result of construction activities (including dust generated on haul roads) to the satisfaction of the ECO and Local Authority

17.16 Solid Waste Management

No on-site burying or dumping of any waste materials, vegetation, litter or refuse must occur.

The Contractor must provide problem animal and-weatherproof bins with lids of sufficient number and capacity to store the solid waste produced on a daily basis. The lids must be kept firmly on the bins at all times. Bins must not be allowed to become overfull and must be emptied at least once a day. Waste from bins may be temporarily stored on Site in a central waste area that is weatherproof and scavenger-proof and which the Engineer and the ECO has approved.

All solid waste must be disposed of off site at an approved landfill site in terms of section 20 of the Environment Conservation Act (Act No. 73 of 1989).. The Contractor must supply the ECO with a certificate of disposal. All hazardous waste must be disposed of at a licensed hazardous waste site.

The Contractor must make provision for workers to clean up the Contractor's camp and working areas on a daily basis so that no litter is left lying around and so that the site is in a neat and tidy state. The Contractor must remove from site the refuse collected at least once a week.

The Contractor must be responsible for the establishment of a refuse control system that is acceptable to the ECO.

Disposal arrangements must be made in advance and cleared with the ECO before construction starts.

17.17 Toilets & Ablution Facilities

The Contractor must provide suitable sanitary arrangements near the construction site for all site employees. A minimum of one toilet must be provided per 15 persons at each working area (station) or as stipulated in the Management plan.

The toilet must be within easy reach (max 300m) of the working area and be in good working condition and cleaned on a daily basis. Toilet paper must be provided. The toilets must be emptied on a weekly basis or when full or when instructed by the ECO on site.

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Disposal arrangements must be made in advance and cleared with the ECO before construction starts. Sanitation provision and servicing must be to the satisfaction of the ECO. The Contractor must ensure that toilets are emptied prior to any builders' holidays, and/or weekends.

Toilets must be of a neat construction and must be provided with doors and locks and must be secured to prevent them blowing over.

NB NO BURYING OF ANY WASTE MATERIAL ON OR NEAR THE CONSTRUCTION SITE NOR ANYWHERE ON THE SURROUNDING PROPERTY IS PERMITTED.

17.18 Stockpiling

Any stockpiling of gravel, cut, fill or any other material including spoil must only be allowed in degraded areas or areas below the future cover of buildings and tar or paved parking surface. The Contractor must indicate the proposed areas for such operations and method of undertaking such operations in a Method Statement to be submitted to the ECO for approval before any such activity begins. Any area used for stockpiling and not covered by building development must be returned to at least the state they were in before stockpiling and it must be ensured that the erosion potential of these areas is not increased.

The Contractor must ensure that the material does not blow or wash away or mix with each other. If the stockpiled material is in danger of being washed or blown away, the Contractor must cover it with a suitable material, such as hessian, netting or plastic.

17.19 Preparation of Building Material

The Contractor must ensure that any delivery drivers are informed of all procedures and restrictions (including "no go" areas) required to comply with the Specifications. The Contractor must ensure that these delivery drivers are supervised during off-loading, by someone with an adequate understanding of the requirements of the Specifications

All manufactured and/or imported material must be stored within the demarcated area, and, if so required, out of the rain. All lay down areas outside of the construction camp must be subject to the Engineer and the ECO's approval in such a way as not to cause a nuisance or environmental damage.

All building materials are to be prepared at the batching plant, to enable the effects of cement and other substances, and the resulting effluent to be more easily managed.

It is essential that any imported material i.e. base material for road works, building sand, bedding base sand for pipe / cable lines etc. must be screened and of which the origins must be identified prior to arriving at the receiving environment, this must be approved by the Engineer / ECO.

17.20 Discharge of construction water

Potential pollutants of any kind and in any form must be kept, stored, and used in such a manner that any escape can be contained and the water table not endangered. This particularly applies to water emanating from runoff from fuel depots/workshops/truck washing

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areas. Wash down areas must be placed and constructed in such a manner so as to ensure that the surrounding areas are not polluted.

Contaminated water includes water that is carrying excess sediment due to construction activities. The contractor, being responsible for the construction and effective containment and maintenance of settlement ponds must ensure that the surrounding environment is not adversely affected as a result of construction activities. Contaminated water storage facilities must not be allowed to overflow and appropriate protection from rain and flooding must be implemented. Contaminated water that is removed from site must be disposed of at a facility approved by the ECO and Local Authority. No contaminated water that does not meet the water quality standards and criteria under the National Water Act may be released into a natural system, whether it is to surface or groundwater

All cement effluent from mixer washings, and run-off from batching areas and other work areas must be contained in suitable sedimentation ponds. Sedimentation ponds must be allowed to dry out on a regular basis to allow for solid material to be removed. This material must be disposed of in a suitable manner, depending on the nature of the material, and to the discretion of the ECO.

17.21 Treating (flushing / testing) of Pipelines

Cleaning/sterilization/flushing of pipelines shall not impair surrounding environmental quality. Any contaminated water from such activities shall be contained until it complies with the standards contained in the National Water Act or other relevant Acts, as well as those laid down by the Local Authority. Alternatively, it shall be removed from site and disposed of at an approved waste disposal site.

17.22 Contractors Temporary Camping site & Eating Areas

The Contractor must designate eating areas for the approval of the ECO, which must be clearly demarcated. No eating of meals must take place outside these designated areas without the approval of the Contractor/ECO. The feeding, or leaving of food for animals are strictly prohibited. Sufficient waste bins must be present in this area and emptied regularly.

The contractor must supply cooking facilities that are suitable for the environment and are not liable to cause the outbreak of fires.

No overnight camping/stay on site allowed. If overnighing is necessary for security purposes then it must be cleared with the ECO on site.

No washing in dams or streams are allowed.

17.23 Traffic, Access Routes & Haul Roads

The Contractor must control the movement of all vehicles and plant including that of his suppliers so that they remain on designated routes. In addition such vehicles and plant must be so routed and operated as to minimise disruption to regular users of the routes not on the Site. On gravel or earth roads on Site, the vehicles of the Contractor and his suppliers must not exceed a speed of 25 km/h. On public roads adjacent to the Site vehicles will adhere to municipal and provincial traffic regulations.

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As far as possible any access routes/haul roads must utilise existing roads or tracks. Any new access roads/haul roads must be designed so as to minimise erosion and must run across slopes and not directly up-hill.

All temporary access routes must be rehabilitated at the end of the contract to the satisfaction of the ECO.

Method Statements for any new access/ haul roads must be submitted

17.24 Site Clean Up and Rehabilitation

The Contractor must ensure that all structures, equipment, materials and facilities used or created on site for or during construction activities are removed once the project has been completed. The construction site must be cleared, and cleaned to the satisfaction of the ECO.

Immediately after the demolition of the camp site, the contractor shall restore the site to its original state, paying particular attention to its appearance relative to the general landscape. The contractor's procedure for rehabilitation shall be approved by the ECO and Engineer.

This shall include but not be limited to:

- Earthworks to reinstate the physical characteristics of the site. Here attention to the natural vertical and lateral heterogeneity in landform shall guide the reinstatement of natural areas
- Replacement of topsoil material – care shall be taken to ensure that the same material that was removed from each area is replaced there, since this will carry the seed complement appropriate for re-establishment of each plant community type
- Final landscaping by machine, but landscaping by hand may be required in many areas under rehabilitation
- Re-seeding and / or replanting of rehabilitated areas

The Contractor shall not be permitted to use fertilisers or pesticides

It is imperative that any potential erosion problems are addressed. This may require subsequent site visits to monitor the efficacy of erosion control measures.

17.25 Land Management

Vehicles accessing the construction site must be made aware of driving in hazardous road conditions, sharp bends, narrow roads, bad weather, on or near children or domestic animals along the road.

Vehicle movements should be kept to a minimum during rain to avoid damage to access roads.

No fences or gates on the relevant construction property must be damaged. All access gates to the property (construction site) to be kept closed at all times to prevent domestic and or wild animals from getting out. Access by unauthorised personnel should be controlled. The access gates to the construction areas must always be closed.

Soil erosion must be prevented at all times along the access roads and around construction areas.

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No bush or brush clearing to be undertaken without the knowledge of the ECO / Engineer.

17.26 Socio-Cultural Issues

Property owners or property occupiers must be treated with respect and courtesy at all times.

The cultural lifestyles of the communities living in close proximity to the construction areas must be respected.

17.27 Additional Associated Installations**17.27.1 Construction of new access roads**

In the event of the construction of a new access road to the site the access route is pre-determined prior to the On Site Start-Up Meeting.

Discussions pertaining to the "Access Road Start-Up Meeting" include the following but not restricted to;

- o EMP and contents thereof
- o Demarcation of the access route
- o Containment of soil and rock from excavations
- o Transit areas for excess excavation road materials
- o Stockpile areas for sub-base and surface material
- o Earthmoving machinery for specific tasks
- o Mandatory Site Equipment
- o Placing of on site toilet facilities
- o Specific requests from farmers or the CLIENT and land owners
- o Dust Pollution
- o Post construction erosion methods
- o Site Specific agreements emanating from the Start-Up Meeting

17.27.2 Eskom / Telkom - Installation of power and communication lines (overhead or furrowing / trenching of AC / optic fibre cables)

In the event of the installation of an Eskom / Telkom line, (overhead or the furrowing / trenching of optic fibre / AC cable, the proposed route has been pre-determined prior to the On Site Start-Up Meeting.

Discussions at the Eskom power & Telkom line installation Start-Up Meeting include the following but not restricted to;

- o EMP and contents thereof
- o Establishing the location of the "TAP-OFF" point
- o Arranging a time for the physical "Walk-In" and inspection of the Eskom power line / Telkom line route with the contractor, and the site ECO/ESO. [If required a representative from the Client may be present as well as the farmer]
- o Establishing suitable stockpile areas for poles, machinery and accessories.
- o Placing of poles on heavy duty plastic.
- o Exit and entry points along the Eskom power / Telkom line route

- o Method of Pole Drilling, Pole Planting and Stringing phases
- o Method of approach to pole hole location [i.e. Drive in - Reverse out]
- o Specific requests from farmers or the CLIENT

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- o Mandatory Site Equipment
 - o Placement and type of site toilets.
 - o AC / optic fibre cable furrowing / trenching
 - o Site Specific agreements emanating from the On Site Start-Up Meeting

18 OPERATIONAL PHASE

General Testing and biosecurity.

Abalone farming is an economically intensive activity and the economic viability of the operation is directly linked to maintaining a healthy operational farm under optimal conditions. According to the present operators in the abalone industry, the threat of disease is more by infection from wild populations than the other way round. Functional monitoring has been designed by the industry through years of experience and there is in existence an Abalone Health Monitoring Programme that abalone farms belong to.

In order to further reduce the risk of suboptimal conditions and the development of breaches of biosecurity, it is recommended that the farm also adheres during the operational phase to the Biosecurity Protocol prepared for abalone developed by specialist veterinarians although the latter is not compulsory. Biosecurity processes are audited by an independent consultancy and will in any case be employed by the proposed farm to implement all biosecurity measures on the farm.

These measures are detailed below.

18.1 Water Monitoring Protocol

Introduction

Abalone are invertebrate herbivores that rank low in the food chain. The existing Premier Fishing operation / abalone farm produces very diluted effluents, containing small quantities of waste feed, abalone faeces and dissolved nutrients. Water is pumped from the sea into land based tanks housing abalone. All the effluent thus originates from grow on units containing abalone, which themselves are highly sensitive to water quality. This ensures that the effluent is relatively innocuous.

The abalone farm effluent are therefore unlikely to exceed water quality targets set for coastal marine waters beyond the mixing zone (DEWA Water Quality Guidelines for Mariculture Vol 4). At the point of outfall local impacts such as sediment accumulation and algal growth may be observed, but these effects occur within a few meters of the outfall and will be undetectable by 50m. (Britz and Godfrey). The environment in the Gansbaai Harbour is also already affected by these impacts.

Incoming water is monitored to prevent any detrimental effects the environment might have on the cultured abalone be that animal welfare or human food safety aspects. The animals thus act as "mine canaries for any detrimental environmental changes in the surrounding coastal area. Never the less out going and incoming water monitoring is conducted according to the schedule below. In addition to this protocol the operation will adhere to the latest standards prescribed by the South African Live Molluscan Shellfish Monitoring and Control Programme.

1. Daily monitoring

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Daily water quality checks are performed on the farm and records kept in this regard. This includes the following:

- Temperature
- pH
- DO

2. Monthly monitoring

- Suspended solids

3. Bi Annual monitoring

A chemical analysis of the physico-chemical properties will be conducted by an independent laboratory twice a year comparing incoming with outgoing water for:

- Ammonia
- Total Phosphates

5. Microbiological testing

Monitoring is done in line with the Shellfish Monitoring and Control program prescribed by the Department of Agriculture and Fisheries : Marine and Coastal management. This includes monthly sampling of water and flesh samples for

- Faecal Coliforms (including E.coli)
- Salmonella
- Vibrio
- ASP
- DSP
- PSP

6. Phytoplankton Monitoring

As from 6 July 2011 in collaboration with the Department of Agriculture, Forestry & Fisheries (DAFF) and the surrounding abalone farms monitors the distribution and frequency of phytoplankton in our coastal area. The monitoring system will be used to determine what potentially toxic species are present and in what concentrations.

A 1L water sample is taken every day at midday from header tank 2 at our Grow-out section and brought to the lab. The water sample is transferred to a 250ml sample bottle containing formalin (as provided by DAFF) and the samples sent on a weekly basis to the Aquaculture research facility in Sea Point for identification and enumeration. The remainder of the water sample is sampled in our lab to identify the phytoplankton cells present and their densities.

Results from the DAFF lab will be communicated via an annual report and the information saved on the database.

Should there however be toxic species observed, this will be communicated to the relevant farm within 24 hours.

Apart from this the farm monitors incoming water for harmful dinoflagellates, this includes but not limited to

- Alexandrium
- Ceratium furca
- Dinophysis acuminata & fortii
- Gonyaulax
- Karenia
- Pseudo-Nitzschia australis

Harmful dinoflagellates are identified by referring to a wall chart next to the microscope.

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1. All identified specie counts are tallied to obtain a total count.
2. If a slip sample was taken and the total count exceeds accepted levels on the farm (see next section), a header tank sample is taken and the counts redone.
3. Whenever red tide counts reach critical limits, the Farm- and Production Managers are at advised immediately.

Critical Limits of Oxygen depleting and toxic dinoflagellates:

1. When the total dinoflagellate counts exceed 150 000 cells per Litre, it is recommended that the farm increases air and water flow where it can and monitor Dissolved Oxygen levels in the system.
2. When the Toxic dinoflagellate counts alone exceed 100 000 cells per litre, it is recommended that at least the hatchery goes onto recirculation. (See "Master Plan, CCP Matrix: Red tide lethal concentrations" for specific lethal limits of 4 important toxic species)

When the total dinoflagellate counts exceed 250 000 cells per Litre, it is recommended that the entire farm is switched to recirculation, especially if Toxic dinoflagellates are present.

7. Conclusion

This is a dynamic document which is subject to change if new standards are set by the regulatory authority.

8. Reference

1. Britz, P.J and Godfrey,B. (2008). Specialist report on the impact of the expansion of the wild coast abalone farm on the marine environment. EnvirofishAfrica. 208p.
2. Department of Water Affairs and Forestry (DEWA)First Edition 1995. South African Water Quality Guidelines for coastal marine waters. Vol 4 Mariculture
3. Abalone Aquaculture Dialogue – WWF Oct 2010, Abalone Aquaculture Dialogue Standards
4. Department of Agriculture and Fisheries : branch Aquaculture . South African Molluscan Shellfish Monitoring and Control Programme Aug 2008.

18.2 Bio security and Animal Welfare Protocol

1. Introduction

In order for Premier Fishing to protect the substantial investment it has made into abalone farming all measures are taken to prevent the introduction and spread of disease and pests . The implementation of an objective biosecurity standard is a major step towards achieving this goal. In August 2010 the Abalone Farmers Association contracted Amanzi Biosecurity to draft such biosecurity standards and its is this document that today forms the basis on which PremierFishing has based its biosecurity protocols.

The following protocols in terms of biosecurity are in place.

2. Organization

- PremierFishing will undertake all the necessary activities in such a manner as to meet the requirements of the Abalone Biosecurity Standard.
- All personnel responsible for undertaking all necessary activities i.t.o biosecurity have the authority and resources to carry out their assigned duties. This includes the ability to implement, maintain and improve the biosecurity plan, as well as identifies deviations from the biosecurity plan and to initiate corrective action.

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- A Biosecurity co-ordinator will ensure that the biosecurity plan is implemented and maintained.
- The biosecurity co-ordinator has access to upper level management to facilitate formulation of policies, implementation and maintenance of the biosecurity plan, corrective and preventative actions and improvements.
- Biosecurity measures are maintained at all times, including outside of normal working hours.

3. Biosecurity Plan

- All policies and procedures mentioned in this document to fulfil the requirements stipulated in the biosecurity standard will be collated into one document and forms part of the biosecurity Plan.

4. Document Control

- All documents used in biosecurity are approved by the management and bio-security co-ordinator, prior to distribution. A record of current documentation in circulation is kept to ensure no obsolete documents are in use.
- All documents necessary for any policy or procedure is available at all locations where there use is prescribed.
- All documents are uniquely identifiable and include date, page No, and issuing authority information.

5. Record Keeping

- All documents pertaining to the fulfilment of management , technical requirements, audits, corrective actions and preventative measures pertaining to biosecurity will be filed for a period of 3 years.
- PremierFishing will implement measures in place to protect records from loss or amendment.

6. Environmental Management

- Policies and procedures **are in place** to maintain environmental conditions which minimise stress in abalone been cultured at the existing abalone farm. These include
 - Guaranteed constant power supply. In the event of primary supply failure, auxiliary supply is immediately available from 4 generators on auto start sequence.
 - Policies and procedures that ensure the constant functioning of critical pumps, blowers and equipment to secure continual supply of sufficient water and air to the cultured abalone.
 - Policies and procedures that ensure that the abalone stocking densities are maintained at levels that do not negatively affect the welfare of the environment or the abalone.
 - Policies and procedures that minimise the stress on abalone during any handling procedures.

7. Purchase of supplies and services

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- Premier Fishing has policies and procedures in place that ensure that suppliers and service providers do not compromise biosecurity.
- Preference is given to suppliers and service providers accredited to ISO or equivalent standards.
- Premier Fishing maintain a list of approved suppliers and service providers.
- All suppliers and service providers are assessed before approval to establish if they pose a risk to biosecurity.
- Records are kept of all suppliers and services.

8. Preventive Action

- PremierFishing continually monitor for potential sources of deviation from policies by conducting independent annual audits on the relevant processes.
- Premier Fishing periodically as stipulated in the biosecurity plan conduct internal audits of all activities to verify compliance with the biosecurity plan.
- Records are kept of all audit processes, findings and corrective action.

9. Corrective action

- Premier Fishing has established a corrective action procedure should any deviation from biosecurity plan occur.
- This corrective procedure includes an investigation of the cause as well as measures to prevent any recurrence of the deviation.
- Premier Fishing have procedures in place when deviation is known to increase a disease risk to implement additional measures, including surveillance and quarantine.

10. Reviews

- Premier Fishing management will review the biosecurity plan annually taking into account all policies and procedures.
- Reviews will include reports, audit findings, corrective action and preventive measures.
- All actions taken following the review will be recorded and shall be carried out within an agreed time frame.
-

Technical Aspects**11. Contact Areas**

- Premier Fishing Abalone Farm are not situated ~ 1km from the Romansbaai abalone farm and some distance away from I&J in the Dangerpoint abalone production farm.
- The abalone farm is securely fenced and normal access is permitted through one point currently, this will be expanded to two entrances.
- Only abalone is cultivated in the production areas.
- Packing of live abalone takes place in a separate contact area.
- No other species is packed in the same contact area at the same time.

13. Access Control

- All visitors are questioned and recorded as to their recent activities with regard other contact areas.
- Access is only granted if visitor is deemed not to pose unacceptable risk.

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- All visitors are accompanied by authorized personnel.
- All areas with restricted access are clearly marked, only authorized personnel will be allowed.
- A record of all authorized personnel on site is kept.
- All visitors and personnel are clearly identifiable and distinguishable at all times when within a production area.

13. Protective Clothing

- Policies and procedures are in place with regard to the use of protective clothing.
- Personnel are provided with suitable overalls, boots and other protective clothing where necessary.
- Open footwear is not allowed.
- Any contractor making use of wetsuits is required to disinfect prior to their use or access to a primary production area.

14. Quarantine

- One fenced quarantine area is dedicated to the purpose of quarantining newly obtained or diseased stock.
- Newly obtained stock will not be obtained if the quarantine area has diseased stock or experiments under way.
- Only new stock that has been tested for its disease free status will allowed into quarantine and held for a period of six weeks before been allowed into primary production areas.
- This is a restricted access area for authorized personnel only.
- Hand washing and boot sanitation is compulsory when exiting or entering the area.
- All formites used in the quarantine area are only to be used in the quarantine area or if removed must be disinfected prior to removal.
- All new feeds or experiments are conducted in this area, away from primary stock.
- All stock in the quarantine area will not be moved out until an appropriate indicator of disease free status can be verified by a qualified veterinarian.

15. Formites (equipment, boots, vehicles or any inanimate object) Cleaning and disinfection

- Policies and procedures are in place regarding the disinfection and cleaning of all formites.
- Only formites that can be effectively disinfected shall undergo disinfection for the purpose of reuse.
- Disinfection takes place only with approved registered disinfectants in accordance with manufacturer's recommendations.
- Any formite used in primary production area is used only within that contact area.
- Where possible formites made of non –porous materials are used.
- All formites used in direct contact with abalone are of the nature that potential damage to abalone is minimised.
- Policies and procedures for cleaning tanks are in place and recorded.
- Stock when moved is always moved into a clean tank which has been disinfected prior to use.

*EnviroAfrica***16. Vector and pest Control**

- No pets are allowed into any production areas.
- Policies and procedure are in place for prevention and control of pest and vectors in all contact areas.

17. Water and Air Supply

- All incoming water is filtered to exclude large particles prior to distribution.
- All activities that affect water quality or quantity is monitored and recorded.
- Incoming water has no potential contact with effluent water, unless the farm goes on to recirculation during a red tide or external coastal pollution event.
- Policies and procedures are in place for maintenance and hygiene of the delivery and effluent systems, including pumps, header tanks, channels and pipes.
- All pumps and blowers are housed in enclosed concrete buildings and are not exposed to any aerosols or disease containing substances.

18. Fixed Structures

- Policies and procedures are in place to ensure that the hygiene standards are maintained in all buildings and abalone housing units.
- All buildings in production areas are structured in such a way so that hygiene within the building can be maintained.
- Floors and walls in buildings are non porous so that disinfection is possible.
- Floors are adequately drained to prevent pooling or water.
- All work surfaces inside a production area is constructed in such a way so that it can be disinfected.
- All materials abalone housing units are constructed so that they can be disinfected and cleaned.
- All abalone housing units do not contain any materials that cause damage to the animal.

19. Feed

- Only fresh feeds that have been approved and checked for aspects of collection, harvest, storage, transport and production will be used.
- Only formulated feeds that have ISO or equivalent accreditation which provides assurance of traceability and quality control for all ingredients are used.
- No Vehicles and persons delivering feed, fresh or formulated are allowed to enter the production area.
- All records pertaining to delivery and use of feeds are recorded.
- All feeds are placed in storage area by our own personnel.
- Policies and procedures are in place for the storage of formulated feeds.
- Policies and procedures are in place for the storage and production of fresh feeds.
- No fresh feed is collected and harvested in areas in close proximity to any processors or other producers.
- Policies and procedures are in place for the use of algal cultures in the hatchery.
- Policies and procedures are in place for the use of all feed.

20. Stock Movements

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- All abalone moved from an outside source to the operation hall only be done once an appropriate health examination which does not detect any significant disease or pest is done by Amanzi Biosecurity.
- All such abalone will be moved into a quarantine area for a period of six weeks and monitored, for any signs of disease.
- Only abalone that are declared disease free after this process will be allowed in the production area.
- Any live stock returned due to disruption in shipment will be placed in a dedicated contact area not in contact with the primary production area, for holding until repacked for live export.

21. Stock Management

- All abalone in the production area are documented in terms of batch and age.
- Policies and procedures are in place to maintain separation of age groups in production areas.
- Policies and procedures are in place to manage crawl-outs and escapees.
- All efforts are made to minimise stock loss through escapees.
- No abalone is ever disposed of through effluent channels.
- Crawl outs and escapees that cannot be accurately sourced to a particular batch are destroyed.
- Any abalone found and removed from effluent channels will be destroyed.

22. Broodstock Management

- Broodstock are kept in a completely separate production area.
- All broodstock are clearly marked and identifiable.
- A dedicated broodstock quarantine area is used for newly acquired broodstock.
- Policies and procedures are in place to monitor the health of broodstock.
- All broodstock that are retired or die during their housing undergo a health examination.

23. Surveillance

- Premier Fishing prescribe to an independent health monitoring program conducted Bi-monthly by Amanzi Biosecurity. (See declaration attached).
- Policies and procedures are in place to monitor day to day health internally.
- Records are kept of all mortalities and health monitoring reports.
- All supervisor level personnel working in production areas are trained to identify signs of disease.
- Any negative changes in production parameters are investigated for the presence of disease. If any of these changes cannot be attributed to management or environmental changes or the cause is unknown then samples are submitted for diagnostic examination by qualified veterinarian.
- Any abalone infected with a non –endemic or emerging disease will be destroyed.

24. Contingency Planning

- Policies and procedures are in place to contain a disease outbreak.
- All necessary equipment to implement an emergency contingency plan is in place.

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- All personnel involved in contingency plans are trained to carry out procedures immediately following their approval and implementation.
 - The processing of diseased abalone will only be done in a processing facility approved for such a process.
 - Abalone or products from a diseased population will be processed separately from any other abalone.
 - All contaminated waste from diseased abalone, including shells, shall be disposed in of such manner that it does not pose any risk of transmission or environmental contamination, and shall be collected in sealed leak proof container marked bio hazardous waste.
 - Policies and procedures are in place for the disposal of processing effluent from diseased abalone, which include but not limited to the
 - Sterilization of effluent.
 - Collection of solids
 - Disposal of liquid effluent by a registered waste disposal company who is able to deal with bio hazardous waste.

18.3 Vehicular Access

The Contractor must control the movement of all vehicles and plant including that of his suppliers so that they remain on designated routes. In addition such vehicles and plant must be so routed and operated as to minimise disruption to regular users of the routes not on the Site. On gravel or earth roads on Site, the vehicles of the Contractor and his suppliers must not exceed a speed of 25 km/h. On public roads adjacent to the Site vehicles will adhere to municipal and provincial traffic regulations.

As far as possible any access routes/haul roads must utilise existing roads or tracks. Any new access roads/haul roads must be designed so as to minimise erosion and must run across slopes and not directly up-hill.

All temporary access routes must be rehabilitated at the end of the contract to the satisfaction of the ECO.

Method Statements for any new access/ haul roads must be submitted

18.4 Noise

All noise other than temporary noises emanated must comply to audits undertaken by an accredited safety consulting firm.

All the generators are housed inside concrete buildings and have exhaust systems specified by the supplier to mitigate against elevated noise levels. These generator only operate when Eskom power supply is disrupted and every second week when tested for half and hour during normal working hours.

VISUAL IMPACT ASSESSMENT

Proposed expansion of an Aquaculture Operation

Gansbaai, Western Cape

June 2014

DRAFT REPORT

Version 1



Prepared for:

EnviroAfrica

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EXECUTIVE SUMMARY

The proposed Aquaculture farm project is located in Gansbaai. The development will be on Erf 3819 Gansbaai and Lot 32A of Erf 538 Gansbaai.

The Preferred Alternative proposed and considered consists of:

- Grow Out Tanks on a levelled and lowered platform with tanks approximately 1m high;
- Bulk Sea Water Supply Pump Station as close as possible to the high water mark;
- Drum Filter Building(s), 2 alternative sites, which will filter the water before distributing to the farm. One option in the south and one in the north with associated reservoir on the highest point in the south, which will be buried;
- At or below ground Sea Weed Growing Areas on the northern extent of the site;
- Buildings are inclusive of:
 - an office block and a packing, grading and canning building which are in the southern higher lying portion of the site;
 - numerous, (18) grading/tea/toilet and blower/storage buildings associated with the grow out tanks and seaweed tanks on the platform;
 - a sewerage pump station, generator, consolidated blower room and basket workshop in the northern area of the site; and
 - live pack, cannery, supervisors office and toilet building on the platform in the east;
- Road network and parking areas.

Enviro Africa is responsible for the Environmental process and report in terms of the required NEMA process and ICE Boland are the consulting Engineers.

Megan Anderson Landscape Architect (MALA) has been appointed to undertake the Visual Impact Assessment (VIA) of the proposed development.

The site falls on the gently sloping, north facing coastal dune plain and adjacent rocky coastal sea edge platform. The dune plain area is vegetated and is for the most part little disturbed visually, some tracks across the site and clearance in the north western section while the sea edge platform has been predominantly disturbed. The scenic and visual resources of the site is described as partly transformed coastal area with **moderate scenic resources**.

The View Catchment is defined by dune ridges in the north (2 kms away) and south (100 m away) and the Franskraal Mountains in the west (3 kms away). The Zone of Visual Influence being

restricted to between 1,5 kms to the north, 500m to the east and 100 m to the south, and can be described as **local**.

Receptors are **highly visually sensitive** and include residents to the north, north east and south, with moderately sensitive receptors being camp site users and visitors to the harbour and nearby restaurants.

The site and development will not be seen from the R43 scenic tourist route

The visual sensitivity of the site and the visual absorption capacity thereof is rated as **moderate**. The visual intrusion of the proposed development will be **moderate to high**.

Visual impacts include:

- change from unbuilt, vegetated site to built and industrial type site;
- visibility to high sensitivity receptors; and
- additional lighting at night.

The Visual impacts are rated to be of **medium to high significance before mitigation** and **medium to low after mitigation**.

Mitigation measures include:

- retaining existing vegetation along the north, north east, eastern and southern boundaries;
- surveying milkwoods and associated dune scrub in the southern section of the site and design the layout of buildings, structures, roads and parkways around these, such that as many as possible milkwood trees and dune scrub vegetation retained in this area;
- lowering the floor level of the packing, grading and canning building in the south to maximum 32 m amsl, by terracing the platform such that the southern, eastern and northern areas are retained by planted block systems and the roof level only protrudes by 2 - 3 meters;
- Using the northern drum filter building option as this is adjacent to the harbour where large buildings exist and other buildings are proposed;
- appointing an architect to design the grouping of the buildings and the buildings themselves such that, while they are industrial type buildings, they are visually recessive yet aesthetically pleasing and arranged in a cohesive manner where the grouping and style is in keeping with adjacent land use (residential in the south and industrial in the north);
- considering stepping down the large platform area from east to west;

- allowing more area for landscaping and planting within the site, using local indigenous large shrub/small tree vegetation, particularly in an east - west direction, that will break up the extensive platform visible from the north; and
- use visually permeable and recessive fencing along the boundaries.

1. INTRODUCTION

1.1 Background to the Report

Premier Fishing (PTY) Ltd propose to develop an abalone aquaculture facility in Gansbaai into full cycle farming and production facility for *Haliotis Midiae* (Abalone).

An Application Form was submitted to DEA&DP. The proposed development is subject to the Scoping and EIA process

Megan Anderson Landscape Architect (MALA) has been appointed to undertake the Visual Impact Assessment (VIA) of the proposed development.

1.2 Terms of Reference

The Terms of Reference for this visual assessment, are to undertake a Level 3 Visual Impact Assessment:

- Identify issues raised in scoping phase, and site visit;
 - Describe the receiving environment and the proposed project
 - Establish the view catchment area, view corridors, viewpoints and receptors;
 - Indicate potential visual impacts using established criteria, including night lighting; and
 - Describe alternatives, mitigation measures and monitoring programs.
-

1.3 Methodology

The method followed to produce this visual assessment has been to:

- a) Collect and review existing information;
- b) Conduct a field survey. This allowed for the opportunity to:
 - determine the actual or practical extent of potential visibility of the proposed development, by assessing the screening effect of landscape features;
 - conduct a photographic survey of the landscape surrounding the development for use in visual impact evaluation; and
 - identify sensitive landscape and visual receptors.

- c) Conduct desk-top mapping exercises to establish the scenic character, extent of visibility, visual exposure to viewpoints and inherent visual sensitivity of the site.
- d) Assess the proposed project against the visual impact criteria (visibility, visual exposure, sensitivity of site and receptors, visual absorption capacity and visual intrusion).
- e) Identify potential visual impacts and evaluate these against visual criteria.
- f) Recommend measures to mitigate negative visual impacts and enhance positive impacts.
- g) Establish monitoring requirements.

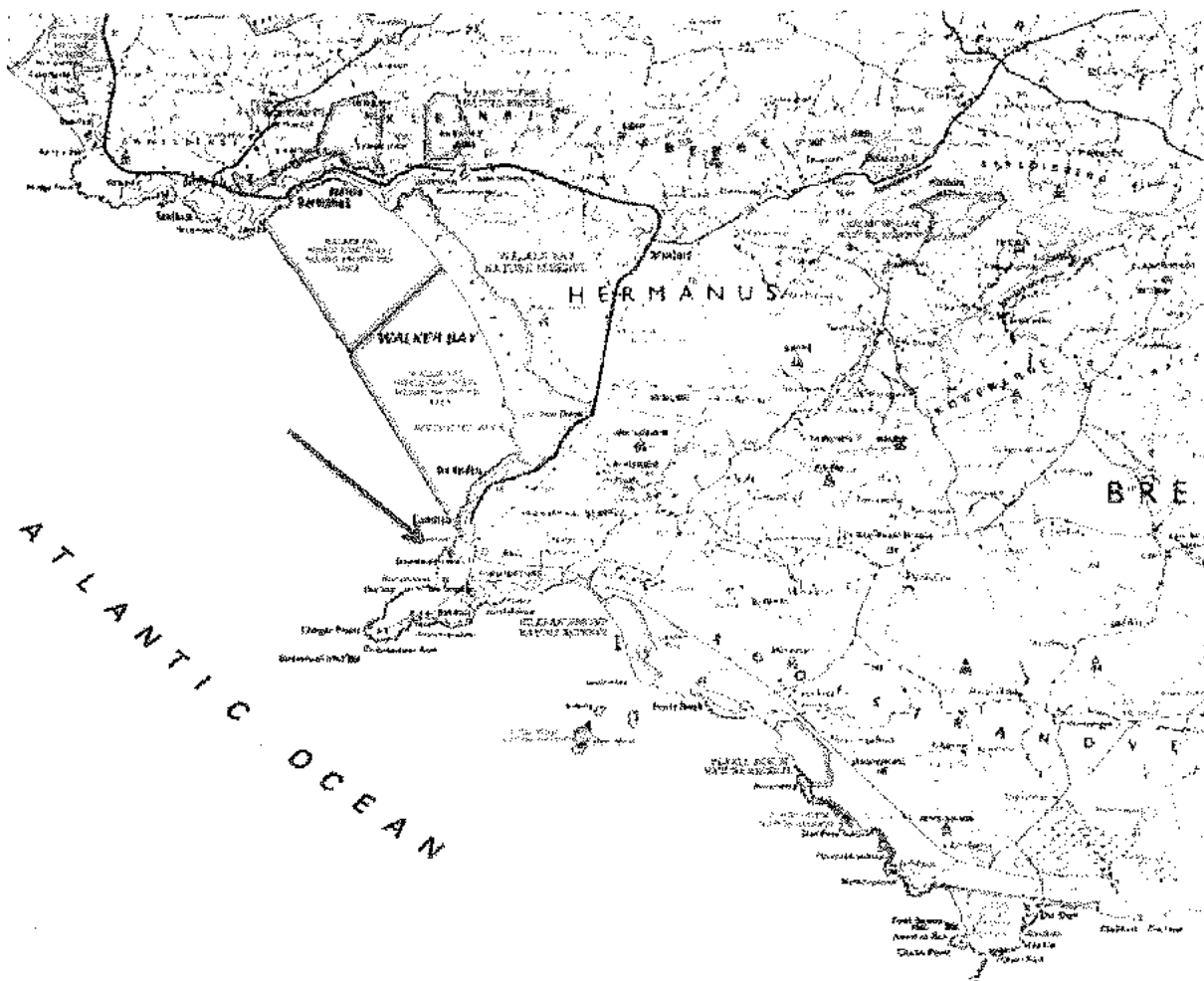
1.4 Assumptions and Limitations

- This visual assessment assumes that the information provided is correct.
- The visual study relies on a combination of 1:250 000 and 1:50 000 Topo-cadastral and Geological maps and 1:10 000 orthophotos.
- The latest 1:50 000 topo plan was produced in 1997 so does not reflect the developments since then.
- Detailed design and footprints of the buildings of the site has not been finalised, but a general footprint and description of materials and building type intention has been provided. As such the information included herein is a guideline.
- No detail of lighting has been provided so assumptions are being made.

2. THE PROPOSED DEVELOPMENT

2.1 Site Location

The proposed Abalone Farm is to be developed in Gansbaai, a coastal village in the Overstrand District in the Western Cape.



 Gansbaai Site

Location NTS

Figure 1: Location of the site on a 1:250 000 topo-cadastral map (3319 Worcester)- (NTS)

The site is on Erf 3819 Gansbaai and Lot 32A of Erf 538 Gansbaai.

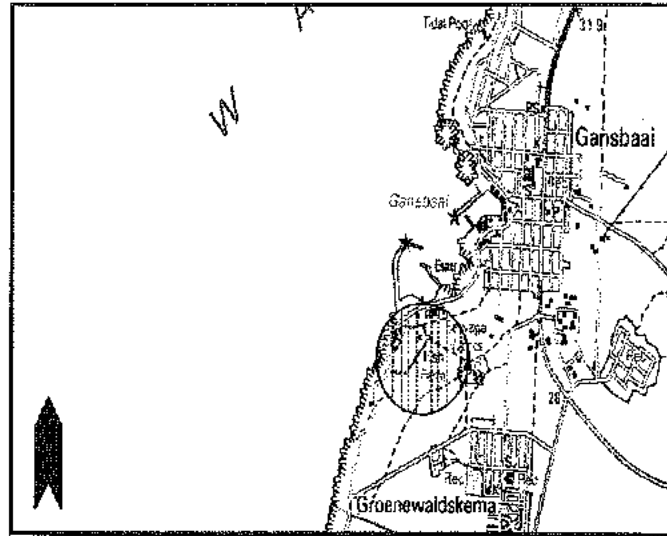


Figure 2: Location of the site on 1:50 000 topo- cadastral map (source: Enviroafrica)

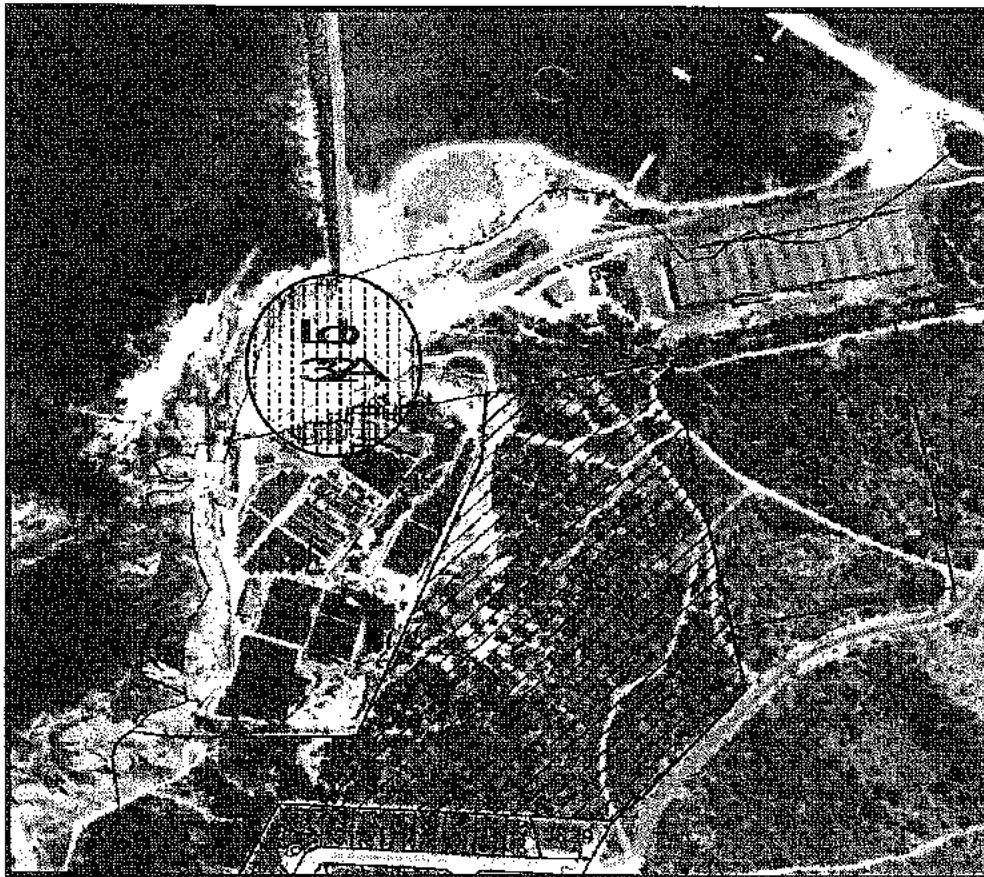


Figure 3: Location of the site on an aerial photograph showing Erf 3819 Gansbaai and Lot 32A of Erf 538 Gansbaai (source: Enviroafrica)

earthworks, to minimise the pumping head and reduce the energy demand of the site. The existing ground level of the proposed platform area ranges from 32m (MSL) in the south-west corner, to 21m on the northern boundary. It is proposed that the platform will be staged with the top platforms set at 30 a.m.s.l and the lower at 22 a.m.s.l. (sloping at 0.5% from south to north).

This excludes the grow out tanks on Lot 32A which are assumed to be at a level of 6,5m amsl.

Grow out tanks are approximately 1m high, and will be placed on the final platform. It is proposed that the platform area will be covered in shade cloth (green) in order to protect the abalone (and feed) from scavenging birds.

A retaining wall will be required to stabilise the slope between the existing 'koppie' and the cut-platform. It is proposed that a concrete block retaining wall, planted with vygies (or other) be used to reduce the visual impact of the wall.' Similarly, a retaining wall will be required between the lower grow out tanks and the upper grow out tanks.

2.2.2 Bulk Sea Water Supply Pump Station

A new Sea Water Pump Station will be constructed.

Sea water will be pumped to the new abalone farm. It is proposed that the pump station will be positioned as close as possible to the high water mark, in order to reduce suction head. As this structure is exposed to storm events, it shall be of reinforced concrete and a maximum of 6,5m above the existing beach level. The pumpstation will be located landward of the gully south of the existing abstraction point.

2.2.3 Drum Filter Building/s

The new water will be filtered prior to distribution through the new farm. There are two alternatives for processing this water, which will affect visual impact of the site.

Option 1: One centralised, elevated, drum filter building will be constructed on the southern side of the site (with a water level of ~29m). A portion of this filtered water will be pumped to a small reinforced concrete reservoir (6-7m diameter) on the highest point (existing koppie). As the top water level in the reservoir need only be at 34m (9m above the maximum level of the platform), the reservoir shall be sunk into the ground to reduce the visual impact of the structure. To further minimise the visual impact, protruding areas can be painted green, or colour to suite surroundings.

Option 2: Alternatively, a second drum filter building shall be constructed at the highest point on the site (water level of 34m), where water will be filtered prior to distribution to the grow out tanks. The drum filter building can be open (i.e. no roof) in which case the structure will only protrude 1.0 - 1.5m above the ground level. If the drum filters are to be enclosed, a steel portal structure will be erected and clad with green sheeting or brickwork walls, plastered and painted white, with a green roof (with a maximum pitch of 15 degrees).

2.2.4 Sea Weed Growing Areas

The used water from the abalone grow out tanks will flow through the 'sea weed growing areas' which use nutrients for sea weed growth, thereby treating the water prior to discharge back to sea. As water will gravitate to and through the seaweed growing areas, all the seaweed growing areas will be at, or below, existing ground level.

2.2.5 Buildings

It is proposed that the architectural styling for buildings on site will be:

- . i) (Type 1) For office blocks / small buildings: Brick structures plastered and painted white. The roof will be double pitched at a maximum of 15 degrees. It is proposed that the roof shall be of green, black or grey roof sheeting (such as NuTec or ColourBond Ultra);
- . ii) (Type 2) For large buildings and workshops it is proposed that the buildings shall be steel portal structures with:
 - i) brickwork up to 1-2m above ground level, cladded thereafter, or
 - ii) cladded from ground level.

Cladding shall be with the same material as used for the roof i.e. NuTec or ColourBond Ultra green, black or grey roof sheeting.

2.2.6 Buildings on the Skyline

Office Block: In order to allow management an overview of the farm workings, it is proposed that the new office block will be constructed on the existing 'koppie' overlooking the new farm. The ground level will be approximately 25m. The office block will be a double storey brick building (Type 1).

The packing, grading and canning building (Type 2) is also at a high level on the site, with a ground level of approximately 32m and approximately 4-5m high at the highest point.

3. VISUAL ASSESSMENT OF THE SITE AND PROPOSAL

3.1 Description of the Affected Area and the Scenic Resources

This section is a description of the existing visual environment that will be affected by the proposed development. It involves the identification of landscape types, landscape character and sense of place, generally based on geology, landforms, vegetation cover and land use patterns.

3.1.1 Overstrand Heritage Survey Landscape Character Assessment

A landscape character assessment was made of the Overstrand Municipal Area, by landscape architect Bernard Oberholzer in 2008, as part of the Overstrand Heritage Survey. The study is limited to a broad overview providing generalised landscape classification and therefore does not necessarily capture all landscape features and local features and land uses at the local study. This VIA report will endeavour to do so.

Oberholzer introduced the area as follows:

The Overstrand, which forms part of the larger Overberg region of the Western Cape, is an area of great natural, scenic and cultural value. The juxtaposition of rugged sandstone mountain ranges with coastlines and estuaries, much of it in a pristine state, constitute a natural heritage resource with significant tourism, and therefore economic value for the region. The ecological value of endemic fynbos vegetation types has led to the formation of a number of reserves in the area, such as the Kogelberg Biosphere Reserve, which have regional and national significance.

The historical settlement pattern of coastal towns, country villages, resorts and small fishing harbours have resulted in attractive living environments, many of which are being eroded by sometimes unsympathetic infrastructure development and suburban sprawl.

Oberholzer's report determined landscape types, landscape units, prominent landscape features and scenic resources. It further identified scenic routes primarily for their scenic value and the protected areas (nature reserves) and rural farmland, which forms part of the cultural landscape. All of the above factors were combined as layers in order to determine a value rating for regional and local landscape significance.

Oberholzer's survey revealed that the Overstrand is characterized by 3 generic landscape types – the coastal terrace, the foothills and the mountains. Using these 3 types, the study area could be divided into a number of fairly well-defined landscape units, each with its own particular characteristics.

This proposed site of development is situated on the Danger Point coastal terrace (landscape unit), inclusive of Die Kelders, Gansbaai, Danger Point and Kleinbaai, and is described as "Rocky

coastline and headland with sandy coves. Expanding residential development, mainly in a linear pattern along the coastline."

Based on scenic value, visually sensitive landforms, existence of scenic routes and protection status (such as nature reserves), Oberholzer rated the landscape units in terms of landscape significance. The Danger Point landscape unit was rated as having a "Very High Significance", which in terms of the Heritage Study is deemed to be of regional importance. The adjacent inland area was rated as "Moderate significance" deemed to have local importance. The proposed development straddles the border of these two areas.

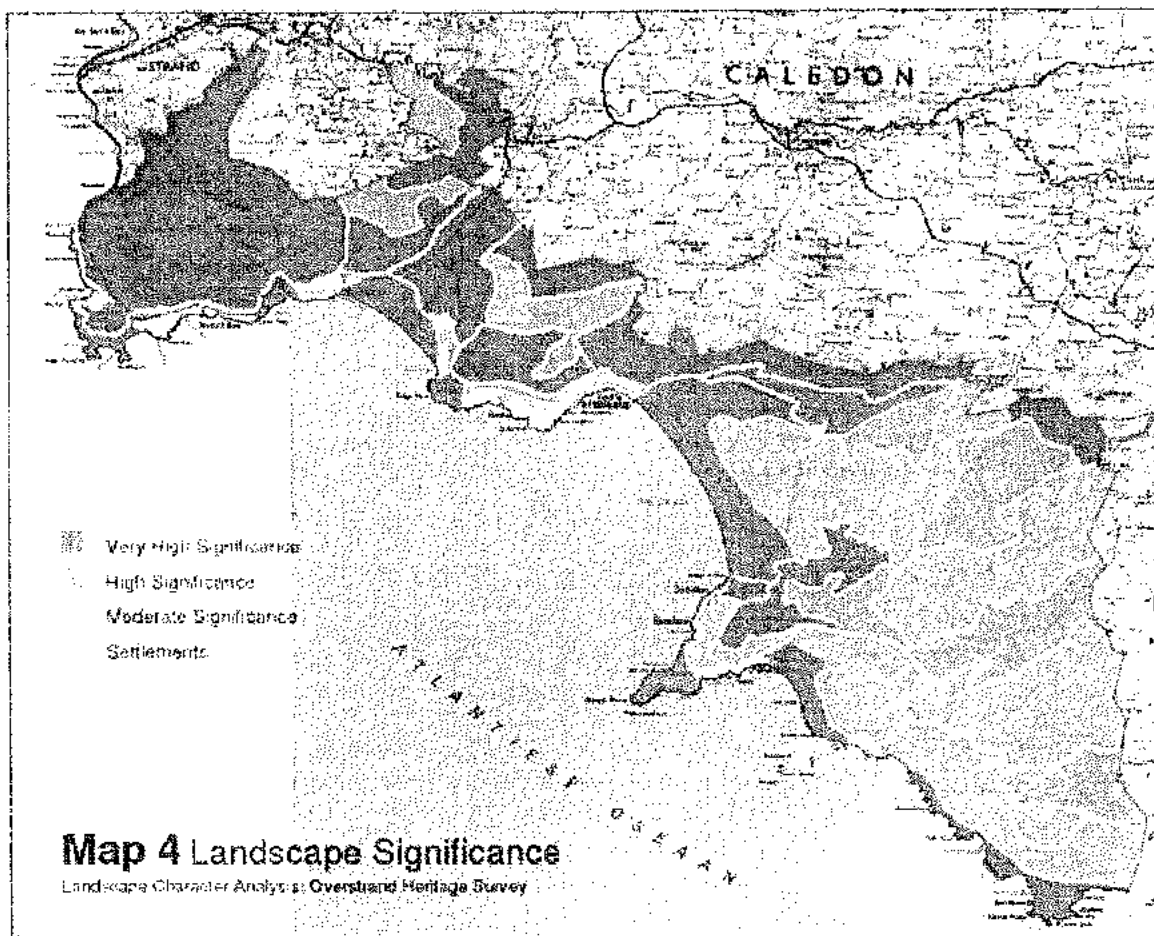


Figure 5: Overstrand Landscape Significance Map (Source: Oberholzer, Overstrand Heritage Survey))

3.1.2 Scenic Resources of the site and it's surrounds

The study area which will be evaluated for this report, is the area from which the site (with proposed aquaculture facility development) would theoretically be visible as determined by topography.

The settlement of Gansbaai, historically a fishing village and harbour, was situated in a sheltered cove to the north east of Danger Point, a coastal promontory which extends out into the Atlantic Ocean. The settlement has extended onto the surrounding coastal plain over time.

Four landscape types are found in the study area as illustrated in Figure 5 and Photo Plates 1 and 2 below. These are:

- The rocky coastal platform
- The dune escarpment
- The coastal plain
- The sandstone mountains

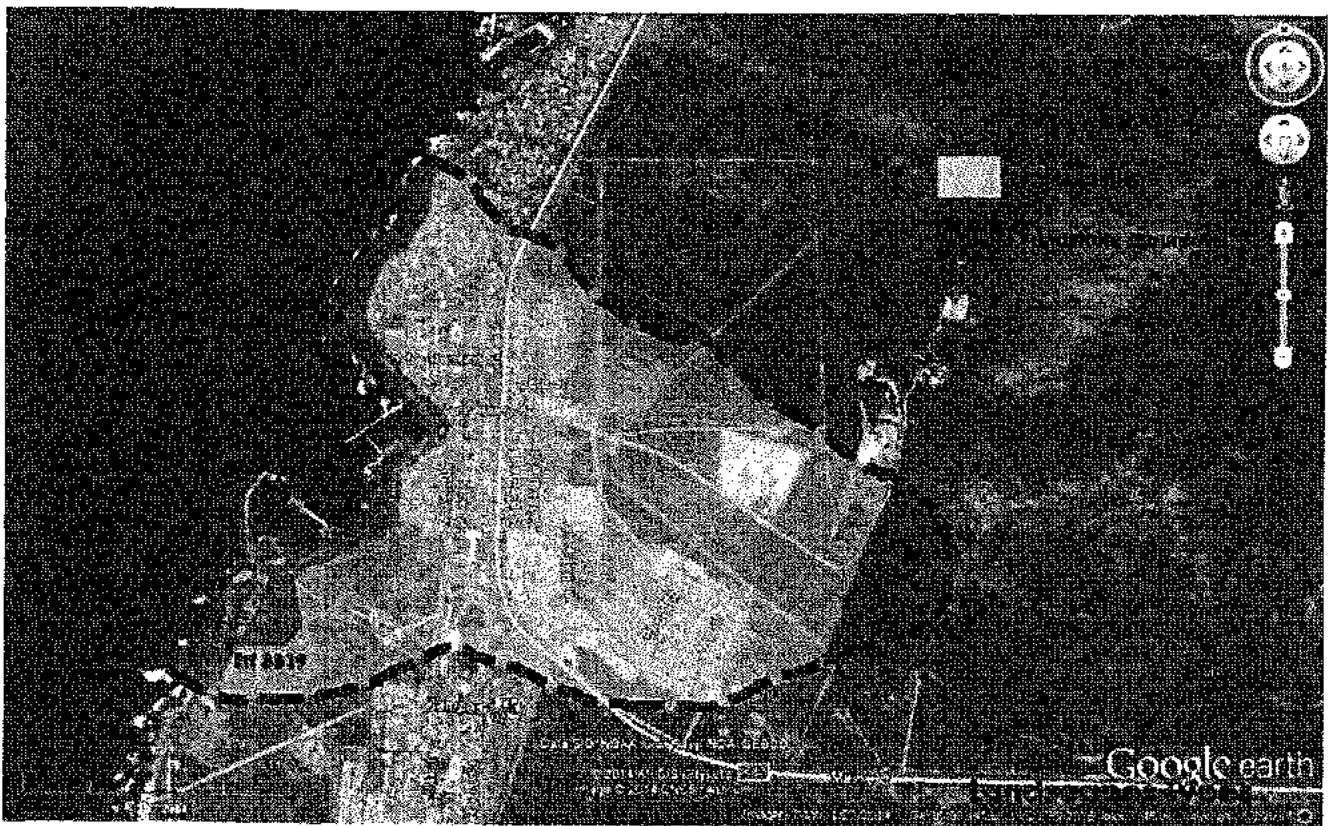


Figure 6: Plan illustrating the Landscape Types of the study area

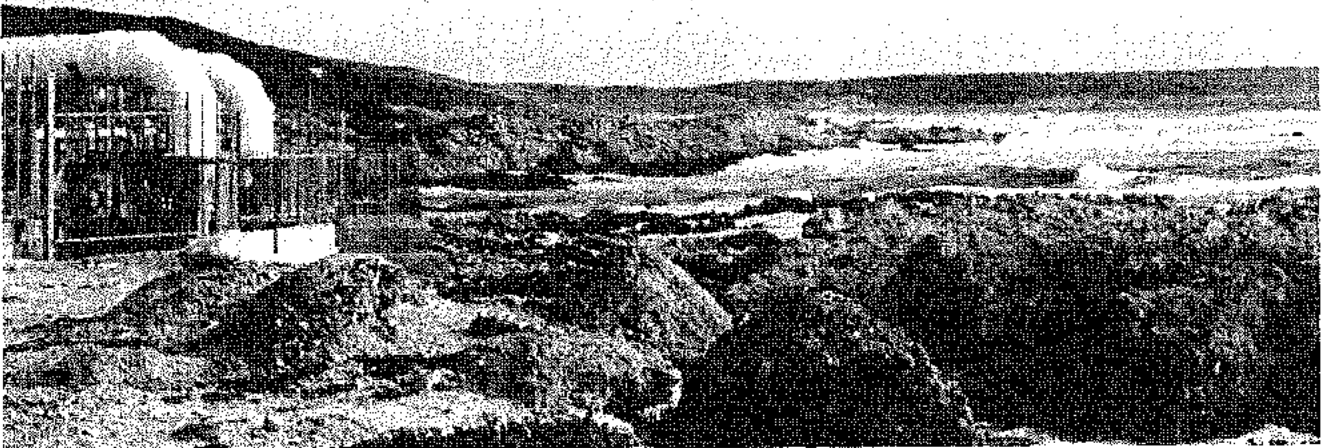


Photo Plate 1: View of the rocky coastal platform, including part of existing pump station, looking south towards Danger Point

The rocky coastal platform varies in width but is relatively narrow, on average 75 m wide. In the study area, much of the flat land between the high water mark and coastal plain, in the study area, has been disturbed and developed. Development includes the harbor and associated industry, the camping site and the existing aquaculture farm.

The coastal plain, rises relatively steeply as a vegetated dune escarpment, from the coastal platform as can be seen in Photo Plate 1 (behind pump pipes). Thereafter, the plain is comprised of gently undulating, vegetated dunes, approximately 2,5 km's wide between the coastline, where the elevation is averaging 25 m amsl, and the toe of mountains, where the elevation is on average 50 m amsl. The vegetation is dune scrub with alien invasive *Acacia* spp, being approximately 2,5 – 3 m high. The settlement of Gansbaai is found on this plain and is predominantly residential with some commercial and light industrial (manufacturing) development, generally restricted in height, the church steeple being the tallest built structure in the town.



Photo Plate 2: Vegetated Coastal Plain

The coastal plain is backed by the Franskraai Berge, rugged, steep sloped, fynbos vegetated, sandstone mountains which rise up to 350 m above the plain, providing interest and visual relief to the low lying, undulating coastal plain.

The proposed aquaculture facility site is to be found in the southern section of the study area, south of the harbor, on the edge of the coastal plain, with a component on the rocky coastal platform and dune escarpment. This is in an area of Gansbaai where more recent development has/is taking place. The proposed site of development is predominantly vegetated coastal dune, with a number of tracks and paths across it, and the components on the rocky platform are on mainly disturbed areas.

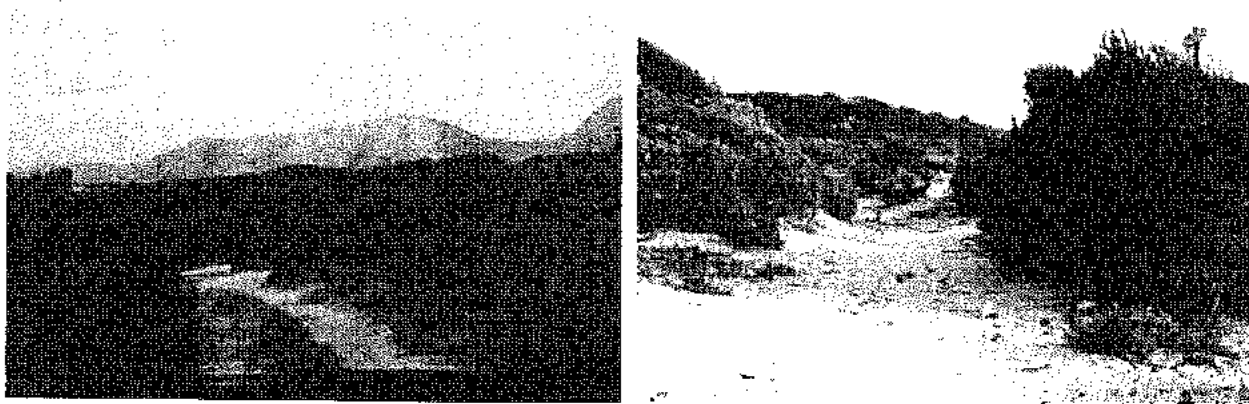


Photo Plates 3 and 4: Vegetated coastal plain with tracks through it

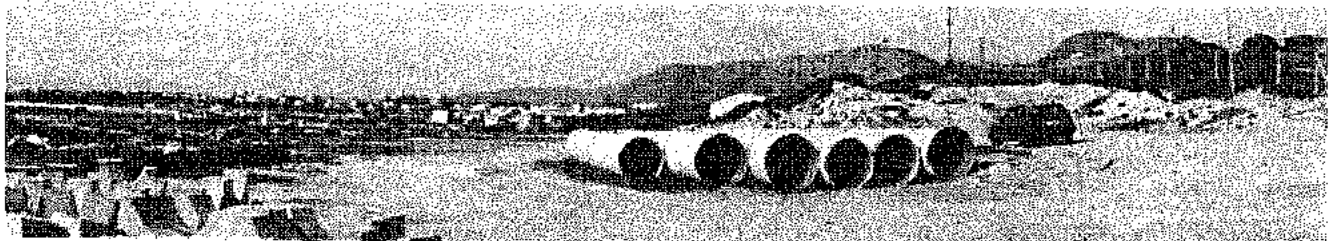


Photo Plate 5: Disturbed rocky coastal plain

Landscape Character

The Landscape Character of the study area is predominantly coastal with areas of natural elements such as naturally vegetated dunes and mountains as well as transformed areas where settlement and industry has occurred.

The proposed Abalone aquaculture facility is found on the edge of the coastal plain and rocky coastal platform next to the ocean, in an area which has been partly to predominantly transformed.

The scenic resources of the study area include the land - sea edge, undulating vegetated dunes, rugged sandstone mountains and some scenic settlement components such as the old harbour.

The scenic resources can be described as MODERATE

3.2 Visibility of the proposed development

3.2.1 View Catchment

The geographical area from which the project will theoretically be visible, known as the view catchment area, is dictated primarily by topography.

The view catchment of the site is defined by ridgelines of the Fransekrail mountains in the east and higher dune peaks and ridges on the coastal platform.

The distance of the view catchment from the site varies between 2 kms in the north east, 3,5 kms in the east, 1,5 kms in the north and 100 ms in the south.

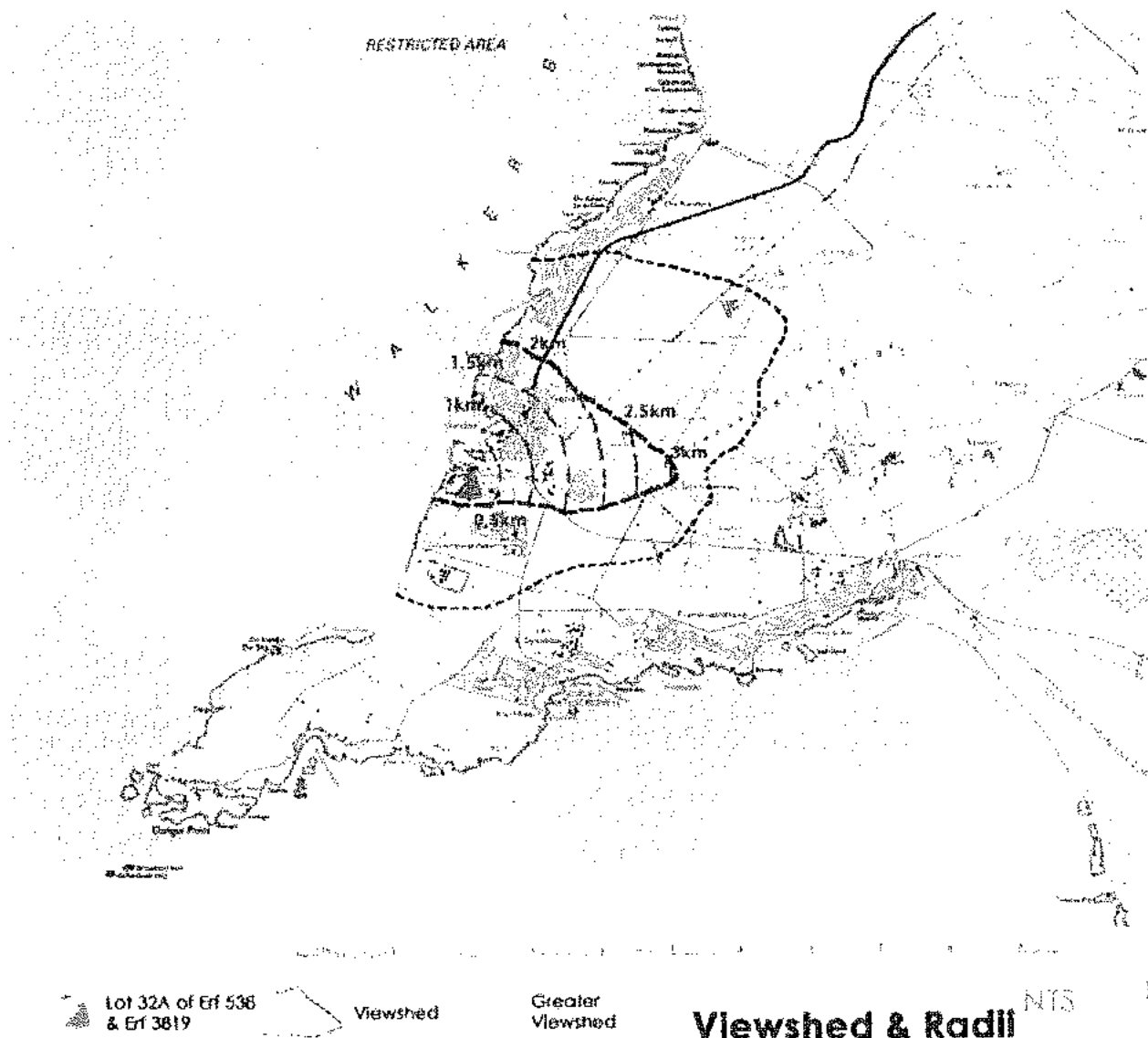


Figure 7: Plan illustrating the View Catchment of the study area

3.2.2 Zone of Visual Influence

Local features such as vegetation and landforms will reduce the extent of the area from which the proposed Aquaculture Facility will be seen to an area known as the Zone of Visual Influence (ZVI) of the site.

The Aquaculture facility is situated on a gentle north facing slope so will be mainly visible from the north. However, the immediately adjacent higher lying areas south of the site currently have views across the site.

The ZVI is limited to 1,5 kms in the north, approximately 500 m in the east, and approximately 100 m to the south. To the west, boat people may see the development from a distance of approximately 800 m.

The Aquaculture facility will not be seen from the R43 scenic, tourist route, which is approximately 1km away to the east, as vegetation and the gentle undulation, as well as buildings when travelling on this road through the town of Gansbaai, will screen the proposed site of development and the proposed facility.



Figure 8: Plan illustrating the Zone of Visual Influence of the study area

3.3 Receptors and Important View Corridors

The level of visual impact considered acceptable is dependent on the type of receptors.

- *High sensitivity – e.g. residential areas, nature reserves and scenic routes or trails;*
- *Moderate sensitivity – e.g. sporting or recreational areas, or places of work;*
- *Low sensitivity – e.g. industrial, or degraded areas*

The receptors, who will probably see some parts of the proposed development, occurring within the ZVI are rated in the DEADP guidelines as follows:



Figure 9: Receptors of the proposed development

Highly sensitive receptors: Highly sensitive receptors include residents of properties to the north and south of the proposed development.

To the north is the older established residential area of Gansbaai which developed around the harbour and which includes holiday homes.

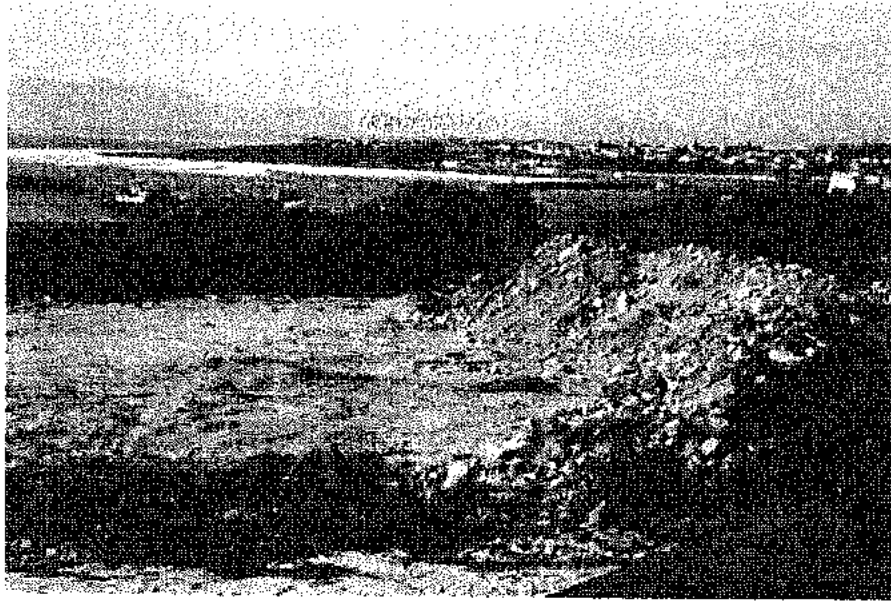


Photo Plate 6: Residential area of Gansbaai to the north of site and harbour

These homes look towards the harbour and the proposed site of development, the latter being between 500m and 1,5kms away.

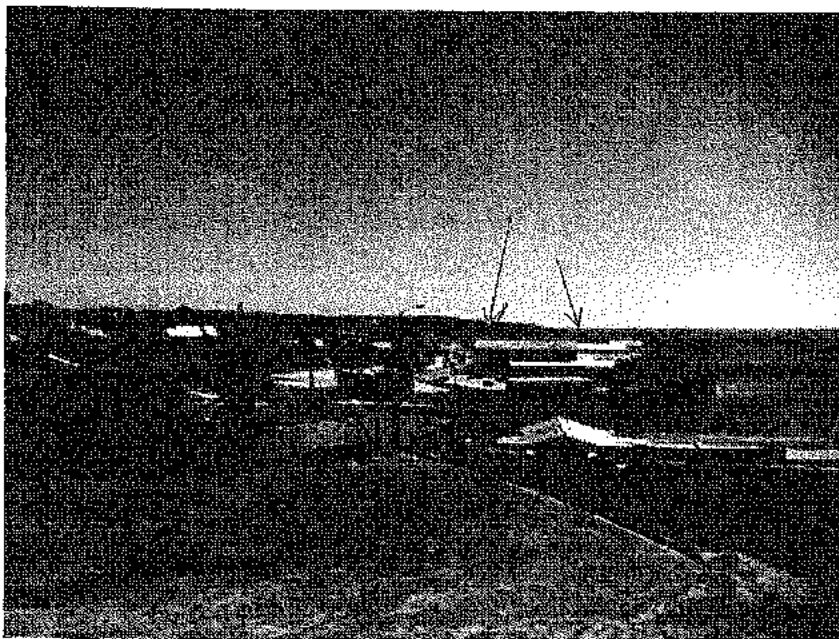


Photo Plate 7: Site, indicated by arrows, seen from the residential area to north of harbour

To the north east of the site, east of the harbour, homes along the western side of Van Dyk Street, between Fabriek Street and the southern extent of Van Dyk Street, and those homes on the southern extent between Van Dyk and Groenewald Streets, will see some parts of the proposed Aquaculture Facility development. However, a dune ridgeline between these areas and the site, predominantly outside of the proposed site of development, will screen the central section of

development. The central and northern sections of the site are also proposed to be lowered, which will result in these areas being less visible to the north east.

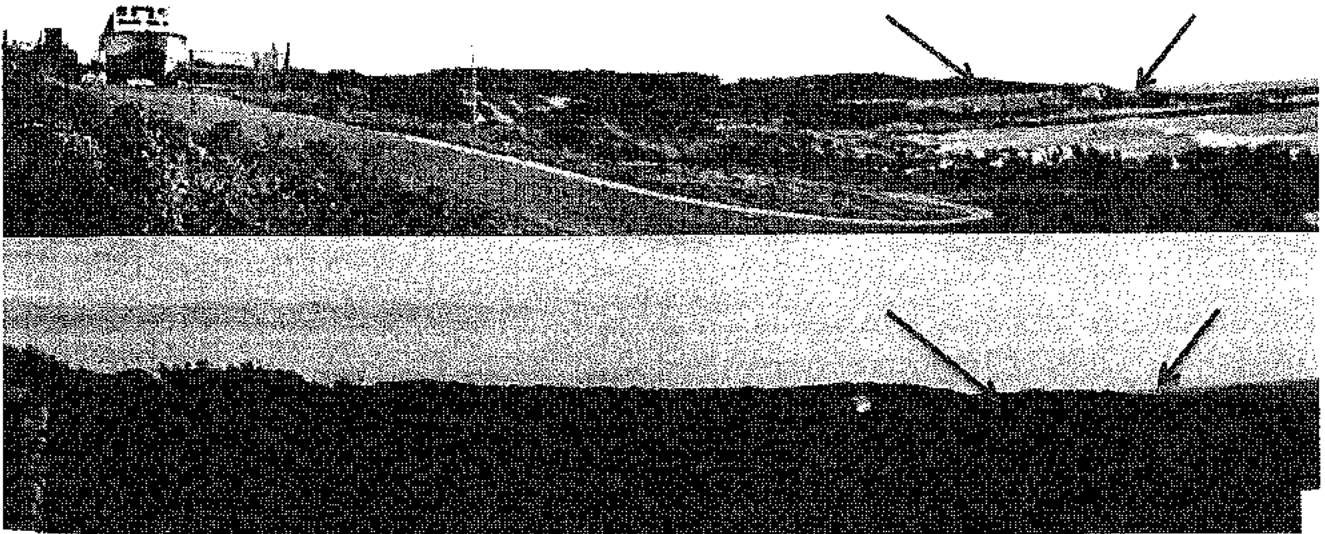


Photo Plate 8 a and b: Site, shown by arrows, seen from the residential area to north east of harbor

To the south is the development of Kolgansbaai where roads and services have been implemented but no houses have yet been built, only the gate house which is unmaned.



Photo Plate 9: Kolgansbaai gatehouse, to otherwise un-built residential area of to the south of site

The Kolgansbaai development straddles a local high point in the area with the northern portion thereof being on a north facing slope which looks towards Gansbaai and over/ across the proposed aquaculture facility site. This is illustrated in the photograph below, Photo Plate 10, which is taken from the highest point of the Kolgansbaai site. Only the southern and south

western portion of Erf 3819 is visible from here as Erf 3819 slopes down from a local high point (koppie) and ridge line near it's southern boundary. Therefore it is likely that only the development on the southern section of this site will be visible from the Kolgansbaai site, particularly as the development further north on Erf 3819 will be done on a reduced level platform and the development type is predominantly low in nature.

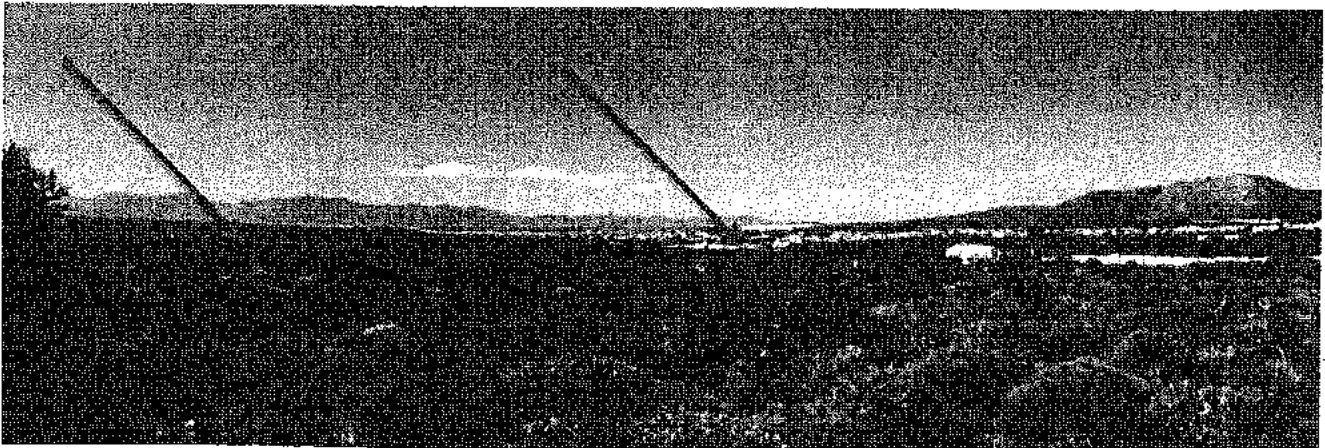


Photo Plate 10: View northwards towards Gansbaai from the approximate centre of the Kolgansbaai residential property, the highest point on the site, with the boundary fence, mid photo shown by arrows, and proposed site of development immediately beyond

The erven on Kolgansbaai adjacent to the boundary with Erf 3819 will similarly only see that development on the southernmost section of Erf 3819 and nothing on the area beyond the high point thereof.



Photo Plate 11: View towards the proposed site of development of the aquaculture facility, from the internal Kolgansbaai road immediately behind the row of erven which abut the boundary of Erf 3819

Moderately sensitive receptors:

Users of the camp site north of the harbour will see the proposed development



Photo Plate 11: View of site from camp site, north of harbour

Tourists and users of the restaurants at the old harbour as well as employees at these places will see the proposed development.

Low sensitivity receptors:

The harbor and associated facilities, the existing aquaculture facility

The receptors within the ZVI are inclusive of those rated as HIGHLY, MODERATELY and with a LOW sensitivity.

An important view corridor which goes through the area is the R43 scenic, tourist route, which is approximately 1km away to the east. The site and proposed development will be screened by vegetation, gentle undulations and buildings, when travelling on this road through the town of Gansbaai, so receptors on this route will not be affected.

3.4 Visual Sensitivity

The inherent visibility of the sites' landscape is usually determined by a combination of topography, landform, vegetation cover, settlement pattern and special features. This translates into visual sensitivity.

- *High visual sensitivity – highly visible and potentially sensitive areas in the landscape,*
- *Moderate visual sensitivity – moderately visible areas in the landscape,*
- *Low visual sensitivity – minimally visible areas in the landscape*

A visual assessment of the proposed site was done, to provide an overall sensitivity of the area applied for development, in terms of topography, landform, vegetation cover, settlement pattern and special features.

3.4.1 Topography

The site of the proposed Aquaculture facility is between the 2 m and 35 m contours. It is proposed that the elevation of a large portion of the site, which is currently between 21 m and 35 m, is to be reduced to a platform which will be between 18 and 20 m. This portion of the site is a moderately visible area in the landscape and has a **moderate visual sensitivity**.

The portion of the site between 2 m and 15 m is a minimally visible area in the landscape and has a **low visual sensitivity**.

The slope gradients on which the development will take place are predominantly less than 1:5. It is proposed that the greater part of the site will be graded to have a slope of <5%, i.e. 1:20. The slope gradients will result in the bulk of the site having a **low visual sensitivity**.

3.4.2 Landform

The larger portion of site of the proposed aquaculture facility is on a gentle, north facing, dune slope. This portion of the site is a moderately visible area in the landscape and has a **moderate visual sensitivity**.

A portion of the site is on the flat coastal platform which is a minimally visible area in the landscape and has a **low visual sensitivity**.

3.4.3 Vegetation Cover

For the purposes of this visual report, vegetation is evaluated in terms of its ability to screen development, and not in terms of its botanical value. The botanical value of vegetation may be of importance to this visual report when evaluating special features, which is discussed in 3.4.5 below.

The vegetation on the site is low (0,5 m – 2 m), wind-pruned indigenous coastal vegetation and invasive alien vegetation. Visual screening by vegetation will be low, therefore the sensitivity of the site as a result of vegetation screening will be **high**.

3.4.4 Landuse

The land use adjacent to the proposed site of development includes the harbour and associated sheds to the north, the existing Aquaculture facility to the west, a partly developed residential

property to the south and open space to the east. The nature of the surrounding landuse results in the visual sensitivity being **low to moderate**.

3.4.5 Special Features

The rocky coastal platform and sea edge, natural vegetation inclusive of of milkwoods which are protected by law, and old harbour are special features appreciated for their scenic, recreation and ecological attributes. Therefore the visual sensitivity of the site will be **moderate to high** as a result of the special features.

3.4.6 Visual Sensitivity

The Aquaculture site's overall visual sensitivity is rated to be MODERATE.

3.5 Visual Absorption Capacity

Visual Absorption Capacity is the potential of the landscape to conceal the proposed project

- *High VAC – e.g. effective screening by topography and vegetation;*
- *Moderate VAC - e.g. partial screening by topography and vegetation;*
- *Low VAC - e.g. little screening by topography or vegetation.*

Visual Absorption Capacity (VAC) is the capacity for the landscape to conceal the proposed development. The VAC of a landscape depends on its topography and on the type of vegetation that naturally occurs in the landscape. The size and type of the development also plays a role.

The visually absorbing topographical features in the landscape are the dune escarpment, which provides absorption for the development on the coastal edge, dune ridges and koppies, which provide screening of the Aquaculture facility from the surrounding plain. The vegetation in the area is mixed low (1 – 2m high) shrubs and small alien trees (+- 3m high). The shrubs and alien trees will provide partial screening particularly to the east and south, for the low tank structures.

A dune ridgeline immediately north east of the site will provide screening to the east of particularly the central section of the site.

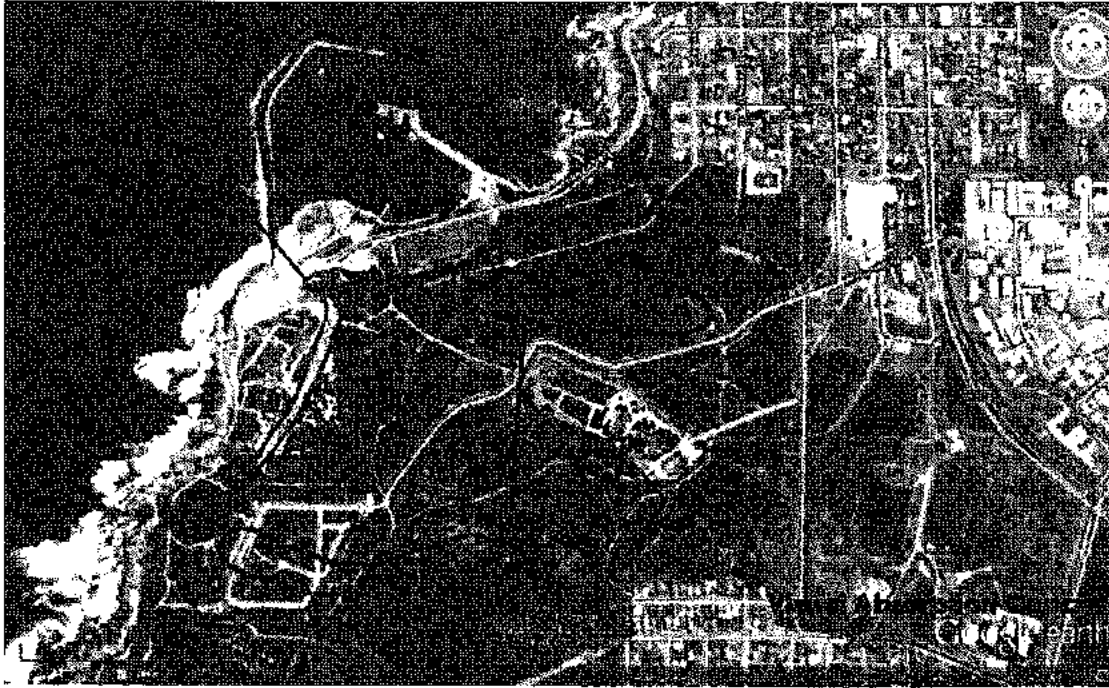


Figure 10: Landforms which provide visual screening from adjacent areas

The capacity of the landscape to absorb change also depends on its sensitivity. The partly transformed natural coastal environment, coastal edge, in which the proposed Aquaculture facility is situated, contributes to the capacity of that landscape to absorb the proposed facilities as **moderate**.

The VAC of the site to the proposed Aquaculture Facility development is moderate, i.e. there will be partial screening of the development by topography and vegetation.

3.6 Visual Intrusion

Visual intrusion is defined as the level of compatibility or congruence of the project with the particular qualities of the area, or its 'sense of place'. This is related to the idea of context and maintaining the integrity of the landscape or townscape.

- *High visual intrusion – results in a noticeable change or is discordant with the surroundings;*
- *Moderate visual intrusion – partially fits into the surroundings, but clearly noticeable;*
- *Low visual intrusion – minimal change or blends in well with the surroundings.*

The proposed development will result in a **moderate to high** visual intrusion.

The site is partially disturbed, there is adjacent similar development i.e. the existing aquaculture facility and harbour. This results in the northern and eastern parts of the development 'partially fitting into the surroundings but being clearly noticeable.

The southern higher lying section of development will be adjacent to undeveloped housing and the Kolgans housing development. This will result in that section being discordant with the surrounds. However, it is noted that office buildings are located in this area which mitigates this high visual intrusion somewhat.

The visual intrusion is moderate to high, the proposed development partially fits into the surroundings but will be clearly noticeable and in places discordant.

4. POTENTIAL VISUAL IMPACTS OF THE PROPOSED DEVELOPMENT

These visual impacts will be assessed based on a synthesis of criteria (nature of impact, extent, duration, probability, intensity, status, degree of confidence, level of significance and significance after mitigation) as defined by the NEMA regulations. (See Appendix 1)

The nature of the visual impacts will be the visual effect the activity would have on the receiving environment.

These visual impacts will be:

4.1 Change from open vegetated space to built industrial farm area

The proposed Aquaculture facility development is to take place on two separate erven. The development on Lot 32A is on a predominantly disturbed site immediately north of the existing facility which is currently used as a storage area for pipes and concrete pipe supports. Therefore this visual impact does not apply to this section.

The development on Erf 3819 will result in the open, undeveloped area, predominantly vegetated area, being stripped of the vegetation, ground levels reduced and buildings and tanks constructed for the aquaculture facility. This will be a visual change from an un-built, green vegetated site to a built site.

Nature of the impact	Extent	Duration	Intensity	Probability	Significance	Significance after mitigation
Change from open space to built area						
Preferred Proposal	Local: < 2km	Medium to Long term: until screening vegetation grows but also will still be visible for the life of the project	Medium to High: the scenic resources will be affected	Highly probable: most likely that the visual impact will occur	Medium to high Mitigation must be implemented	Medium to low
No-Go Option	No change to existing, no visual impact					

4.2 Visibility from sensitive receptors

The sensitive receptors include residents of properties to the north in the older settlement of Gansbaai, to the north east, future residents to the south in the Kotgansbaai development, users of the camp site north of the harbour and tourists and users of the restaurants at the old harbor.

The areas of development that will be most visible are the higher lying southern portion of the site which will have the office, canning and reservoir buildings and structures on it as well as roads and parking areas. This will be visible from the south and north.

The northern area which is adjacent to the harbour will also be visible from the north and north east.

The lowered grow out tank platform will be partially screened by a dune ridge in the east, by proposed buildings in the north and by landform and buildings in the south.

Nature of the Impact	Extent	Duration	Intensity	Probability	Significance	Significance after mitigation
Visible to receptors						
Preferred Proposal	Local: < 2kms	Medium to Long Term: until screening vegetation grows	Medium to High: the visual and scenic resources will be affected	Highly probable: most likely that the visual impact will occur	Medium Mitigation must be implemented	Medium - Low
No Go Option	No change to existing, no visual impact					

4.3 Night Light

The proposed development will require additional lighting on and in buildings and possibly across the site. This will change the night landscape from unlit to lit.

Nature of the Impact	Extent	Duration	Intensity	Probability	Significance	Significance after mitigation
Night Light:						
Preferred Proposal	Local: < 2kms	Long term: until screening vegetation grows but will still be partially visible for the life of the project	Medium to High: the scenic and visual resources will be affected	Highly Probable: most likely that the visual impact will occur	Medium Mitigation must be implemented	Medium - Low
No-Go Option	No change to existing, no visual impact					

5. MITIGATION MEASURES

The proposed layout and concept ideas of the buildings and structures provides some mitigation to the visual impact of the development. The proposed leveling, required technically, will change the existing character of the site, but will also reduce the visibility of the development from receptors to the north east as well as to the north. Similarly, the positioning of the new sea water pump station is also tucked away behind existing buildings on an already disturbed footprint.

The visibility and visual impact of the development may be reduced through the implementation of further mitigation measures which would reduce negative visual impacts and enhance positive visual impacts.

Mitigation measures that will assist in further minimising visual impacts are:

- a) It is preferred that the northern drum filter building option is used from a visual perspective for two reasons namely, there will be less disturbance of vegetation in the south, elevated and visible area and the building will be adjacent to other buildings on site and close to the adjacent harbour and existing large buildings thereon, which is an existing industrial area;
- b) It could be considered to put these northern buildings, inclusive of the drum filter building, basket workshop, generator room and consolidated blower room on the northern site boundary, being an extension of the built harbour and thereby screening the platforms beyond;
- c) It could also be considered, to step the grow out platform down from east to west, breaking up the extensive platform seen from the north;
- d) Retaining the dune ridge on the north-east boundary of the site, which actually extends beyond the boundary of the site. This will screen most of the tank platform and associated development from the north east;
- e) Disturbance of existing vegetation must be minimized where possible, such as along the north eastern, eastern and southern boundary areas as this provides screening and visual absorption of the development. The harsh environmental conditions will make it relatively difficult to regrow vegetation so keeping as much as possible is essential;
- f) Minimising clearance of indigenous vegetation in the southern portion of the site, clearing only where buildings, structures, roads and parking will be built. To this end the milkwood tree (*Sideroxylon inerme*) should be surveyed and the buildings, structures, roads and parking areas should be designed around these trees and associated scrub as far as is possible;

- g) Break up the proposed office block parking area such that it is off road, similar to the parking between the workshop and cannery, but this is further softened by clumps of existing trees and large shrubs;
- h) Allowing more area for landscaping and planting within the site, using local indigenous large shrub/small tree vegetation e.g. *Sideroxylon inerme* (white milkwood), *Robsonodendron maritimum*, (duine-sybas), *Rhus laevigata*, *Rhus glauca*, *Olea exasperata*, *Olea capensis* ssp. *capensis*, *Pterocelastrus tricuspidatus* (candlewood), *Chionanthus foveolatus* (pock ironwood), *Chrysanthemoides monilifera* and *Metalsia muricata*, particularly in an east - west direction, but also north - south, that will break up the extensive platform visible from the north;
- i) Boundary treatments must be visually permeable, using fencing for the most part and walls at entrances only. No precast concrete walls.
- j) The buildings, in particular, those on the higher lying, more visible area and on the northern edge of the site, which will be visible from adjacent areas, should be designed by an architect such that, the grouping and style is aesthetically pleasing, coherent and responsive to adjacent landuse, e.g. residential to the south and industrial to the north. Although they are industrial type buildings, they should be aesthetically recessive and pleasing. The materials and colour of all buildings and structures too must be visually recessive - e.g. dark grey, low pitched roofs;
- k) Lowering the floor level of the packing, grading and canning building in the south to maximum 32 m amsl, by terracing the platform such that the southern, eastern and northern areas are retained by planted, and irrigated, block systems and the roof level only protrudes by 2 - 3 meters;

6. CONCLUSIONS

The proposed Aquaculture farm is located on the coastal dune plain and adjacent rocky coastal platform, adjacent to an existing aqua culture development and the Gansbaai harbour on two sides and residential development on the third side.

The proposed development will change the scenic resources of the local area from an undeveloped, vegetated site to an industrial/aquaculture farm. The visibility of the Aquaculture farm will be restricted to the local area, < 2kms from the site. There will be additional lighting in the area, visible to receptors around the site.

Visually sensitive receptors include residents to the north, north east and south, tourists and visitors to the old harbour and holiday makers using the camp site next to the old harbour.

The visual impacts of the preferred alternative Site Development Plan, namely visibility, change in landscape character from open to built and night lighting, will be restricted to a local area, less than 2 kms, and are mitigated, to a degree, by the existing aquaculture and harbour facility to the west and north respectively.

The visual impact can be mitigated through retaining dune ridges and vegetation on the boundaries, arranging buildings around existing vegetation in the south and responding to the harbour in the north, appointing an architect to design visually recessive yet aesthetically pleasing buildings, breaking up the platform by stepping and planting and having visually permeable combined with planting as boundary treatment.

Appendix 1. – NEMA Regulations

Extent of the Impact

The size of the area that will be affected by the visual impact:

- Site specific
- Local - < 2km from site
- Regional - within 30km of site
- National

Intensity of the Impact

The anticipated severity of the impact:

- High - severe alteration of natural systems, patterns or processes
- Medium - notable alteration of natural systems, patterns or processes
- Low - negligible alteration of natural systems, patterns or processes

Duration of the Project

The timeframe during which the visual impact will be experienced:

- Temporary - less than 1 year
- Short term - 1 to 6 years
- Medium term - 6 to 15 years
- Long term - the impact will cease after the operational life of the activity
- Permanent – mitigation will not occur in such a way or in such a time span that the impact can be considered transient

Probability of the Impact

The degree of possibility of the visual impact occurring:

- Improbable - little or no chance of occurring
- Probable - < 50% chance of occurring
- Highly probable - 50 – 90% chance of occurring
- Definite - > 90% chance of occurring

Significance

The significance of impacts can be determined through a synthesis of the aspects produced in terms of their duration, intensity, and extent and be described as:

- Low to very low - the impact may result in minor alterations of the environment and can be easily avoided by implementing the appropriate mitigation measures, and will not have an influence on decision-making
- Medium - the impact will result in moderate alteration of the environment and can be reduced or avoided by implementing the appropriate mitigation measures, and will only have an influence on the decision-making if not mitigated
- High - the impacts will result in major alteration to the environment even with the implementation on the appropriate mitigation measures and will have an influence on decision-making

Status

Whether the visual impact on the overall environment will be:

- Positive - environment overall will benefit from the impact
- Negative - environment overall will be adversely affected by the impact
- Neutral - environment overall not be affected

Confidence

The degree of confidence in predictions based on available information and specialist knowledge:

- Low
- Medium
- High

May 2015

**ADDENDUM TO THE JUNE 2014
DRAFT VISUAL IMPACT ASSESSMENT REPORT FOR THE**

Proposed expansion of an Aquaculture Operation

Gansbaai, Western Cape

1. Introduction

A revised Concept SDP Layout of the proposed Atlantic Abalone Operation has been provided as the 'Preferred Alternative'.

This addendum to the Visual Impact Assessment Report of 2014 serves to inform of any visual impacts or the significance thereof.

The new Preferred Alternative is briefly compared to the 2014 Preferred Alternative and any relevant sections of the 2014 VIA report which are specifically affected by this amendment are identified and discussed.

2. The Proposed Development – the 2015 Preferred Alternative



Figure A1: Concept SDP layout of the 2015 Preferred Alternative for the proposed Atlantic Abalone Operation (Source: ICE Boland)

The following changes to the 2014 layout have been proposed:

- The building, road and parking layout has changed in the southern and south eastern portion of the site;
- the office and 'packing, canning and grading' buildings have been moved from the south to the east;
- the one 'drum filter and reservoir' building remains in the same position in the south but a second such building is added to the south as well as a workshop building;
- the three buildings in the south are further away from the southern boundary and Kogans Residential estate;
- the parking areas along the south are omitted and the gravel road width has been reduced from 6m to 4,5m.

3. The Potential Impacts

The nature and significance of the potential impacts remain the same namely:

- Change from open vegetated space to built industrial farm area;
- Visibility from sensitive receptors;
- Night Light.

After mitigation, the significance of these 3 impacts imposed by the overall scheme, was and still is 'medium to low'.

However, the siting of the buildings further from the southern boundary and reduced road width and parking will improve the visual intrusion of the proposed development on the adjacent Kogansbaai residential development.

Mitigation measures proposed for reducing the visibility of these buildings is partially burying the two drum filter and reservoir buildings and the approximate 2m's of building above ground can be screened by planting.

The workshop building, height unknown, must be as per the description in the VIA report namely:

- ii) (Type 2) For large buildings and workshops it is proposed that the buildings shall be steel portal structures with:
 - i) brickwork up to 1-2m above ground level, cladded thereafter, or
 - ii) cladded from ground level.

Cladding shall be with the same material as used for the roof i.e. NuTec or ColourBond Ultra green, black or grey roof sheeting.