



TWEESPRUIT

STELLENBOSCH

ESTATE RULES

(Made by the Board of Trustees of the Tweespruit Home Owners'
Association in terms of the Constitution)



TWEESPRUIT DISCLAIMER

Any person wishing to enter the Tweespruit and/or make use of the Private Open Spaces or Common Facilities in the Estate, does so at her or his own risk. The Tweespruit Home Owners' Association (THOA) and the registered Owners, their agents, employees and appointees, shall not be liable for any injury, loss or damage to any person or property arising from any cause whatsoever, including without limitation thereto, the negligence of any of the above persons or the intentional acts of any agents, employees and appointees. Without in any manner derogating from the above, all entrants to the Estate make use of the streets, whether public or private, at her or his own risk. Whilst every effort is made to secure and monitor the Estate, the THOA and registered Owners, all their agents, employees or appointees, shall not be deemed to have warranted the safety of any person or property (whether movable or immovable) on the Estate.

WARNING

The Estate has a security system comprising perimeter security and access control and physical patrolling. The system has a detection purpose only.

It serves as a deterrent and is not guaranteed to prevent any intrusion into the Estate.

The Estate is surrounded by an electrified fence, which could cause injury if touched.

CONTENTS

PART I – GENERAL CONDUCT

1. Definitions
2. Owner's Responsibility
3. Security Measures
4. Levies and Other Moneys Due to THOA
5. Unsightly Objects
6. Traffic Control
7. Private Open Spaces and Common Facilities
8. Estate Agents
9. Service Providers
10. Maintenance of Properties and Streetscape
11. Pets
12. Business Activities
13. Security Wall and Fence
14. Clearance and Other Certificates
15. Noise Levels

PART II – AESTHETIC CONTROL

16. General
17. Approval of Plans
18. Approved Plans
19. Town Planning Restrictions

PART III – CONTROL OF BUILDING ACTIVITIES

20. General Conditions
21. Registration of Building Contractors
22. Conditions for Permission to Commence Building Activities
23. Builder's Deposit
24. Conditions during Building Period
25. Storage Sheds/Huts



- 26. Site Guard
- 27. Construction Vehicle and Delivery Restrictions
- 28. Erection of a Dwelling

PART IV – APPLICATION OF RULES

- 29. General
- 30. Failure of Owner Maintain Property
- 31. Building Activities
- 32. Vehicles
- 33. Action or Decision of Managing Agent
- 34. Matter Raised by the Board



ESTATE RULES

PREAMBLE

The primary objectives of the Tweespruit Home Owners' Association (THOA) are firstly, the promotion and enforcing of standards for community living so that Occupants may derive the maximum collective benefit there from, and, secondly the maintenance of basic aesthetic standards to enhance property values in the Estate. It aims to provide Occupants with a superior quality lifestyle, offering safe and harmonious community living.

The THOA's Constitution provides for the establishment of a Board of Trustees (The Board) to exercise certain of its powers. To achieve the THOA's objectives, the Board has under these powers made certain conduct rules and have laid down certain architectural guidelines that are binding on all Occupants.

The security of the Estate is regarded as of paramount importance.

PART I – GENERAL CONDUCT

1. Definitions

In these Rules, unless the context indicates otherwise, the following words and Expressions have the meanings attached thereto:

- 1.1 **Building Contractor:** Any person who engages in the construction of a new dwelling or additions to, or the alteration or renovation of, an existing dwelling or the erection of a pergola, fence or boundary wall or the laying of paving, whether for himself or herself or on contract or subcontract for an Owner, but does not include the Developer.
- 1.2 **Building Plans:** Building Plans for the construction of a new dwelling or for additions thereto, or the alteration or renovation affecting the exterior aesthetic appearance of, an existing dwelling or for the erection of a pergola, fence or boundary or retaining wall or the laying of paving, but it does not include the Developer.

- 1.3 **Common Facilities:** Those facilities erected or constructed by the THOA on its property and that may be used by all Occupants for the purposes, and on the conditions, determined by the THOA for time to time.
- 1.4 **Constitution:** The Constitution of the Tweespruit Home Owner's Association approved by the Stellenbosch Municipality, as amended from time to time.
- 1.5 **Employee:** Any person engaged on a regular basis in the Estate by the Board, the Managing Agent, an Owner, a Building Contractor or a Service Provider, including a subcontractor and her or his workers.
- 1.6 **Environmental Control Officer (ECO):** An independent consultant, appointed by the Developer, to oversee adherence to the EMP and to report on any deviations on incidents which require remedies, as more fully set out in the EMP document.
- 1.7 **Environmental Management Plan (EMP):** A document prepared by the Environmental Assessment Practitioner acting for the Developer which sets out the management principles to be adhered to during the pre-construction, construction and post-construction (operational) phases of any construction project within the estate.
- 1.8 **Erf:** Any piece of land in the Estate with its own number on the Surveyor-General's General Plan and the title of which is registered separately in the Deeds Office.
- 1.9 **Estate:** The township area known as Tweespruit and the consolidation and subdivision of Portion A of Portion 4 of the Cloetesdal Farm Nr. 81, Stellenbosch into a number of individual erven.
- 1.10 **The Board:** The Members of the Board of Trustees appointed and elected from time to time in accordance with the provisions of the Constitution.
- 1.11 **Levy:** The monthly subscription levied by the Board to defray the costs of managing and administration of the Estate, its affairs, transaction and finances.
- 1.12 **Managing Agent:** The agent appointed by the Developer to assist it with the day-to-day administration of the Estate, its affairs, transaction and finances.
- 1.13 **Municipality:** The Stellenbosch Municipality.

- 1.14 **Occupant:** Any person residing in the Estate, irrespective of whether she or he is an Owner, a family member or relative of an Owner, or a tenant or boarder occupying property of an Owner in terms of a lease or any other arrangement.
- 1.15 **Owner:** The registered Owner of a single property or a section title unit in the Estate.
- 1.16 **Private Open Space:** Land reserved for the purposes of sport, playing, resting or other forms of recreation, the access to which is controlled by the Board.
- 1.17 **Service Provider:** Any person who performs a maintenance, installation or repair service in connection with a property in the Estate, whether for himself or herself or on contract or subcontract for an Occupant or the THOA.
- 1.18 **THOA:** The Tweespruit Home Owner's Association.

2. Owner's Responsibility

- 2.1 An Owner must ensure that all members of her or his family and her or his tenants, boarders, visitors, employees, building contractors, subcontractors, service providers and delivery persons to her or his property comply with these Rules, notwithstanding any contrary provision contained in a lease or grant of rights or occupancy.
- 2.2 If an Owner sells or lets her or his property or any part thereof, she or he must ensure that the buyer, tenant or boarder is provided with a copy of these Rules.
- 2.3 An Owner may not use her or his property or any part of the Private Open Spaces or Common Facilities, or permit it to be used, in a manner or for a purpose that will cause a nuisance or create a disturbance or that will be injurious to the reputation of the Estate.
- 2.4 After having received reasonable notice from the Managing Agent, an Owner must allow a person authorised thereto by the Managing Agent, to enter upon her or his Erf to –
- 2.4.1 prune trees, shrubs and plants which interfere with the proper functioning of the security system; or

2.4.2 repair or carry out maintenance of any pipes, wires and ducts existing on the Erf concerned and being used or capable of being used in connection with any Private Open Space or common facility, including security system;

2.4.3 remove trees, shrubs and plants that obscure the view of motorists causing traffic hazard.

3. Security Measures

3.1 Any person entering the Estate must comply with the procedures and systems relating to access control and other security related measures that are from time to time implemented by the Board, and must obey the security directives of the Estate Security Personnel and treat them in a co-operative and respectful manner.

3.2 An Owner, on completion of the prescribed form, is entitled to register on the electronic access system.

3.3 An Occupant may, on completion of the prescribed form register access for a domestic worker, gardener or any other person to be employed by him or her in the Estate on a regular basis.

3.4 An Occupant who wishes to engage a domestic worker, garden worker, painter or any other such worker in the Estate for a single engagement or a limited number engagements, must –

3.4.1 inform the Security Personnel at the Main Entrance of the intended engagement and provide them with sufficient information to enable them to recognise the person concerned.

3.4.2 accompany that person to and from the Main Entrance and must complete the access control register in respect of each such engagement.

3.5 Any person who is not registered on the security system must complete the access control register on each entry.

4. Levies

4.1 Levies are due and payable monthly in advance on the first day of each month.

- 4.2 If the Board for financial reasons requires an adjustment to come into effect, it must give Owners one calendar months' notice of its intention to adjust the levies.
- 4.3 It will be compulsory to sign a debit order in favour of the THOA for the collection of the levies unless the Board decide otherwise. A penalty levy will apply to those who do not comply.

5. Unsightly Objects

- 5.1 An Occupant may not cause or allow any object to be exposed on her or his property, which could, in the opinion of the Board, be considered unsightly or detrimental to the appearance of the Estate when viewed from outside the property.
- 5.2 A washing line must be screened properly and washing may not be hung out, in such a way that it is visible from a street or a common area.
- 5.3 An Occupier may not place any sign, notice, billboard or advertisement of any kind whatsoever on any part of her or his property so that it is visible from outside the property without the written consent of the Managing Agent.

6. Traffic Control

- 6.1 Unless specifically stated otherwise in these Rules, the normal statutory traffic laws apply in the Estate.
- 6.2 A speed limit of 40 km/h applies in the Estate.
- 6.3 Pedestrians will at all times have the right of way and may utilise the road as a passages.
- 6.4 Vehicles must at all times be operated with the utmost care in the Estate.
- 6.5 Vehicles may not be operated anywhere other than on the streets in the Estate.
- 6.6 Vehicles that, in the opinion of the Board, produce excessive noise will be prohibited from entering the Estate and/or being operated in the Estate.
- 6.7 No motorised vehicle will be permitted in the public open spaces other than maintenance vehicles.

- 6.8 Unroadworthy and unlicensed vehicles and unlicensed drivers may not use the streets in the Estate.
- 6.9 Vehicles may not be left unattended in such a manner that they may cause an obstruction to other road users.

7. Private Open Spaces and Common Facilities

- 7.1 All Private Open Spaces and Common Facilities are for the benefit and use of all Occupants, who must be considerate and take care when using these areas.
- 7.2 Private Open Spaces and Common Facilities may not be damaged in any way.
- 7.3 Litter may not be strewn on Private Open Spaces or in Common Facilities, but must be placed in the litterbins where these are provided.
- 7.4 Picnics are permitted in designated areas only.
- 7.5 No open fires or braais are permitted in Private Open Spaces unless specifically permitted.
- 7.6 No building rubble, refuse or unwanted articles or material of any nature may be dumped on Private Open Spaces or Common Facilities.
- 7.7 No trees or plants may be removed from or planted on Private Open Spaces without the written prior permission of the Managing Agent.
- 7.8 Vehicles may not be parked on Private Open Spaces without the prior written consent of the Managing Agent.

8. Estate Agents

- 8.1 An Owner must ensure that her or his mandate Estate Agent registers with the Managing Agent by completing the prescribed application form and paying the prescribed fee prior to commencing any selling or letting activity.
- 8.2 An Estate Agent may operate on a "by appointment" basis only and must adhere to the security arrangements in place.

- 8.3 Estate Agent's signage must be in accordance with the regulations determined by the Board and may be erected only after written approval has been obtained from the Managing Agent.
- 8.4 Only one "For Sale" or "To Let" sign per Agency may be erected at the property concerned.
- 8.5 If a property is on show on a particular day, the Estate Agent concerned –
- 8.5.1 must provide the Managing Agent in writing with the detail of the property concerned on the last Wednesday preceding the intended showing;
 - 8.5.2 may erect "On Show" signs on the sidewalk at the property on the show day only; and
 - 8.5.3 may on the show day distribute a pamphlet at the Main Entrance providing detail of, and directions to, the property concerned.
- 8.6 "On Show" signs must be removed by 17:00 the show day.
- 8.7 "For Sale" or "To Let" signs must be removed within 7 day after conclusion of a selling or letting agreement in respect of the property concerned.
- 8.8 The above rules do not apply to the marketing agent of the Developer.

9. Service Providers

Service Providers will have to adhere to the security arrangements put in place by the Board from time to time.

10. Maintenance of Properties and Streetscape

- 10.1 An Owner must maintain the external appearance of her or his property, including the buildings, outbuildings, boundary and/or retaining walls or fences and any other improvements on the Erf forming or the streetscape, to the satisfaction of the Board.
- 10.2 All external walls may be painted only in the approved colours.
- 10.3 An Owner must maintain her or his garden and the sidewalk between the street boundary of her or his Erf and the kerb, to the satisfaction of the Board.

- 10.4 Building rubble, refuse or unwanted articles or material may not be placed, stored or dumped or undeveloped Erven or sidewalks.
- 10.5 Refuse bins may be placed on the sidewalk only in the morning of the day for which refuse collection is scheduled. If refuse is for whatever reason not collected on the scheduled day the Occupant must remove the bin.
- 10.6 No trees or plants may be removed or planted on sidewalks without the written prior permission of the Managing Agent.
- 10.7 An Owner may not allow trees, shrubs or plants in her or his garden or on the sidewalk between the street boundary of her or his Erf and the kerb, to impede pedestrian traffic obscure the vision of motorists or interfere with the functioning of the security system.
- 10.8 An Owner must at all times maintain her or his undeveloped Erf in a neat condition and cleared of growth, rubble, refuse and litter. If a stand is overgrown in the opinion of the Managing Agent the owner will be notified to rectify the matter. Failure to do so will result in the THOA cleaning the stand and the expenses will be loaded onto the owners levy account.

11. Pets

- 11.1 An Occupant may not keep more than two dogs or two cats on her or his property without the written consent of the Managing Agent.
- 11.2 An Occupant may not keep –
- 11.2.1 any poisonous, exotic or other undomesticated pets; or
 - 11.2.2 poultry, pigeons, aviaries or livestock.
- 11.3 An Occupant may in a special case on application to the Board, in its sole discretion and on such conditions as it may determine, be allowed to keep a pet that would otherwise not be allowed.
- 11.4 Pets may not roam the Private Open Spaces or streets.
- 11.5 Pets must be tended and kept on leash in Private Open Spaces and streets.

- 11.6 An Occupant must ensure that her or his pet does not create a nuisance or cause a disturbance.
- 11.7 An Occupant must immediately remove any excrement deposited by her or his pet outside her or his Erf.
- 11.8 An Occupant must at least once a day remove any excrement deposited by her or his pet inside her or his Erf.
- 11.9 Pets must wear a collar fitted with a tag indicating the contact details of its owner.
- 11.10 Pets must be neutered, spayed or similar and must be regularly inoculated.
- 11.11 Stray pets without tags will be captured and handed over to the relevant authorities.
- 11.12 An Occupant may not neglect her or his pet by, for example, leaving it to fend for itself or failing to provide it with medical attention.
- 11.13 No person may inflict physical cruelty to a pet or subject it to violence.
- 11.14 No fireworks whatsoever are allowed in the Estate.

12. Business Activities

- 12.1 No person may conduct a business or practice a trade on or from a residential Erf or residential sectional title property in the Estate without the prior written approval of The Board and the Municipality.
- 12.2 If the applicant is not the Owner of the Erf or sectional title property concerned, the written permission of the Owner for such an application must accompany the application.
- 12.3 The Board may determine the effect of a business activity on the infra structure and security of the Estate and may charge the Occupant accordingly.

13. Security Wall and Fence

- 13.1 No person may damage or remove any part of the security wall, fence or equipment.
- 13.2 No attachments may be made to the security wall or fence without the prior written approval of the Managing Agent.

13.3 No signage whatsoever may be erected against or on top of the security wall or fence.

13.4 No large trees, shrubs or plants may be planted in close proximity of the security wall or fence.

14. Clearance or Other Certificates

14.1 The Managing Agent may not issue a clearance certificate or any other certificate required for purposes of transfer or a property if –

14.1.1 the offer to purchase does not contain a clause binding the purchaser to the provisions of the Constitution;

14.1.2 all moneys due to the THOA, including an administration levy, have on the date of registration not been paid or provision has not been made to the satisfaction of the Managing Agent for the payment thereof; or

14.1.3 there has been a breach of any of these Rules or the Rules of the Constitution that has not been remedied, or for the remedying of which provision has not been made, to the satisfaction of the Board.

15. Noise Levels

As a general rule, any excessive noise between the hours of 24:00 and 06:00 will be considered a disturbance and the THOA will have the right to enforce the peace.

16. Installation of Emergency Power Equipment

16.1 No Owner or Occupant will be allowed to make use of a generator without the consent of the THOA of which the Trustees may specify the following:

16.1.1 Type of generator;

16.1.2 Placement of generator;

16.1.3 Limitations on the times that the generator can be operated;

16.1.4 Maximum duration of use of the generator at any one time;

16.1.5 Proper maintenance of the generator;

16.2 The THOA approval will be subject to approval from the Municipality if so required.

16.3 In addition to the above:

- The unit should be strategically placed as to have a minimal noise and pollution impact on neighbouring properties.
- Maximum generator size shall be no more than 10 KVA per house;
- Generators may only be used during the following times (other than an emergency) : –
 - Monday to Thursday – 7am to 10pm;
 - Friday – 7am to 11pm;
 - Saturday – 10am to 11pm;
 - Sunday – 10am to 8pm;
 - And only when there is a power outage from Eskom.
- Only petrol, diesel & gas operated generators shall be permissible. Coal burning generators & the like are strictly prohibited.
- Appropriate safety measures such as a portable fire extinguisher must be provided in close proximity to the unit. No extra fuel should be stored freely on site, all fuel must be in the generator tank and small “leftover” quantities should be stored appropriately and safely.

16.4 Owners are encouraged to install solar power panels for geysers and swimming pools;

16.5 Geysers may not be visible from the street or neighbouring properties and if possible should be installed in ceilings;

Failure to comply with the above will be subjected to substantial penalties.

PART II – AESTHETIC CONTROL

NOTE:

To achieve a harmonious and aesthetically pleasing environment, certain architectural guidelines have been defined for each phase in the development. The guidelines aim to create a language with a harmonious architectural aesthetic, characterised by a range of colours and details that is in harmony with, and complement, the local vernacular of the Estate.

The guidelines serve to promote a qualitative development known for its charm, beauty and, ultimately, its own unique “sense of place”, and in this way to set a standard of high quality lifestyle for Occupants and protect property values.

The Board have appointed an Architectural Review Committee to scrutinise all Building Plans for compliance with the applicable architectural guidelines prior to submission thereof for Municipality approval.

17. General

17.1 Building Plans –

- 17.1.1 must be prepared in accordance with the Building Code for the area concerned;
- 17.1.2 must comply with the Municipal and National Building Regulations (SABS 0400) and any other applicable legislation;
- 17.1.3 must be submitted to the Managing Agent for approval by the Trustees and will only be processed upon proof of payment of the applicable plan scrutiny fee.
- 17.1.4 Plan scrutiny fee is R1 500–00.
- 17.1.5 The first re-submission after the comments by the Managing Agent will be free of charge, thereafter a resubmission fee of 50% of the initial fee will apply. Plans submitted will be scrutinised on the following review.

- 17.2 The design of all structures and the preparation and submission of Building Plans may be undertaken only by a professional practising Architect, provided that Trustees may, in their sole discretion, waive this requirement if she or he is satisfied that the required design standards have been met.

18. Approval of Plans

- 18.1 Only after aesthetic approval has been obtained may the Building Plans together with a letter to that effect from the Managing Agent be submitted to the Municipality for its approval.
- 18.2 If an Owner intends to implement a deviation or variation from the aesthetically approved Building Plans, she or he must submit an application to that effect in writing to the Managing Agent for scrutiny prior to implementation thereof on site. The deviation or variation may be implemented only if the Managing Agent approves it in writing.
- 18.3 The Board will ensure that regular inspection will take place to protect the architectural integrity of the development.

19. Approved Plans

- 19.1 On approval by the Managing Agent fivefold (one copy to be in colour) copies must be lodged at the THOA offices for final approval and stamping. One copy will be retained for the archive of the THOA.
- 19.2 The Building Contractor must ensure that a copy of the signed approved Building Plan is at all times available on site for inspection together with a copy of the approved Environmental Management Plan.
- 19.3 Prior to commencing building operations, the Building Contractor must set out the foundations for inspection and approval by the THOA and the Municipality.

20. Town-planning Restrictions

- 20.1 The restrictions that may apply for individual phases in the development are in addition to any restrictions imposed in terms of the conditions of title, conditions of establishment, to any Erf, town-planning schemes or national or other building regulations.

20.2 Compliance with restrictions imposed by the Trustees and approval of Building Plans by them do not absolve the Owner from complying with, and may not be construed as permitting, any contravention of –

- 20.2.1 the conditions of establishment and/or title to any Erf; or
- 20.2.2 any restrictions imposed by the Municipality or any other competent authority by virtue of controlling legislation; or
- 20.2.3 any applicable zoning, by-law or regulation of the Municipality or any other competent authority.

PART III – CONTROL OF BUILDING ACTIVITIES

NOTE:

The rules governing building activities are intended to ensure that the quality of life of residents in the Estate is not unduly compromised and the impact on the environment is minimized by the activities, yet allowing for efficient construction. The rules are designed to prevent damage to the common property, to reduce the unsightliness associated with building activities and to minimize inconvenience to residents.

21. General Conditions

- 21.1 An Owner must ensure that her or his Building Contractor is aware of these Rules and complies with them, and must incorporate a clause in the building contract in terms of which the Building Contractor acknowledges the Rules and accepts the provisions contained in the Environmental Management Plan.
- 21.2 The Building Contractor must undertake to comply with these Rules and any further control measures, which may be instituted by the Board from time to time and must ensure compliance with the Rules by all her or his Employees.
- 21.3 An Owner will be held responsible for any damage caused to the streets (including kerbing and sidewalks) or landscaping (including plants on the sidewalks) by her or his Building Contractor and the Contractor's Employees, vehicles, equipment and delivery vehicles to the building site.
- 21.4 The Managing Agent may, upon completion of the prescribed form and payment of the prescribed fee, issue a Building Contractor with an access permit for herself or himself and for each of her or his Employees. The access permit must at all times be carried on the holder's person while she or he is in the Estate.
- 21.5 A Building Contractor's Employees must be transported by vehicle from the Entrance to the relevant building site and back, and between the building site in the Estate for which she or he is registered.

22. Registration of Building Contractors

- 22.1 A Building Contractor who has regular engagements in the Estate may register with the Managing Agent by completing the prescribed application form, and may in the

sole discretion of the Managing Agent be provided with access permits for herself or himself and her or his Employees.

22.2 A Building Contractor will qualify for registration only if she or he can furnish proof to Managing Agents that she or he is registered with the NHBRC and is a member of the MBA or the BIFSA.

23. Conditions for Permission to Commence Building Activities

23.1 The Managing Agent and the Municipality must have approved the Building Plans.

23.2 A builder's deposit as per Clause 24 must be paid to the Managing Agent.

23.3 A water connection must be obtained.

23.4 Sanitary and drinking water facilities must be provided on the building site.

23.5 The Estate will provide a uniform builder's board that must be erected in a position and to a standard approved by the Managing Agent, after consultation with neighbours, if any. The cost of R750-00 for the Board will be for the owner/contractor.

23.6 The Environmental Control Office (ECO) must be notified in writing of the date on which construction activities are to commence.

23.7 Before construction of the dwelling can commence a boundary wall must be constructed on the side and back boundaries of the stand.

23.8 Boundary walls must be plastered on both sides and an undercoat is required on the outside if shared with an empty neighbouring stand. Face brick walling will not be permitted.

24. Builder's Deposit

24.1 A Building Contractor must pay the builder's deposit as determined by the Board from time to time for each building opportunity to the Managing Agent before construction starts.

24.2 The builders' deposit consists of two components, namely:

- 24.2.1 a refundable component of R4,000–00 which is refundable without interest after the Managing Agent has been notified of the completion of the work and an occupational certificate has been issued by the Municipality; and
- 24.2.2 a non–refundable component of R2,000–00 as a contribution towards the Street Reserve of the Estate.
- 24.2.3 All fees exclude Value Added Tax.
- 24.3 The Managing Agent may use the refundable component to recover the cost of:
- 24.3.1 repairing any damages occasioned by the Building Contractor to kerbing, sidewalks, streets, landscaping or any other property of the THOA or an Occupant; and
- 24.3.2 the cost of removing, either during building operations or on completion thereof, any rubble, refuse or litter or building material left on the sidewalk, street, Private Open Space or any other Erf.
- 24.4 The Managing Agent may recover only verifiable actual costs incurred by her or him. A standard cash slip, statement or receipt will serve as proof of the expenses incurred.
- 24.5 The above fees will be adjusted by Board of Trustees from time to time.

25. Conditions during Building Period

- 25.1 A Building Contractor must ensure that building activities are performed in such a manner that no damage is caused to neighbouring properties and as little disturbance and inconvenience as possible to neighbours and other Occupants.
- 25.2 If building activities take place adjacent to an existing dwelling, the Building Contactor must make effort to respect the privacy of the neighbours.
- 25.3 A Building Contractor and her of his Employees may be present in the Estate only during the following normal working hours:

Monday to Thursday	=	07:00 to 18:00
Friday	=	07:00 to 18:00

Saturday = 07:00 to 13:00

- 25.4 An application for permission to perform building activities outside the normal working hours, together with the written consent of all adjacent neighbours, must be lodged with the Managing Agent at least five (5) working days prior to the intended building activity, unless the Managing Agent, in a particular instance, agrees to a shorter period.
- 25.5 Sundays and public holidays and a period of 14 days from around the 16 December until 2 January (both days included), are not normal working days and building activities may not be carried out on these days. A Building Contractor may in the discretion of the Managing Agent be allowed to work on these days. The application, together with the written consent of all adjacent neighbours, must be lodged with the Managing Agent at least five (5) working days prior to the intended work, unless the Managing Agent, in a particular instance, agrees to a shorter period.
- 25.6 Building activities must proceed without lengthy interruptions and must be completed within twelve (12) months, or such other period as has been authorized in writing by the Managing Agent, from the date of commencement.
- 25.7 Water of construction purposes may not be obtained from water points on Private Open Spaces.
- 25.8 Employees may not roam about the Estate but may only be on the building site for which they are registered. An on the spot fine of R100.00 per incident will be levied against the Builder.
- 25.9 An Employee may not use Private Open Space or common facility in the Estate as a resting place. An on the spot fine of R300.00 per incident will be levied against the Builder.
- 25.10 Employees may use only the sanitary and drinking water facilities on site and no other facilities, and sanitary waste must be removed weekly.
- 25.11 No open fires may be lit on the building site, and the Building Contractor must ensure that there are sufficient fire extinguishers on site at all times.
- 25.12 Where machinery, equipment or material is off-loaded in such a way that it encroaches onto the sidewalk, into the street or onto a Private Open Space, the Building Contractor must forthwith move the item concerned onto the building site.

No machinery, equipment or material may be stored or remain on the sidewalk or in the street without the written permission of the Managing Agent and subject to such conditions as she or he may impose.

25.13 A Building Contractor must ensure that the kerb, sidewalk and street in front of the building site concerned are adequately protected from damage by the building activities and that the street is at all times swept clean.

25.14 Vehicles, machinery and equipment may not be cleaned in the Estate.

25.15 Sand and building rubble washed away or moved onto the sidewalk, into the street or onto a Private Open Space must be cleaned away forthwith.

25.16 Excess material or building rubble may not be spoiled on Private Open Spaces in the Estate.

25.17 The building site must be kept as clean as possible of refuse and litter. Refuse and litter must be removed weekly before 15:00 on a Friday and whenever the Managing Agent instructs the Building Contractor to do so. A fine of R1,000–00 that will increment with a R1,000–00 will apply to defaulters that continue to disregard the rules.

25.18 A zero tolerance attitude will prevail to ensure that chaos will not ensue as a result of non-compliance by the Building Contractor(s).

26. Storage Sheds/Huts

26.1 A Building Contractor may erect storage sheds/huts within the boundaries of the building site and to a maximum height of 2.4m.

26.2 The position of such structures must be indicated on a building site diagram, which must be submitted to the Managing Agent for approval before erection thereof.

27. Site Guard

No Building Contractor will be allowed to employ a guard on site outside normal working hours and normal working hours.

28. Construction Vehicle and Delivery Restrictions

28.1 The following restrictions apply to construction vehicles allowed into the Estate:

28.1.1 Only non-articulated vehicles without trailers of the following specifications are allowed:

Maximum length	=	9.1 m
Maximum width	=	2.6m
Maximum gross mass	=	20,000kg
Maximum axle weight	=	8,000kg

28.1.2 Only roadworthy, licensed vehicles will be allowed into the Estate.

28.1.3 Drivers must use the streets and may not take a short cut over other Erven or Private Open Spaces.

28.1.4 Vehicles may not be left unattended in such a position that they may cause an obstruction to other road users.

28.1.5 Vehicles may not be parked on Private Open Spaces or private properties without the prior written consent of the Managing Agent or the Occupant concerned, as the case may be.

28.2 The following general conditions apply to deliveries to a building site:

28.2.1 The Building Contractor must brief the drivers of delivery vehicles on the Rules governing deliveries.

28.2.2 Delivery vehicles are subject to the general construction vehicle restrictions.

28.2.3 The Building Contractor is at all times responsible for delivery vehicles and delivery personnel.

28.2.4 Deliveries to building site may take place only from the street frontage of the building site.

28.2.5 Deliveries may take place only during normal working hours

and on normal working days, provided that a Building Contractor may on application in the discretion of Managing Agent be allowed to receive deliveries outside normal working hours and days.

28.3 The following additional specific conditions apply to concrete deliveries to a building site:

- 28.3.1 Concrete delivery vehicles may be washed only on the building site concerned and spillage and run-off must be contained on that site.
- 28.3.2 Concrete may not under any circumstances be spilt onto sidewalks, streets or Private Open Spaces.
- 28.3.3 Spilt concrete must immediately be removed.

PART IV – APPLICATION OF RULES

29. General

If a person fails to comply with a written notice from the Managing Agent to rectify, or desist from a transgression of any of these Rules and such failure persists after expiration of the period specified in the notice –

29.1 the Managing Agent may deactivate their electronic access into the Estate;

29.2 the Managing Agent may impose the prescribed fine on the person concerned; and/or

29.3 the Managing Agent may remedy the failure for the account of the person concerned; or

29.4 The Board may apply for a court order at that person's cost to compel her or him to comply with the notice.

30. Failure of Owner to Maintain Property

If an Owner fails to comply with a written notice from the Managing Agent to repair or maintain his property in a state of good repair as required by these Rules and such failure persists after expiration of the period specified in the notice –

30.1 the Managing Agent may impose the prescribed fine on the Owner; and/or

30.2 the Managing Agent may remedy the failure for the account of the Owner; and/or

30.3 The Board may authorise the Managing Agent to de-activate electronic access for the Owner's purpose until such time as the breach has been remedied; and/or

30.4 The Board may apply for a court order at the Owner's cost to compel her or him to comply with the notice.

31. Building Activities

31.1 If a Building Contractor fails to comply with a written notice from the Managing Agent to rectify, or desist from, a transgression of any of these Rules or to repair any damage caused by her or his building activities and such failure persists after expiration of the period specified in the notice –

31.1.1 the Managing Agent may refuse her or him entry into the Estate until such time as the breach has been remedied; or

31.1.2 the Managing Agent may impose the prescribed fine on the Owner and/or the Building Contractor; and/or

31.1.3 the Managing Agent may remedy the failure for the account of the Building Contractor; or

31.1.4 The Board may apply for a court order at the Building Contractor's cost to compel her or him to comply with the notice.

31.2 If an Owner fails to submit Building Plans as required by these Rules, or if a Building Contractor commences building activities before the Managing Agent has certified that the Building Plans, or any deviations or variations there from, comply with the prescribed architectural guidelines –

31.2.1 the Managing Agent may in writing instruct the Owner within a specified time of demolish or remove any structures so erected; or

31.2.2 the Managing Agent may in writing instruct the Owner forthwith to suspend any building activities until such time as the breach has been remedied; and/or

31.2.3 the Managing Agent may impose the prescribed fine on the Owner and/or the Building Contractor; and/or

31.2.4 the Managing Agent may, if the Building Contractor is not an Owner, refuse her or him entry into the Estate until such time as the breach has been remedied;

31.2.5 The Board may apply for a court order at the cost of the Owner to compel her or him to comply with these Rules.

31.3 Neither the Managing Agent nor the Board accepts any liability whatsoever for any loss sustained by an Owner of Building Contractor as a result any structures having had to be demolished or removed or any building activities having had to be suspended or the Building Contractor and her or his Employees having been refused entry into the Estate because of a breach of these Rules.

32. Vehicles

If a vehicle is parked, standing or abandoned on any Private Open Space without the Managing Agent's consent, the Managing Agent may –

32.1 impose the prescribed fine on the owner of the vehicle; and/or

32.2 after having given the owner of the vehicle a written notice to remove the vehicle within the period specified on the notice, cause the vehicle to be removed or towed away at the risk and expenses of the owner of the vehicle.

33. Action or Decision of Managing Agent

33.1 An Owner who is dissatisfied with an action or decision of the Managing Agent may in writing request the Managing Agent to refer the matter to The Board for decision.

33.2 The Board may in its sole discretion designate one or more of its members to meet with the Owner on the matter raised and dispose of it, or to advise the Board on how to dispose of it.

34. Matter Raised with The Board

34.1 An Owner who wishes to register a complaint with, or to bring another matter to the attention of the Board, must do so in writing addressed to the Managing Agent and marked for the attention of the Chairperson: The THOA.

34.2 A matter so raised must be included in the agenda of the next ensuing the Board meeting.

34.3 The Board may decide to let the matter stand over to another meeting to allow its members reasonable time to acquaint themselves adequately with the detail of the matter to be able to take an informed decision on it.

34.4 The Board may in its sole discretion allow the Owner concerned an opportunity to address it on the matter if it requires further clarification to enable it to deal with the matter

34.5 The Board may in its sole discretion designate one or more of its members to meet with the Owner concerned on the matter raised and dispose of it or to report its finding and advice, if any, to the Board.

34.6 An Owner who is dissatisfied with the procedure followed by the Board in processing a matter raised by her or him or with its decision on the matter, may, subject the Constitution, raise it at the next ensuing annual general meeting or an ordinary general meeting called for that purpose, or the Owner may declare a dispute.

35. Contravention of Rules

35.1 Should any of the conduct be contravened, the Trustees or Managing Agent may furnish the owner or occupier with a written notice which may be delivered by mail, hand or per email. For serious transgression of the Rules, the Trustees and/or the Managing Agents reserve the right to impose a fine immediately without a warning. This is in their absolute discretion.

35.2 If an owner or occupier persist with a particular conduct or if he or she is in contravention of a rule, and a warning was given, a penalty will be imposed.

35.3 The Trustees may from time to time determine the amount of the penalties.

35.4 Any penalty imposed in terms hereof shall be payable by the Owner of the property concerned to the THOA on demand.

35.5 The imposition of any penalty in terms hereof shall be without prejudice to and shall not effect and shall be in addition to any other rights available to the THOA at law, and in particular it's right to apply for an order compelling any owner and /or tenant to comply with these rules.

35.6 The penalty for transgression of any rules will R500.00 (five hundred rand) plus any cost of action or to rectify;

35.7 Any penalty amount payable by an owner and/or tenant to the THOA in terms of these rules of conduct shall be deemed an additional levy in respect of the owner of the erf.

(Costs referred to in this clause shall mean such costs the trustees deem to be reasonable)

ANNEXURE TO PART 3 OF THE ESTATE RULES OF THE TWEESPRUIT HOME OWNERS ASSOCIATION

(Made by the Board of Trustees of the Tweespruit Home Owners' Association in terms of the Constitution)

The building activities that take place at the Estate shall at all times be compliant with and be conducted in accordance with the "Construction Environmental Management Plan" (EMP), a copy of which is available from the developer, Sign and Seal Trading 308 (Pty) Ltd.

A physical hard copy of the EMP is kept on site in the guardhouse at the entrance to the Estate and a link is available on the website: www.tweespruitestate.co.za

All the Estate Rules shall remain applicable, valid and enforceable except insofar as they are amended in this Annexure. In all instances relating to building and construction activities, should any conflict arise between the Estate Rules and the EMP, the Environmental Management Plan (EMP) shall take precedence.

**CONSTRUCTION ENVIRONMENTAL
MANAGEMENT PLAN**

**PROPOSED RESIDENTIAL DEVELOPMENT ON
PORTION 4 (TWEESPRUIT) OF FARM
CLOETESDAL 81, STELLENBOSCH**

**PREPARED BY ANNEKE DE KOCK
November 2013**

**ANNEKE DE KOCK ENVIRONMENTAL CONSULTANTS
P O BOX 6151, UNIEDAL, STELLENBOSCH, 7612
TEL: (021) 866-1524 & FAX2MAIL: (021) 086-564-1557
Email: dekockae@mweb.co.za**

**DEVELOPMENT OF A RESIDENTIAL ESTATE ON PORTION 4 (TWEESPRUIT)
OF THE FARM CLOETESDAL 81, STELLENBOSCH**

CEMP

Anneke de Kock Environmental Consultants

0738789221

ENVIRONMENTAL MANAGEMENT PLAN (CONSTRUCTION)

1. INTRODUCTION

1.1 Background and scope

The Western Cape Department of Environmental Affairs and Development Planning (DEA&DP) requires the compilation of an Environmental Management Plan (EMP) for the construction phase of the project.

This document contains the Environmental Management Plan (Construction) for the project and the specifications which, all Developers, Contractors, Professional Consultants, and all other persons involved with the project, will be obliged to adhere to during construction of the project. This document will form part of all construction contracts entered into between contractors and developers (see definitions below).

This document further covers all construction work such as the laying of bulk services, erection of buildings, laying of individual services to connect to buildings, irrigation systems and boundary walls for the whole project. This means that this document will be in force until the last structure has been completed.

It can be foreseen that when the development is authorized, the relevant RoD, will stipulate the appointment of an Environmental Control Officer (ECO).

1.2 Terms of Reference

Anneke de Kock Environmental Consultants was appointed by the Developer to prepare the required Construction EMP. An ECO to work on site during construction has not yet been appointed. Due to the sensitivity of the riparian zone, it is important that the ECO that will be appointed should be made aware of the recommendations in the Botanic Report by Boucher. The appointment of a restoration ecologist has been recommended by CapeNature. Such a person will have to assist the ECO in decisions that might have a negative influence on the riparian zones at the Plankenbrug River as well as at the other two streams.

1.3 Presentation of EMP

The purpose of the EMP is to set environmental objectives and targets for the developer, professional consultants, contractors and subcontractors and to provide reasonable standards to achieve during the construction of the project. The plan therefore comprises the following sections:

1.3.1 Environmental policy

A construction environmental policy has been formulated to guide the EMP. The policy incorporates key elements of the environment and is guided by

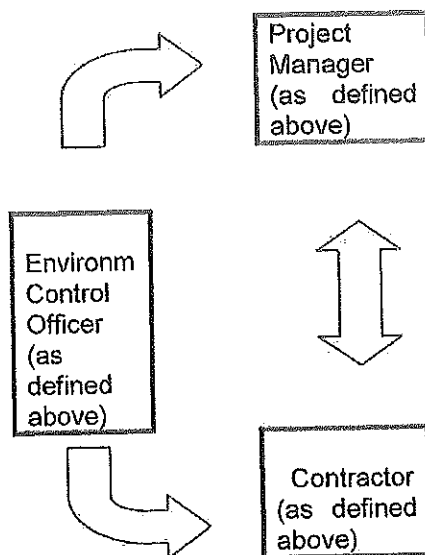
environmental legislation and the expected recommendations that will form part of the conditions set by DEA&DP in their Record of Decision when they authorize this development.

1.3.2 Definitions

- **Construction:** This means all construction work to be undertaken during the construction phase. It covers the placing of all bulk and individual services, construction of buildings and other structures, all external and internal boundary walls, placing of irrigation systems, earthmoving of any kind, landscaping and construction of storm water systems.
- **Contractor:** Any person or persons and /or corporate entities contracted by the developer (as defined below) to undertake any construction work on the site.
- **Developer:** For the purposes of this document "developer" will refer to a person or persons, associations or corporate entities initiating, guiding and controlling any development on the site, until final completion of the project.
- **Professional Consultants:** All professional persons employed by the developer on the site, such as consulting civil and electrical engineers, architects, land-surveyors, environmental consultants, landscape architects and the sales team.
- **Project Manager (PM):** This term refers to any person who is appointed by the developer (as defined above) on the site for the purposes of overseeing, guiding and controlling any development.
- **Environmental Control Officer (ECO):** Any suitably qualified person (a tertiary qualification in an environmental and/or biological field) who is employed by the developer (as defined above) to guide and oversee all environmental matters on site and enforce the conditions of the original Record of Decision and this EMP. See 2.4 below for the duties of the ECO.
- **Site:** Portion 4 of the Farm Cloetesdal 81, Stellenbosch.
- **Construction areas:** Those areas actually needed for construction activities and so demarcated by the Project Manager.
- **"No-go" areas:** Defined as environmentally sensitive areas and those areas not required by Contractors for construction activities. "No-go" areas shall be determined by the ECO and demarcated by the Project Manager by appropriate means, such as using danger tape, in consultation with the ECO.

1.3.3 Organisational structure

The organisational structure identifies the responsibility and authority of the various entities involved in the environmental management of the construction phase of the project.



1.3.4 Structure of the plan

The EMP includes the following broad categories:

- definitions
- policy
- procedures: general
- procedures: specific
- standards
- inspections
- records
- review

2. ENVIRONMENTAL POLICY

2.1 Introduction

The development will take place on the said Portion 4 of the Farm Cloetesdal 81, Stellenbosch.
Services will be installed and residential dwellings constructed.

2.2 Environmental Policy Statement for this Project

The following policy has been prepared specifically for the construction phase of the whole project.

- The professional consultants, developer and contractors and their staff commit themselves to protecting the general environment of the site and its surrounds. In doing so, these bodies commit themselves to:
 - a definition of the term 'environment' that encompasses many different facets, including the biological, physical, social and economic components;
 - adhering to legislation that is relevant to the site and the construction areas as defined in this document;
 - adhering to the environmental specifications as set out in this document;
 - protecting future open spaces and those areas within the construction site that are not required for construction activities;
 - restricting the impact of construction and limiting the size of construction camps and material storage areas;
 - respecting "no go" areas, especially the riparian zone, set by the Project Manager (PM), on advice from the ECO, from time to time;
 - restricting litter and other unwanted building waste to the actual construction areas as demarcated by the Project Manager;
 - re-instating areas disturbed as a result of construction activities, and;
 - employing sustainable construction techniques where possible (e.g. recycling and re-using construction water within the system);
 - protecting, at all times, surrounding public and private infrastructure and infrastructure completed during earlier phases of construction.

2.3 Project Manager (PM) (See definition above)

The developer shall appoint a Project Manager (PM) with overall responsibility for that facet of the project being undertaken. The PM should be a person intimately involved with all the construction phases of the project. A 24 hour contact number for the PM must be supplied to the local authority.

2.4 Environmental Control Officer (ECO) (See definition above)

The ECO reports directly to The Project Manager (PM) who will be the senior person in charge of any facet of the project, construction area and site. Should problems arise on site that cannot be resolved between the ECO and

contractors, the ECO will report to the Project Manager, who will attempt to resolve these difficulties.

The ECO's duties include the following:

- decision-making power within all defined "no-go" areas, especially the river area ;
- ensuring that the environmental specifications are adhered to throughout any phase of the contract;
- advising the Developer, PM, Professional Consultants and Contractors on environmental issues relating to the project;
- assisting in finding environmentally acceptable solutions to construction problems;
- establishing ongoing environmental awareness;
- inspecting the site on a monthly basis;
- keeping records of all site activities that may pertain to the environment;
- examining and approving method statements;
- recommending additional environmental protection measures, should this be necessary, and;
- taking responsibility for reporting any archaeological and/or paleontological finds to the relevant authorities.

2.5 Meetings

Project Team Site Meetings will be arranged by the Project Manager as and when necessary. The ECO will attend these meetings.

The ECO shall meet with members of the professional consultants, the various contractors and the Project Manager when necessary.

2.6 Training

The ECO/PM shall arrange environmental awareness sessions with each contractor/ subcontractor prior to that party commencing work on site. The relevant contractor shall organise and finalise the logistics and date of the awareness lecture with the PM

The ECO shall ensure that adequate environmental training takes place and all employees are given an induction presentation on environmental awareness. Where possible, the presentation needs to be conducted in the

language of the employees. The City of Cape Town has produced excellent training materials in this regard. These are available on the Cape Town website and are recommended to consider even though this development will not be within the Cape Town metropole.

3. STANDARD PROCEDURES

3.1 Environmental Management Plan (EMP)

Copies of this EMP will be available at the PM's site offices. All senior personnel (contractors, subcontractors, professional consultants and PM) on the contract will be required to familiarise themselves with the content of this document and to act in such a way that the environment is protected accordingly.

Failure by any employee of Contractors and Sub-Contractors, to show adequate consideration to the environmental aspects of the contract will be considered sufficient cause for the ECO to recommend to the PM to have an employee removed from the site. The ECO may, through the PM, also order the removal of equipment that is causing continual environmental damage (e.g. leaking oil or diesel).

The PM, on the advice of the ECO, may order any Contractor to suspend part or all the works if he/she fails to comply with the specifications set out in the EMP. The suspension will be enforced until such time as the offending party corrects the procedure or equipment. No extension of time will be granted for such delays and all costs will be borne by the Contractor in question.

3.2 Contractors' Boards

Contractors may erect boards to advertise their professional involvement with the project. These boards must be approved by the PM after consultation with, and the consent of, the local authority.

3.3 Information Boards

The Project Manager may allow the erection of information boards at key localities on site in areas that may be affected by the construction works. These boards will inform the general public about the activities to be, or being undertaken. Information boards shall be as pictorial as possible. The PM must obtain the local authority's consent before erecting such information boards.

3.4 Public Awareness

The Project Manager will ensure that the surrounding residents are aware at all times of the construction activities. Queries from these residents and the general public will be dealt with in a timeous and courteous manner by the PM and ECO, if of an environmental nature.

3.5 Method Statements

The ECO shall develop a pro-forma for method statements. The ECO shall advise contractors, prior to commencing work on environmentally sensitive aspects of the contract, when and how, to complete written method statements, on the pro-forma supplied, for discussion between the PM, ECO and contractor and final approval by the PM and ECO. The method statements must provide details regarding construction procedure, materials (where applicable), timing, and sketches of the proposed construction method/design (where applicable). Method statements may form part and parcel of the design and progress meetings documentation. See attachment 1 for a *pro forma* method statement.

The following activities may require method statements. The list is not exhaustive and the ECO may from time to time require method statements for other activities:

- Concrete/cement batching
- Dust control
- Excavation works
- Wash areas for paint and cement containers
- Fuel storage
- Landscaping of the open space area

3.6 Site Demarcation and Jurisdiction

3.6.1 Site definitions

The 'site' refers to the said Portion 4 of the Farm Cloetesdal 81, Stellenbosch

'Construction areas' are defined as all areas required by Contractors to undertake actual construction activities such as the placing of services, construction of dwellings and other structures. The PM and professional consultants will identify construction areas.

"No-go" areas are defined as environmentally sensitive areas and those areas not required by Contractors for construction activities. "No-go" areas shall be demarcated by the Project Manager by appropriate means, such as using danger tape, in consultation with the ECO.

3.6.2 Jurisdiction

The Project Manager, in liaison with the Building Control Officer of the local authority, has decision-making power within the defined construction areas. The ECO will advise the Project Manager on environmental matters within the construction areas. The ECO has jurisdiction and decision-making power in the "no-go" areas demarcated as above.

3.6.3 Access

Access to the site shall only be gained through designated entrances and not through adjacent private or public property. All contractors and their staff shall be identifiable by the company he or she works for.

3.6.4 Adjacent residential areas

All contractors shall take note of the fact that dwelling units in adjacent residential areas occur close to the site. Contractors shall at all times respect the privacy of these residents by limiting noise and litter and not blocking access to the residential areas.

3.7 Location of Contractors' Camps

No contractors' camp for residing of workers might be necessary, but there will have to be demarcated sites for storage and stockpile sites, a site offices, antennae sites, container sites, mobile ablution facility sites, vehicle-washing areas and any other areas required in order to undertake construction work.

The Project Manager shall approve the location of such a demarcated area. It will have to be located away from environmentally sensitive riparian zone.

3.8 Fencing

Contractors must erect and maintain temporary fences along the boundaries of their camps and construction areas as agreed with the PM. No unauthorised entry shall be permitted beyond the perimeter of the fences. These fences may not be erected from materials and in such a way as to constitute a visual eyesore. The ECO shall be empowered to order removal of offending fencing.

The PM may require all contractors to screen unsightly storage areas and other sites. The material (such as shade cloth) to be used must be approved by the Project Manager.

All Contractors' staff shall, at all times, be restricted from entering the "no-go" areas, especially the riparian zone at the Plankenbrug River.

The ECO shall ensure that all "no-go" areas (especially the riparian zone) are appropriately demarcated.

3.9 Protection of Natural Features, Flora and Fauna

The main natural feature that requires protection is the riparian area along the Plankenbrug River.

Specialist Botanist's recommendations

The following recommended mitigation measures is given in the vegetation report dated June 2012 by Dr C. Boucher (Appendix B)

- (i) Promotion of the control of dispersal of exotic species by habitat amelioration and by not stressing indigenous species

The creation of a 10 m wide ecological buffer from the top of the macro-channel in which no operational activity is allowed would prevent the unnatural alteration of this habitat. Establish an enforceable management plan for erven intruding into the 7 m wide buffer along the Nuutgevonden Development boundary. An Environmental Management Plan (EMP) to remove and control the re-growth of exotic vegetation in the riparian habitat is necessary to counter the spread of indigenous plants, together with their negative environmental impacts.

(ii) Reduction of runoff of pollutants into aquatic systems

Retention ponds as part of the storm water system, in the form of wetland features within the development, will assist to filter from the water and prolong the retention time of polluted water to allow the natural degradation of the pollutants. Traps to catch larger pollutants (e.g. paper and plastic containers) and vegetated areas to settle sediments should prevent this type of pollution.

(iii) Avoidance of disturbance to aquatic and semi-aquatic fauna from the increased population, noise and lighting associated with this type of development

The creation of a 10 m wide ecological buffer from the top of the macro-channel in which no operational disturbance is allowed would control the utilization and disturbance associated with the increase in population density. An Environmental Management Plan (EMP) to control activities allowed in the riparian habitat is necessary to counter the negative environmental impacts, such as disturbance to fauna (e.g. moths, otter and hamerkop birds). House lighting should not shine directly into the riparian areas (including buffers).

In the same Boucher report of June 2012 a summary of the potential construction related impacts associated with the proposed development are presented in Tables 3 and 4 (Appendix B). The 10 recommendations are as follows:

- (i) Leave remnant buffer areas intact and undisturbed.
- (ii) Control erosion along banks from bank collapse, close access footpaths, bike tracks and remove fallen trees blocking river. Remove track through Plankenbrug River.
- (iii) Stop local abstraction during summer. Remove cover of woody invasive vegetation.
- (iv) Reduce cover of invasive vegetation by clearing exotics.
- (v) Institute a 10m no-go buffer area adjacent to streams on floodplain.
- (vi) Leave maximum buffer and setback areas in tact as no-go areas and undisturbed except for management requirements.
- (vii) Control erosion along banks from bank collapse, close access footpaths, bike tracks and remove fallen trees blocking river. Remove track through Plankenbrug River.
- (viii) Run-off passes through natural vegetation in drainage channels to attenuate peak event flows.
- (ix) Replace exotic species with indigenous species. Do not allow exotic ornamentals in riparian zone or floodplain edge.
- (x) Institute a limited access buffer area adjacent to streams on floodplain.

Excluding some vegetation growing within the riparian zone of the Plankenbrug River, there is very little indigenous vegetation or features on site and these are not of conservation importance. This being mainly due to the

fact that the study site has been functioning as an airfield for microlight aeroplanes.

Surrounding private and public infrastructure such as street trees shall not be damaged in any way.

Herbicides or other poisonous substances may only be used on site with the written consent of the PM and ECO.

All Contractors will take responsibility for ensuring that their workers employed on site adhere to the conditions in this plan.

Specialist Aquatic Scientist's recommendations

From the Aquatic scientist Toni Belcher's recommendations in her Freshwater Opinion Report for Farm 81/4, Stellenbosch, dated May 2012 (Appendix C), the following conclusions and recommendations are made in terms of the setback lines between the proposed development activities and the Plankenbrug River, Tweespruit and the drainage channel:

(i) A 10m buffer would be a sufficient setback line between the top of bank of the Plankenbrug River and any hard structures on the site. This recommendation is based on the need to ensure stabilization of the river bank which is steep and eroded and the development, as the 1 in 100 year flood line and much of the existing riparian zone is located within the river channel. This recommendation is also in line the setback line for the adjacent developments.

(ii) A buffer of 7m is considered sufficient on the north-western and south-eastern borders with the neighbouring storm water related drainage channel and Tweespruit.

3. A fence within the recommended buffer zone would be acceptable provided it is not a constructed wall with foundations – preferably something like a palisade fence. The hard structure refers rather to footprint for the houses. A road within the buffer is also acceptable but preferably one with a permeable surface rather than a tar road.

4. It is recommended that the river banks be cleared of invasive alien trees, landscaped and planted with suitable indigenous riparian plants in order to stabilize the banks. Additional erosion control and bank stabilization may be required that should be undertaken in an environmentally acceptable manner such as the use of gabions.

The proposed development layout plan is in accordance with the above recommended development setback lines and is thus deemed to be acceptable from a freshwater perspective.

3.10 Site Clearing

3.10.1 Removal of vegetation.

Very little indigenous vegetation occurs on site, excluding some remnants within the riparian zone. It is recommended the river banks be cleared of invasive alien trees, landscaped and planted with suitable indigenous riparian plants in order to stabilize the banks. This should be done very carefully and supervised by a qualified restoration ecologist.

3.10.2 Stripping and stockpiling topsoil

Topsoil shall, without fail, be stripped and stockpiled in consultation with the ECO. This material shall be replaced in subsequent landscaping. Stockpiled material will be protected from the elements to avoid run off and dust pollution.

3.11 Use of Heavy Machinery and other vehicles

3.11.1 Earth Moving

The Contractor shall ensure that no pollution results from earth moving operations, as a result of oil and fuel spills. "No-go" areas such as street pavements and trees, previously landscaped areas and previously constructed infrastructure, shall be protected from damage by heavy equipment. Should adjacent streets and roads be used as haul roads, all mud, sand and other material must be removed from these roads on a regular basis. Areas within the site used for temporary stockpiling and staging of construction plant, shall be selected in consultation with the PM and ECO.

Any "no-go" area damaged by earth moving, stockpiling and staging of construction plant shall be rehabilitated to the satisfaction of the PM and ECO at the cost of the Contractor.

Earth moving will take place in proximity of residential areas. This places an added responsibility on the PM and contractors to limit environmental nuisances such as noise and dust. The site is very sandy and care should be taken not to allow sand and other stockpiled material to enter the storm water systems.

3.11.2 Placing of bulk services

To be executed in accordance with the approved engineering designs and to the satisfaction of the PM.

3.11.3 General use of vehicles on site

Operators and drivers of any vehicle on the site shall be properly licensed and insured to operate such a vehicle.

The use of vehicles of all descriptions will be restricted to demarcated roads and paths. Any user of a vehicle observed to wilfully damage environmentally sensitive "no-go" areas, and infrastructure such as roads and services, will be fined at a rate to be determined by the PM from time to time.

3.12 Fuel and Hazardous Material Storage

All fuel, oil, chemicals etc shall be confined to specific areas approved by the ECO and PM. Gas and fuel shall not be stored in the same storage area.

Contractors shall keep all hazardous materials under lock and key at all times.

3.13 Fires

The fire risk is small but Contractors shall take all reasonable and active steps to avoid increasing this risk.

No building rubble and litter such as cement bags and timber off cuts will be burned on site.

Burning of slash (heaps of vegetation), if any, will be allowed at designated areas with the agreement of the ECO, PM and relevant authorities.

Contractors shall supply all site offices, eating areas, workshop areas, stores of fuel and hazardous materials and any other areas identified by the ECO and PM with fire extinguishers.

Welding, gas cutting or cutting of metal will only be allowed in areas where there is no danger of fires starting from the sparks, unless special precautions are taken.

3.14 Safety and First Aid

All Contractors shall take the necessary safety precautions to ensure the safety of their staff, other contractors, members of the team of consultants and visitors on site. Contractors shall supply comprehensive first aid kits.

Contractors shall also ensure the safety of the public in areas where construction is taking place.

3.15 Emergency Procedures

3.15.1 Fires

Contractors shall ensure that their staff is aware of the procedure to be followed in the event of a fire. The PM and ECO shall be notified immediately in the event of a fire on site.

3.15.2 Spills of fuels and hazardous substances

Contractors shall identify all fuels and hazardous substances to be stored on site and shall ensure that they know the effects of these substances on their staff and the environment.

Contractors shall keep the necessary materials and equipment on site to deal with spills of any of these materials should they occur. Contractors shall also set up a procedure for dealing with spills, which will include notifying the PM, ECO and the relevant authorities.

The clean up of spills and any damage caused by the spill shall be for the Contractors' account.

3.15.3 Storm conditions

Contractors shall ensure that any sumps/settling ponds etc are emptied when necessary, especially during rainy periods, to prevent their contents overflowing and polluting the general environment. Contractors shall set up a procedure for emptying any collection points rapidly should they be in danger of overflowing. Contractors may consider covering collection points to prevent their filling with rainwater.

Contractors shall also ensure that rainwater does not run off areas containing oil, diesel cement sludge etc. and thus result in a pollution threat. Stockpiles of fine materials such as sand, top soil, cement etc must also be protected from rain, runoff and wind.

Contractors shall ensure that they set up a procedure for dealing with polluted rainwater and clearing these with the ECO prior to commencing the procedures.

3.15.4 Accidents during construction

Contractors shall ensure that all their staff know the procedures for dealing with accidents and shall clearly define the emergency procedure to be followed for removing any personnel from the site for medical treatment in the event of serious injury.

3.15.5 Emergency advisory procedure

Contractors shall ensure that there is an emergency advisory procedure on site before commencing any operations that may endanger the lives of any of their staff, other consultants and contractors, and members of the public, or cause damage to the environment. Contractors shall also ensure that their staff and other contractors and consultants are familiar with all emergency procedures to be followed.

3.16 Toilet Facilities

Toilets must be easily accessible. If outside toilets are provided, they shall be of a neat construction and shall be provided with doors and locks and shall be secured to prevent them blowing over. Contractors shall be responsible for the maintenance and servicing of the toilets and sewage systems on site. Toilets shall be supplied at a ratio of 1 per 20 workers if connected to a waterborne system, alternatively 1 per 15 workers if chemical toilets are used.

Contractors shall ensure that no spillage occurs when chemical toilets are cleaned and that the contents are properly stored and removed off site.

The siting of toilets shall be done in consultation with the PM and ECO. Toilets shall be placed outside areas susceptible to standing or flowing water in winter. Toilets must be close to construction and other work areas.

Performing ablutions outside toilet facilities is strictly prohibited.

3.17 Refuse

Refuse refers to all solid waste, including construction debris (cement bags, old cement, tags, wrapping materials, timber, cans, wire, nails etc), waste and surplus food, food packaging, organic waste etc.

Contractors shall be responsible for the establishment of a refuse control and removal system, acceptable to the PM and ECO, in order to prevent the spread of refuse in, and beyond, construction sites. Refuse must be collected in wire cages and be protected from rain, which may cause pollutants to leach out.

Refuse collected from the site shall be stored in an appropriate closed and weatherproof container and removed on a regular basis as agreed with the PM and ECO. Contractors shall advise the ECO as to his proposed disposal sites. Refuse may not be burnt nor buried on site, or vicinity.

Contractors shall clean up their respective construction sites on a daily basis. The general cleanliness of the site shall form part of the inspections of the ECO.

3.18 Eating Areas

Each contractor shall designate restricted places for eating in his working areas, and shall provide adequate refuse bins at all of these places, which must be cleaned on a daily basis.

3.19 Provision of Water

Contractors shall be responsible for providing construction, drinking and washing water for their staff. Suitable arrangements will have to be made with the local authority or adjoining land-owners.

3.20 Material and Material Stockpiles

3.20.1 Stockpile sites

Contractors shall identify sites for stockpiling all their materials, including mulched vegetation, topsoil, aggregate, sand and bitumen. These sites shall be approved by the ECO and PM. Where indicated by the ECO and PM,

contractors shall also take measures to protect surrounding vegetation as well as the substrate. Such measure may include the erection of platforms on which to stockpile materials or placing a layer of sand and casting a concrete screed or brick paving cover. Dust from the stockpile sites may be a problem during the dry and windy summer months and adequate precautions must be taken.

Stockpile sites for vegetation and topsoil shall be at least 50 m from any sources of contamination (e.g. cement, oil, fuel etc).

At the end of contracts all stockpile sites and borrow pits shall be reinstated to the satisfaction of the ECO. Thus, all fencing, boarding, sand, concrete, platforms etc shall be removed and the area rehabilitated and vegetated at the Contractor's cost.

3.20.2 Imported materials

Care must be exercised not to import construction or re-vegetation materials containing weeds and invasive plant seeds or exotic fauna. The ECO and PM shall be informed of the sources of all construction materials imported to site, and shall be given sufficient time to check the suitability of such material and shall have the authority to reject the material if deemed necessary.

3.20.3 Excavation and demolition material

Excavated materials, not earmarked for re-use on site, shall be stockpiled in a manner approved by the PM and ECO until removal from site.

3.20.4 Aggregate and sand stockpiles

Aggregate and sand shall only be stockpiled in approved stockpile sites.

3.21 Concrete and Bitumen Operations

3.21.1 Cement stores

Cement shall be stored in water tight, windproof containers at approved stockpile sites. Old cement bags shall be placed in similar containers as soon as they are empty. Contractors shall not allow closed, open or empty bags to lie around the site.

3.21.2 Bituminous stores

Temporary storage of bituminous products shall only take place using suitable containers to the approval of the PM and ECO. Under no circumstances shall the spoiling of bituminous products be allowed. These products shall only be spoiled at official waste product sites approved for the purpose by the Department of Water Affairs and Forestry.

3.21.3 Concrete, plaster and bituminous mixing sites

Contractors shall ensure that mixing of concrete, plaster and bitumen only takes place in a mixing area approved by the PM and ECO. No mixing shall be allowed at any other area. Contractors shall construct and operate a facility to collect runoff from the mixing area and water used to wash equipment containing cement or concrete and preventing it from entering the environment or damaging any component of previously constructed infrastructure. An evaporation pond lined with heavy plastic sheeting must be used.

Contractors shall protect the general environment at the mixing area and any other area where concrete and bituminous materials are loaded and unloaded (eg. using a sand layer, paving or boarding). Concrete mixers must be placed on an impermeable surface and the area should be bunded. The batching area should be checked regularly for breaks and repaired.

Upon completion of the works, Contractors shall rehabilitate the mixing areas to the satisfaction of the PM and ECO.

NB Use of premix concrete and asphalt facilities will obviate many of these problems.

3.22 Pollution Control

Contractors shall ensure that ground and water pollution resulting from the discharge of "waste water" shall not occur as a result of his construction activities. Pollution could result from the release, accidental or otherwise, of chemicals, oils, fuels, cement, sewage, construction water, polluted storm water, water carrying soil particles or waste products.

Contractors shall construct and operate the necessary collection facilities to prevent such pollution and/or settle out suspended matter and shall dispose of collected materials as approved by the PM and ECO. The Municipal storm water system shall not be used for the purpose.

In areas where fuels and hazardous substances (eg cement; cement-water, bitumen etc.) are stored, contractors shall erect a berm at least 300mm high (earth or wooden) around the perimeter of the stockpile to prevent runoff from entering surrounding areas.

Contractors shall construct, operate and maintain settlement ponds/silt traps/sumps etc with suitable oil traps, to collect all runoff from fuel depots, workshops, concrete washing areas, raised storage platforms and equipment washing areas.

Contractors shall stand any equipment that may leak, and does not have to be transported regularly, on water-tight drip trays to catch any pollutants. Drip trays shall be cleaned regularly and shall not be allowed to overflow.

Contractors shall ensure that all water discharged from the works into the ground and/or surface water system complies with any relevant regulations, and/or is to a standard satisfactory to the PM and ECO and Local Authority.

Natural storm water runoff not polluted by site operations requires no treatment.

3.23 Dust Control

All contractors shall take appropriate measures to minimise the generation of dust as a result of their works, operations and activities, to the satisfaction of the PM and/or ECO. The PM shall have the right to stop any work should he consider that sound and appropriate dust control measures are not applied. Below are some of the possible measures to be employed.

Dust - generated by construction works

Sand stockpiles are to be covered with hessian or, shade cloth.

Stockpiles are to be located in sheltered areas and the usable/cut face orientated away from the direction of the prevailing wind for that season.

Excavating, handling or transporting erosion prone materials in high wind or when dust plumes are visible shall be avoided.

If high winds prevail the Engineer shall decide whether water dampening measures or cessation of activities is required, and if necessary he shall have the authority to temporarily stop certain of the works until wind conditions become more favourable. If water dampening proves inadequate chemical soil binders such as Dustex must be used.

Dust – generated by roads and vehicle movement

Vehicle speeds shall not exceed 40km/h along gravel roads or 20km/h on unconsolidated or non-vegetated areas.

Dust plumes created by vehicle movement are to be monitored.

If access roads are generating dust beyond acceptable levels dust suppression measures must be initiated.

These include, but are not limited to the following:

- Reduction of travelling speeds along the road.
- Restriction of vehicle or plant usage.
- Application of chemical soil binders such as Dustex.
- Application of a suitable sacrificial road surface such as laterite.

If water is to be used for dust suppression, then only the critical areas should be watered. Water tankers and overhead sprayers can be used. Watering is to be supervised to prevent unnecessary water wastage, and runoff into potentially sensitive areas. If water dampening proves inadequate then a biodegradable binder such as Dustex must be used.

The PM shall have the right to stop any work should he consider that sound and appropriate dust control measures are not applied.

3.24 Erosion Control

Contractors shall take all reasonable measures to prevent erosion resulting from a diversion, restriction or increase in the flow of storm water caused by the presence of the new works. None of the service construction workers may enter the riparian zones except when for a specific task that will have to be monitored carefully.

Contractors shall also take appropriate and active measures to prevent erosion resulting from their own works, operations and activities to the satisfaction of the PM and ECO. Where erosion does occur, the Contractor shall reinstate such areas to the satisfaction of the PM and ECO, and if he has neglected to take reasonable measures, it will be for his account.

3.25 Site Clean Up and Rehabilitation

3.25.1 Site clean up

Contractors shall ensure that all structures, equipment, materials and facilities used for construction activities are removed upon completion of the project. Contractors shall clear and clean the construction site to the satisfaction of the ECO and Local Authority upon completion of the project.

3.25.2 Re-vegetation

The Landscape contractor shall be responsible for rehabilitation and re-vegetation of all construction sites.

3.26 Temporary Services

Contractors shall advise the PM of all temporary services required on site (e.g. water pipes) and shall submit a plan detailing where and how he proposes to lay such services.

3.27 Builders' Holiday and Non Working Periods

Contractors shall make adequate arrangements for the period that the construction site remains closed during the holiday or other non-working periods.

All stores (especially the hazardous substance storage sites) shall be secured; all sumps and collection pits shall be emptied and their contents removed; all sand, cement, top soil and fines shall be adequately covered to protect these stockpiles from wind and rain. Contractors shall establish a system whereby they can be notified immediately should any emergencies arise during the holiday or non-working period. Any emergencies on site shall be addressed immediately.

The ECO shall conduct a site inspection prior to the builders' holidays and complete a Site Closure checklist. Any outstanding matters found during that inspection must be dealt with before the builders' holiday.

See Annexure 2 for a copy of a closure checklist.

3.28 Hours of Operation

Hours of operation shall be in accordance with National Building Regulation F6 namely 06h00 to 18h00 on weekdays and 06h00 to 17h00 on Saturdays.

4. SPECIFIC PROCEDURES

4.1 Uncovering of human remains and archaeological and paleontological material

It is highly unlikely that such material will be uncovered but in the event of any contractor and/or his staff uncovering human remains or any other archaeological or paleontological material, all work in that particular location shall immediately be stopped and the ECO notified on his 24 hour contact number. The latter shall immediately alert the consulting archaeologist and inspect and secure the site to stop all further interference. The consulting archaeologist and/or the ECO shall inform Heritage Western Cape. A joint decision shall then be taken regarding future action.

5. INSPECTION PROCEDURES

The ECO shall inspect the site as often as required, with a minimum of one inspection per month, to ensure that environmental procedures are being implemented and that all contractors are complying with the environmental specifications in the EMP. The ECO shall address any queries to the PM. The ECO shall be responsible for monitoring and managing the re-instatement of areas damaged during the construction phase.

The ECO shall conduct a site inspection prior to the builders' holidays and complete a Site Closure checklist. Any outstanding matters found during that inspection must be dealt with before the builders' holiday.

6. RECORD OF ACTIVITIES, NON-COMPLIANCE AND CORRECTIVE ACTION

6.1 Records

The ECO shall keep a record of activities on site, meetings attended, issues arising on site, cases of non-compliance with the EMP and corrective action taken to solve problems that arise. Records of any environmental, ecological, paleontological and archaeological significant event or finding shall be kept by the ECO to enable analysis of results, and to modify EMP specifications if necessary.

6.2 Transgressions and fines

The PM shall introduce a system of fines and penalties for the transgressions listed below. Such fines will be issued in addition to any remedial costs incurred as a result of not complying with the requirements of this CEMP.

Transgressions will be reported to the PM in writing by the ECO. The PM will immediately inform the alleged offending party of the complaint and its nature. The PM will institute an investigation and convene a hearing to determine the guilt of the alleged offending party. The appropriate fine will be imposed and the amount withheld from outstanding payments to the guilty party.

Funds obtained from fines will be used to promote the aims of an appropriate conservation project.

Contractors/ subcontractors will be liable for transgressions by their staff while the latter are on site.

Professional consultants and their staff, while working and operating on site, are also subject to the system of fines and penalties.

Transgressions and the fines and penalties to be imposed are detailed below:

- Opening up new areas for construction without the written approval of the PM - R 4000
- Any person, vehicle, plant or machine related to a contractor within a designated "no-go" area - R 4000
- Persistent and un-repaired oil and fuel leaks from machinery and vehicles - R3000
- Lighting a fire on site outside the designated braai areas.- R500
- Performing ablutions on site outside of the designated facilities – R500
- Any person, vehicle or item of plant causing a continuing public nuisance as observed by the ECO or members of the public - R1000
- Continuing littering of the site with discarded items - R500
- Erosion- A penalty equivalent to the cost of rehabilitation plus 20%
- Oil or fuel spills - A penalty equivalent to the cost of rehabilitation plus 20%
- Damage to adjacent areas and infrastructure – A penalty equivalent to the cost of restoration or replanting plus 20%

NB Where a contractor/sub-contractor causes damage the PM can either enforce a penalty/fine or make the contractor/subcontractor make good the damage, but not both.

6.3 Dealing with complaints by the ECO

All complaints by outside parties (parties not directly linked to the project) shall be dealt with by the ECO in the following manner:

- The ECO will contact the complainant as soon as possible and arrange a meeting if necessary to obtain details of the complaint.
- The ECO will then meet with the PM to jointly devise remedial action.
- The ECO will inform the complainant in writing of how his/her complaint is being dealt with and invite a response as to the complainant's perception of the effectiveness of the measures taken.
- The ECO will keep records of all complaints as part and parcel of his/her reporting system.
- Copies of all complaints and remedial action taken will be forwarded by the ECO to the PM and the developer.

A complaints register shall be kept on site and all complaints recorded by the Project manager or site officer. The ECO shall inspect the register during site visits and note and act on the complaints if necessary. An A4 hard cover exercise book is ideal for this purpose. See Annexure 3 for a suggested cover page to be pasted on the hard cover of the complaints register.

7. INTERNAL REVIEW

An internal review procedure shall be established by the ECO to monitor the progress and implementation of the EMP. Where necessary, and upon the recommendation of the ECO, procedures that require modification will be changed to improve the efficiency of the EMP. Any changes or adjustments to the EMP shall be registered in the records of the ECO. Therefore, adjustment and update of the original EMP document is not required when these ad hoc changes are made.

At the conclusion of the project an environmental construction report will be compiled by the ECO. It will outline the implementation of the EMP, and highlight any problems and issues that arose during the construction period.

Apart from the construction of the necessary service elements, and building of any site structures such as walls and gate entrance elements, the rehabilitation of the riparian zones should be seen as part of the construction phase. It is recommended by Alana Duffell-Canham of CapeNature that monitoring of the rehabilitation/restoration success should be done by a qualified restoration ecologist, and that a bi-annual inspection and report should be submitted at the end of the year to CapeNature and DEA&DP confirming the success (or lack thereof) of the rehabilitation. Appropriate remediation measures should then be taken if the rehabilitation measures were not successful.

Anneke de Kock [Anneke de Kock Environmental Consultants]
 P O Box 6151, UNIEDAL, Stellenbosch
 Tel 021 866 1524 Fax 086 564 1557 ~~~ dekockae@mweb.co.za
 Compiled: November 2013

Annexure 1: Pro forma method statement

**CONSTRUCTION WORK ON TWEESPRUIT ESTATE, PORTION 4 OF THE FARM
CLOETESDAL 81,**

METHOD STATEMENT FOR XXXXXXXXX

DATE:

PROPOSED ACTIVITY

WHAT WORK IS TO BE UNDERTAKEN (give a brief description of the works):

--

WHERE ARE THE WORKS TO BE UNDERTAKEN (where possible, provide an annotated plan and a full description of the extent of the works):

--

**START AND END DATE OF THE WORKS FOR WHICH THE METHOD STATEMENT IS
REQUIRED:**

Start Date:

End Date:

HOW ARE THE WORKS TO BE UNDERTAKEN (provide as much detail as possible,
including annotated maps and plans where possible):

--

DECLARATIONS AND APPROVALS**1) ENVIRONMENTAL SITE OFFICER/PROJECT MANAGER**

The work described in this Method Statement, if carried out according to the methodology described, is satisfactorily mitigated to prevent avoidable environmental harm, is in accordance with the Environmental Management Plan and the Environmental Authorisation (EA) issued by the Department of Environmental Affairs and Development Planning on XXXXXXX. The proposed works are thus approved from an environmental point of view.

(signed)

(print name)

Date:

Annexure 2: Temporary Site Closure Checklist

ENVIRONMENTAL AUDIT

TEMPORARY SITE CLOSURE CHECKLIST

TWEESPRUIT ESTATE

Temporary closure for the builders holiday period from
December 2013 to January 2014

Audit date: xx-12-2013

Undertaken by: CEO (to be appointed)

Temporary site closure: Tweespruit Estate The following checklist procedure was carried out.			
1. Hazardous materials stores			
To make sure that substances that are potentially hazardous to people and the environment are secure.	Outlet secure/locked	✓	
	Bund empty (where applicable)	✓	
	Fire extinguishers serviced and accessible	✓	
	Area secured from accidental damage (e.g. vehicle collision)	✓	
	Emergency and contact details displayed	✓	
	Adequate ventilation	✓	
2. Safety and environmental protection			
To ensure that potential hazards are minimized and that the site	All trenches and manholes secured	✓	
	Fencing and barriers in place.	✓	

<i>is safe.</i>	<i>Emergency Management and contact details displayed</i>	✓	
	<i>Pipe and other stockpiles wedged/ secured</i>	✓	
<i>3. Erosion and dust</i>			
<i>To prevent excessive erosion and resultant sedimentation on site.</i>	<i>Wind and dust mitigation in place</i>	✓	
	<i>Slopes and stockpiles at stable angle</i>	✓	
	<i>Re-vegetated areas watering schedules and supply secured</i>	✓	
<i>4. Water contamination and pollution</i>			
<i>Prevent accidental pollution</i>	<i>Cement and materials stores secured</i>	✓	
	<i>Toilets empty and secured</i>	✓	
	<i>Refuse bins empty and secured</i>	✓	
	<i>Drip trays empty and secure (where applicable)</i>	✓	
	<i>Structures vulnerable to high winds secure</i>	✓	

Annexure 3: Site Complaints Register

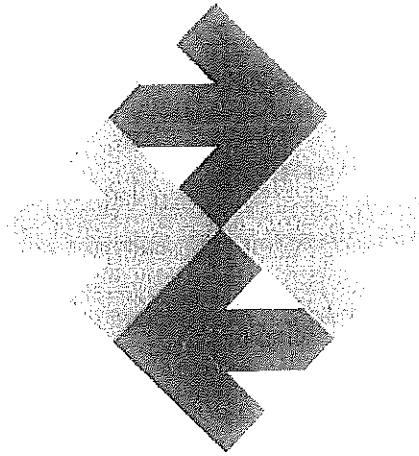
COMPLAINTS REGISTER (SITE COPY)

Project

**TWEESPRUIT RESIDENTIAL DEVELOPMENT
CLOETESDAL 81/4,
STELLENBOSCH**

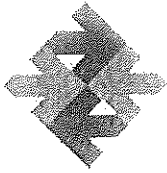
Appendix I : Rezoning and Subdivision information
containing

1. Application for rezoning and subdivision (applicable sections of), dated December 2011, prepared by Emile van der Merwe Town Planning Consultants containing "Appendix 14: Traffic Statement" and "Appendix 15: Civil Engineering Services Report and letter from the Stellenbosch Municipality re the availability of services".
2. Letter from Emile van der Merwe Town Planning Consultants to Stellenbosch Municipality re changes in the layout of the proposed development as amendment
3. Electrical Report
4. Traffic Statement
5. Services Report



Annexure 3

EMP update (Addendum to original CEMP)



In response to point 3.1 in your letter dated 14th March 2014 a comment from Cape Nature dated 13 February 2013 regarding clarity over the proposed rehabilitation and long term management of the watercourses within the proposed residential development (Plankenburg and Cloetesville River), the following additional information will form an addendum to the EMP document:

Goal:

Rehabilitation/Management of onsite riparian zones.

Objective:

To ensure the riparian zones are protected from further deterioration and maintained in a satisfactory state.

Risks:

- The river banks, and associated natural areas, become overgrown with alien vegetation. The alien vegetation out competes natural vegetation.
- River becomes polluted with litter.
- Erosion of the river banks as a result of incorrect planting and timing of planting along the river banks.

Action:

- Rehabilitation of the river reaches affected by the development (Plankenburg and Cloetesville River) is considered an appropriate mitigation measure. Input from a freshwater ecologist should be sought for an appropriate rehabilitation measure.
- Rehabilitation of the beds and banks of the rivers must take place before the winter months (rainy season). The timing of rehabilitation and work on the beds and banks of watercourses is important to reach the desired standard.
- A Freshwater Ecological Specialist (or suitably qualified consultant) must be consulted regarding the appropriate vegetation to be planted and the zonation of the vegetation along the river banks.
- Only indigenous vegetation known to the area may be used for the rehabilitation of the river banks.
- The rehabilitation of the river banks must include the rehabilitation of the area in which the informal track traversed.
- Alien vegetation must be removed from the river and the surrounding corridor (10 m buffer), within the development boundaries.
- Kikuyu grass must not be allowed to be planted on or close to river banks on site and alternatives must be used where grass is necessary.
- The spread of alien plant species into all natural areas must be prevented and monitored.
- Any erosion that occurs must be addressed as soon as the erosion is noted. Soft methods such as replanting, peg and pole must be used to address them.

Monitoring:

- Regular monitoring of the state of the banks of the river course in which rehabilitation and alien vegetation clearing has taken place. Registers of the areas that have been rehabilitated and cleared of alien vegetation must be kept, including the extent and the time the activity took place.
- Any rehabilitation, or any work, within or near the river must be recorded. Registers of this work must be kept on file. A Freshwater Ecological specialist must be consulted prior to any activity taking place within, or near, the river on site. All works must be approved by the appointed specialist.
- For the first three years post construction the Home Owners Association (HOA) must employ an ECO to undertake an annual audit of the entire development, and in particular the management of the rivers which flow in the boundaries of the proposed residential development.
- A Freshwater Ecological specialist must be consulted should it be required.
- Water quality monitoring must take place and tests analysed when requested by the freshwater ecologist.
- Institute a 10 m "No-Go" buffer area adjacent to the watercourses.

Targets/Criteria:

- The river banks and associated buffer areas to be free of alien vegetation.
- The flow of watercourse must be as natural as possible. No obstructions within the watercourse.



DIRECTORATE: LAND MANAGEMENT
REGION 1

EIA REFERENCE NUMBER: E12/2/4/1-B4/37-1126/11
ENQUIRIES: D'mitri Matthews
DATE OF ISSUE: 2014-08-18

The Board of Directors
Sign & Seal Trading 308 (Pty) Ltd
P. O. Box 12319
STELLENBOSCH
7613

Attention: Mr. C. Laubscher

Tel: (021) 883 3264
Fax: (086) 554 0148

Dear Sir

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT AMENDMENT REGULATIONS, 2010: THE PROPOSED CONSTRUCTION OF A RESIDENTIAL DEVELOPMENT ON PORTION 4 OF FARM CLOETESDAL NO. 81, STELLENBOSCH

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

ENVIRONMENTAL AUTHORISATION

DECISION

By virtue of the powers conferred on it by the National Environmental Management Act, 1998 (Act No. 107 of 1998) and the Environmental Impact Assessment Amendment Regulations, 2010, ("NEMA EIA Regulations") the competent authority herewith **grants environmental authorisation** to the applicant to undertake the activity specified in section B below with respect to Alternative 2 described in the Basic Assessment Report ("BAR") dated November 2013.

The granting of this environmental authorisation is subject to compliance with the conditions set out in section E below.

A. DETAILS OF THE APPLICANT FOR THIS ENVIRONMENTAL AUTHORISATION

Sign & Seal Trading 308 (Pty) Ltd
c/o Mr. C. Laubscher
P. O. Box 12319
STELLENBOSCH
7613

Tel: (021) 883 3264
Fax: (086) 554 0148

2nd Floor, 1 Dorp Street, Cape Town, 8001
tel: +27 21 483 8350/4349 fax: +27 21 483 3633
email: D'mitri.Matthews@westerncape.gov.za

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

The abovementioned applicant is the holder of this environmental authorisation and is hereinafter referred to as "the applicant".

B. LIST OF ACTIVITIES AUTHORISED

Government Notice No. R544 of 18 June 2010 –

Activity Number: 11

The construction of:

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

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

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

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

The proposed development entails subdividing the proposed site into 75 erven, of which 71 erven are for residential development, three (3) erven are proposed for private open space and 1 erf for the private street area. A 10m building setback from the Plankenbrug River and a 7m building setback from the drainage channel on the north-western border will be incorporated into the development.

C. PROPERTY DESCRIPTION AND LOCATION

The listed activity will take place on Portion 4 of Farm Cloetesdal no. 81, Stellenbosch.

The SG 21 digit codes are: C06700000000008100004

Co-ordinates:	33° 54'	32.16" South
	18° 50'	67.72" East

hereinafter referred to as, "the site".

D. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER

Doug Jeffery Environmental Consultants (Pty) Ltd
c/o Mr. Richard Cole
P. O. Box 44
KLAPMUTS
7625

Tel: (021) 875 5095
Fax: (086) 269 1307

E. CONDITIONS OF AUTHORISATION

1. This environmental authorisation is valid for a period of **five years** from the date of issue. The holder must commence with the listed activity within the said period or this environmental authorisation lapses and a new application for environmental authorisation must be submitted to the competent authority, unless the holder has lodged a valid application for the amendment of the validity period of this environmental authorisation, before the expiry of this environmental authorisation. In such instances, the validity period will be automatically extended ("the period of administrative extension") from the day before this environmental authorisation would otherwise have lapsed, until the amendment application for the extension of the validity period is decided. The listed activity, including site preparation, may not commence during the period of administrative extension.
2. The listed activity, including site preparation, may not commence within 20 (twenty) calendar days of the date of issue of this environmental authorisation. In the event that an appeal notice and subsequent appeal is lodged with the competent authority, the effect of this environmental authorisation may be suspended until such time as the appeal is decided.
3. The applicant must in writing, within 12 (twelve) calendar days of the date of this decision and in accordance with regulation 10(2)–
 - 3.1 notify all registered interested and affected parties of –
 - 3.1.1 the outcome of the application;
 - 3.1.2 the reasons for the decision as included in Annexure 1;
 - 3.1.3 the date of the decision; and
 - 3.1.4 the date of issue of the decision;
 - 3.2 draw the attention of all registered interested and affected parties to the fact that an appeal may be lodged against the decision in terms of Chapter 7 of the Environmental Impact Assessment Amendment Regulations, 2010 detailed in section F below;
 - 3.3 draw the attention of all registered interested and affected parties to the manner in which they may access the decision. and
 - 3.4 publish a notice in the newspapers contemplated in regulation 54(2)(c) and (d), and which newspaper was used for the placing of advertisements as part of the Public Participation Process, that –
 - 3.4.1 informs all interested and affected parties of the decision;
 - 3.4.2 informs all interested and affected parties where the decision can be accessed; and
 - 3.4.3 informs all interested and affected parties that an appeal may be lodged against the decision in terms of Chapter 7 of the Regulations;

- 3.5 Provide the registered Interested and Affected Parties with :-
 - 3.5.1 The name of the holder (entity) of this Environmental Authorisation,
 - 3.5.2 name of the responsible person for this Environmental Authorisation,
 - 3.5.3 postal address of the holder,
 - 3.5.4 telephonic and fax details of the holder,
 - 3.5.5 e-mail address if any.
4. Seven calendar days notice, in writing, must be given to the competent authority before commencement of construction activities.
 - 4.1. The notice must make clear reference to the site details and EIA Reference number given above.
 - 4.2. The notice must also include proof of compliance with the following conditions described herein:
Conditions: 2, 3 and 13
5. The holder is responsible for ensuring compliance with the conditions by any person acting on his/her behalf, including an agent, sub-contractor, employee or any person rendering a service to the holder.
6. Any changes to, or deviations from the scope of the description set out in section B above must be accepted or approved, in writing, by the competent authority before such changes or deviations may be implemented. In assessing whether to grant such acceptance/approval or not, the competent authority may request such information as it deems necessary to evaluate the significance and impacts of such changes or deviations and it may be necessary for the holder to apply for further authorisation in terms of the applicable legislation.
7. The applicant must notify the competent authority in writing, within 24 hours thereof if any condition herein stipulated is not being complied with.
8. The draft Environmental Management Programme ("EMP") submitted as part of the application for environmental authorisation, the additional information and the Method Statement is hereby approved and must be implemented.

An application for amendment to the EMP must be submitted to the competent authority if any further amendments are to be made to the EMP, and this may only be implemented once the amended EMP has been authorised by the competent authority.

The EMP must be included in all contract documentation for all phases of implementation.
9. A copy of the environmental authorisation and the EMP must be kept at the site where the listed activity will be undertaken. Access to the site referred to in section C above must be granted and, the environmental authorisation and EMP must be produced to any authorised official representing the competent authority who requests to see it for the purposes of assessing and/or monitoring compliance with the conditions contained herein. The environmental authorisation and EMP must also be made available for

inspection by any employee or agent of the applicant who works or undertakes work at the site.

10. The applicant 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, save that such application for amendment shall not include the personal details of the holder of the environmental authorisation. Where any of the applicant's contact details change, the physical or postal address and/ or telephonic details, the applicant must notify the competent authority in writing as soon as the new details become known to the applicant as follows:
 - 10.1. The applicant must submit an originally signed notification to the competent authority stating that he/she wishes the rights and obligations contained herein to be transferred, and including (a) confirmation that the environmental authorisation is still in force (i.e. that the validity period has not yet expired or the activity/ies was/were lawfully commenced with); (b) the contact details of the person who will be the new holder; (c) the reasons for the transfer; (d) an originally signed letter from the proposed new holder acknowledging the rights and obligations contained in the environmental authorisation and indicating that he/she has the ability to implement the mitigation and management measures and to comply with the stipulated conditions.
 - 10.2. The competent authority will issue a written confirmation to confirm the transfer if the transfer is found to be appropriate.
11. Non-compliance with a condition of this environmental authorisation or EMP may result in suspension of this environmental authorisation and may render the holder liable for criminal prosecution.
12. Notwithstanding this environmental authorisation, the holder must comply with any other statutory requirements that may be applicable to the undertaking of the listed activity.
13. The holder must appoint a suitably experienced environmental control officer ("ECO"), or site agent where appropriate, for the construction phase of implementation before commencement of any land clearing or construction activities to ensure compliance with the EMP and the conditions contained herein. Furthermore, an ECO must be appointed to monitor the success of the rehabilitation for a period one year after construction and rehabilitation has been completed.
14. An integrated waste management approach, which is based on waste minimisation and incorporates reduction, recycling, re-use and disposal, where appropriate, must be employed. Any solid waste must be disposed of at a landfill licensed in terms of the applicable legislation.
15. No surface or ground water may be polluted due to any actions on the site. The applicable requirements with respect to relevant legislation pertaining to water must be met.
16. The applicable requirements with respect to relevant legislation pertaining to occupational health and safety must be adhered to.

17. Should any heritage remains be exposed during excavations or any actions on the site, these must immediately be reported to the Provincial Heritage Resources Authority of the Western Cape, Heritage Western Cape (in accordance with the applicable legislation). Heritage remains uncovered or disturbed during earthworks must not be further disturbed until the necessary approval has been obtained from Heritage Western Cape. Heritage remains include: archaeological remains (including fossil bones and fossil shells); coins; indigenous and/or colonial ceramics; any articles of value or antiquity; marine shell heaps; stone artifacts and bone remains; structures and other built features; rock art and rock engravings; shipwrecks; and graves or unmarked human burials.

A qualified archaeologist must be contracted where necessary (at the expense of the applicant and in consultation with the relevant authority) to remove any human remains in accordance with the requirements of the relevant authority.

18. No mountain biking is allowed along the river banks to aid rehabilitation along the river, prevent erosion and destabilisation of the riverbanks.
19. Construction within the watercourses must only take place during the low flow period.

F. APPEALS

Appeals must comply with the provisions contained in Chapter 7 of the NEMA EIA Regulations.

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.

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; and
 - 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>.

G. DISCLAIMER

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

Your interest in the future of our environment is appreciated.

Yours faithfully



MR. HENRI FORTUIN
DIRECTOR: LAND MANAGEMENT (REGION 1)

DATE OF DECISION: 18-8-14

Copied to: (1) Mr. R. Cole (Total Impact Assessment (Pty) Ltd)
(2) Mr. B. de la Bat (Stellenbosch Municipality)

Fax: (086) 269 1307
Fax: (021) 883 9874

FOR OFFICIAL USE ONLY:

EIA REFERENCE NUMBER:

E12/2/4/1-B4/37-1126/11

NEAS EIA REFERENCE NUMBER:

WCP/EIA/0000759/2011

ANNEXURE 1: REASONS FOR THE DECISION

In reaching its decision, the competent authority, *inter alia*, considered the following:

- a) The information contained in the application form dated 1 December 2011, the EMP submitted together with the Final Basic Assessment report dated November 2013 and the additional information dated 18 June 2014;
- b) Relevant information contained in the Departmental information base, including, the Guidelines on Public Participation and Alternatives (dated March 2013);
- c) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the National Environmental Management Act, 1998 (Act No. 107 of 1998);
- d) The comments received from interested and affected parties and the responses provided thereon, as included in the Final Basic Assessment report dated November 2013;
- e) The comments received from this Department's Directorate: Land Management Region 1 (Planning) component dated 14 February 2014;
- f) The sense of balance of the negative and positive impacts and proposed mitigation measures;

No site visits were conducted. The competent authority had sufficient information before it to make an informed decision without conducting a site visit.

All information presented to the competent authority was taken into account in the consideration of the application for environmental authorisation. A summary of the issues which, according to the competent authority, were the most significant reasons for the decision is set out below.

1. Public Participation

The public participation process included the following:

- An advertisement was placed in "Stellenbosch Gazette", newspaper on 5 June 2012.
- Placement of site notices on 5 June 2012.
- The draft BAR was made available for comment for a period of 40 days from 29 January 2013.
- Circulating the final BAR to registered interested and affected parties ("I&AP's") for comment on 19 October 2013.
- Circulating the additional requested information to CapeNature on 10 July 2014.

All the concerns raised by interested and affected parties were responded to and adequately addressed during the public participation process. Specific management

and mitigation measures have been considered in this environmental authorisation and in the EMP, to adequately address the concerns raised.

The Department concurs with the environmental assessment practitioner's responses to the issues raised during the public participation process and has included appropriate conditions in this environmental authorisation.

2. Alternatives

Alternative 1

This alternative entails establishing 74 housing units with internal roads and parking and open spaces.

This alternative is not preferred for the following reason:

- This alternative will occupy the entire developable area and will impact on the Nuutgevonden constructed wetland. It will also not allow any space for landscaping with indigenous vegetation along the edge of the Cloetesville Stream or for the management of buffer vegetation between the proposed development and the Cloetesville Stream.

Alternative 2 (Herewith authorised)

This alternative entails subdividing the proposed site into 75 erven, of which 71 erven are for residential development, three (3) erven are proposed for private open space and 1 erf for the private street area. A 10m building setback from the Plankenbrug River and a 7m building setback from the drainage channel on the north-western border will be incorporated into the development.

This alternative is preferred for the following reasons:

- This layout considers the recommendations of the freshwater specialist.
- The proposed development will allow for the upgrading of the Cloetesville Stream located on the adjacent property and will also allow for the restoration of natural vegetation along the sections bordering the Plankenbrug River and Cloetesville Stream.

"No-Go" Alternative

The "no-go" option was considered. However, it is not preferred because the site is currently in a state of neglect and the management and rehabilitation of the river banks and riparian zone will not be made possible.

3. Impacts, assessment and mitigation measures

3.1. Activity Need and Desirability

The site is currently in a state of neglect and is comprised of aeroplane hangars and was previously used as an airfield for micro-light aircraft with a raised grass runway. The airfield is no longer functional, since the site is bordered by the Nuutgevonden residential development to the north and the Mount Simon residential development to the south. An airfield is therefore inappropriate in this context. The proposed development is considered to be an infill development between two approved residential developments. The proposed development is in line with the Integrated Development Plan and Development Framework of the Local Municipality.

3.2. Biophysical Impacts

According to the Botanical Specialist Report dated 22 June 2012, compiled by Dr. C. Boucher, the vegetation on the proposed site has been extensively modified as a result of anthropogenic activities such as farming. The site is dominated by alien vegetation and there are no species of conservation concern on the property. Through the proper implementation of the recommendations detailed in the EMP (accepted in Section E, Condition 8), the ecological condition of the site will be positively impacted.

According to the Freshwater Impact Assessment dated June 2012, compiled by Toni Belcher, the Plankenbrug River, which runs along the western boundary of the proposed site, is classified as being largely to severely modified with a low ecological importance and sensitivity. A 10m buffer area will be implemented along the Plankenbrug River. No hard structures will be located within this area. The road across the river will be closed to prevent further erosion and bank destabilization of the river banks. An additional 2-5m buffer area in addition to the 10m was also suggested for pedestrian footpaths and buffer maintenance, however this was not included since the applicant has also committed to upgrade the Cloetesville Stream (stormwater channel from Cloetesville) upstream of the Tweespruit Farm. Associated impacts of the proposed development are addressed in the EMP (accepted in Section E, Condition 8).

In summary, the proposed development is predicted to have both negative and positive impacts.

Negative Impacts:

- The proposed upgrade will result in increased noise levels during the construction phase.
- The proposed upgrade will result in an increase in dust levels during the construction phase.
- The proposal will impact on aquatic ecosystems. Due to the high level of transformation associated with these ecosystems, the impacts are however considered of low significance.

Positive impacts:

- The proposed development will create temporary employment opportunities during the construction phase and permanent opportunities during the operational phase.
- The proposed development will improve drainage across the site and facilitate management of the riparian zone along the Plankenbrug River as well as the upgrading of the Cloetesville Stream.
- The ecological condition of the site will be improved.

The EMP approved as part of this environmental authorisation addresses these impacts adequately.

4. National Environmental Management Act Principles

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

- the effects of decisions on all aspects of the environment to be taken into account;
- the consideration, assessment and evaluation of the social, economic and environmental impacts of activities (disadvantages and benefits), and for decisions to be appropriate in the light of such consideration and assessment;
- the co-ordination and 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 EMP, the competent authority is satisfied that the proposed listed activity 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 activity can be mitigated to acceptable levels.

- Adherence to the NEMA principles,
- Compliance with the conditions stipulated in this environmental authorisation, and
- Compliance with the mitigation measures in the EMP.

-END-

- 17/06/2017
- 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 EMP, the competent authority is satisfied that the proposed listed activity 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 activity can be mitigated to acceptable levels.

- Adherence to the NEMA principles,
- Compliance with the conditions stipulated in this environmental authorisation, and
- Compliance with the mitigation measures in the EMP.

-END-

PROPOSED REZONING AND SUBDIVISION OF Farm 81/4

- (b) "Developer" means the developer and or applicant who applies for certain development rights by means of the above-mentioned land-use application and or his successor-in-title who wish to obtain development rights at any stage of the proposed development;
 - (c) "Engineer" means an engineer employed by the "Municipality" or any person appointed by the "Municipality" from time to time, representing the Directorate: Engineering Services, to perform the duties envisaged in terms of this land-use approval;
2. that no occupation certificates will be issued or taking up of proposed rights will be allowed until sufficient capacity at the Stellenbosch Waste Water Treatment Works is confirmed by the "Engineer". In order to accommodate the development, the "Developer" will be allowed to agree with the "Engineer" on an implementation plan that will reflect development processes by the "Developer", like construction of internal services, parallel to the upgrade of the waste water treatment works;
 3. that should the "Developer" not take up his rights for whatever reason within two years from the date of this memo, a revised Engineering report addressing services capacities and reflecting infrastructure amendments during the two year period, must be submitted to the Directorate: Engineering Services by the "Developer" for further comment and conditions. Should this revised Engineering report confirms that available services capacities is not sufficient to accommodate this development, then the implementation of the development must be re-planned around the availability of bulk services as rate clearance in terms of Section 31 of LUPO will not be supported by the Directorate: Engineering Services for this development if bulk services are not available upon occupation or taking up of proposed rights;
 4. that the "Developer" indemnifies and keep the "Municipality" indemnified against all actions, proceedings, costs, damages, expenses, claims and demands (including claims pertaining to consequential damages by third parties and whether as a result of the damage to or interruption of or interference with the municipalities' services or apparatus or otherwise) arising out of the establishment of the development, the provision of services to the development or the use of servitude areas or municipal property, for a period that shall commence on the date that the installation of services to the development are commenced with and shall expire after completion of the maintenance period.
 5. that the "Developer" must ensure that he / she has an acceptable public liability insurance policy in place;
 6. that the "Developer" approach the Provincial Administration: Western Cape for their input and that the conditions as set by the Provincial Administration: Western Cape be adhered to before Section 31 Clearance Certificate will be issued;
 7. that the "Developer" informs the project team for the proposed development (i.e. engineers, architects, etc.) of all the relevant conditions contained in this approval;
 8. that the General Conditions of Contract for Construction Works (GCC) applicable to all civil engineering services construction work related to this development, will be the SAICE 2nd Edition of 2010;
 9. that the "Developer" takes cognizance and accepts the following:
 - a.) that no construction of any civil engineering services may commence before approval of internal – and external civil engineering services drawings;
 - b.) that no approval of internal – and external civil engineering services drawings will be given before land-use and or SDP approval is obtained;

PROPOSED REZONING AND SUBDIVISION OF Farm 81/4

16. that the detailed design and location of access points, circulation, parking, loading - and pedestrian facilities, etc., shall be generally in accordance with the approved Site Development Plan and / or Subdivision Plan applicable to this application;
17. that plans of all the internal civil services and such municipal link services as required by the Directorate: Engineering Services be prepared and signed by a Registered Engineering Professional before being submitted to the aforementioned Directorate for approval;
18. that the design and construction/alteration of all civil engineering infrastructure shall be generally in accordance with the Standard Conditions imposed by the Directorate: Engineering Services in this respect or as otherwise agreed. The Standard Conditions is available in electronic format and available on request;
19. that the construction of all civil engineering infrastructure shall be done by a registered civil engineering services construction company approved by the "Engineer";
20. that the "Developer" ensures that his/her design engineer is aware of the Stellenbosch Municipality Design Guidelines & Minimum Standards for Civil Engineering Services (BS1028) and that his/her design engineer will comply to the mentioned document or as otherwise agreed in writing with the Directorate: Engineering Services;
21. that all the internal civil services (water, sewer and stormwater), be indicated on the necessary building plans for approval by the Directorate: Engineering Services;
22. that all internal - and link services be inspected by the "Engineer" on request by the "Developer" or his Consulting Engineer;
23. that a practical completion certificate be issued prior to transfer of individual units or utilization of buildings;
24. that a complete set of test results of all internal - and external services (i.e. pressure tests on water - and sewer pipelines as well as densities on road structure and all relevant tests on asphalt), approved and verified by a professional registered engineer be submitted to the "Engineer" on a monthly basis;
25. that the "Developer" shall adhere to the specifications of Telkom (SA) and or any other telecommunications service provider. Copies of all correspondence with Telkom shall be handed over to the "Engineer";
26. that the "Developer" shall be responsible for the cost for any surveying and registration of servitudes regarding services on the property;
27. that the "Developer" be liable for all damages caused to existing civil and electrical services of the "Municipality" relevant to this development. It is the responsibility of the contractor and/or sub-contractor of the "Developer" to determine the location of existing civil and electrical services;
28. that all connections to the existing services be made by the "Developer" under direct supervision of the "Engineer" or as otherwise agreed and all cost will be for the account of the "Developer".
29. that the "Developer" shall install a bulk water meter conforming to the specifications of the Directorate: Engineering Services at his cost at the entrance gate of all private developments before the practical completion inspection is carried out;
30. that the developer takes cognizance of applicable tariffs by Council in respect of availability of services and minimum tariffs payable;

PROPOSED REZONING AND SUBDIVISION OF Farm 81/4

major storm events, be compiled and submitted for approval to the Directorate: Engineering Services.

43. that the approved management plan be implemented by the "Developer", at his/her cost, to the standards of the Directorate: Engineering Services. The management plan, which is to include an attenuation facility, is to be submitted concurrent with the detail services plans;
44. that overland stormwater escape routes be provided in the cadastral layout at all low points in the road layout, or that the vertical alignment of the road design be adjusted in order for the roads to function as overland stormwater escape routes. If this necessitates an amendment of the cadastral layout, it must be done by the "Developer", at his/her cost, to the standards of the Directorate: Engineering Services;
45. that in the case of a sectional title development, the internal stormwater layout be indicated on the necessary building plans to be submitted for approval;
46. that if the stormwater detention facility results in an amendment of the Site Development Plan, the "Developer" will be responsible for the amendment thereof and any costs associated therewith.

Floodplain Management

47. that the 1:50 and 1:100 year flood lines of the Plankenburg river be shown on all plans submitted. The flood lines are to be verified by a suitably qualified registered engineering professional. Where flood lines have not previously been determined, the "Developer" must procure the services of a suitably qualified registered engineering professional to undertake such determinations at his/her own cost. No new development will be allowed under the 1:100 year flood line;
48. The onus is on the "Developer" and his/her professional team to ensure that all floodlines and setback lines are correct and that all relevant legislation is addressed as this approval will in no way give rights to information incorrectly displayed;
49. that the floor level of all buildings be at least 100 mm above the 1:100 year flood level. These levels must be indicated on all building plans submitted and must be certified by a Registered Professional Engineer;
50. that all perimeter fencing below the 1:50 year flood line be visually permeable from ground level and not adversely effects the free flow of water (e.g. palisade fencing). No fences will be allowed across the watercourse;

Roads

51. that no access control will be allowed in public roads;
52. that provision must be made for acceptable stacking distances in front of access control gates;
53. than any amendments to cadastral erven to accommodate access control gates will be for the cost of the "Developer" as these configurations were not available at rezoning and subdivision stage;
54. that, where access control is being provided, a minimum of 2 to 3 visitor's parking bays be provided on site, but outside the entrance gate, for vehicles not granted access to the development;

PROPOSED REZONING AND SUBDIVISION OF Farm 81/4

Development Plan, once approved, which might lead to an increase in the number of units i.e. more than 71 units, will result in the recalculation of the Development Contributions;

78. Bulk infrastructure contribution levies and repayments are subject to VAT and are further subject to the provisions and rates contained in the Act on Value Added Tax of 1991 (Act 89 of 1991) as amended;

Home Owners Association

79. that a Home Owners Association (HOA) be established in accordance with the provisions of section 29 of the Land Use Planning Ordinance no 15 of 1985 and shall come into being upon the separate registration or transfer of the first deducted land unit arising from this subdivision;
80. that the HOA take transfer of the private roads simultaneously with the transfer or separate registration of the first deducted land portion in such phase;
81. that in addition to the responsibilities set out in section 29, the HOA also be responsible for the maintenance of the private roads, street lighting, open spaces, retention facilities and all internal civil services;
82. that the Constitution of the HOA specifically empower the Association to deal with the maintenance of the roads, street lighting, open spaces, retention facilities and all internal civil services;

Green Technologies

83. Peak water demand should be accommodated with supplementary storage and recycling (e.g. rainwater tanks, grey water recycling) of water so that municipal water only be used to satisfy the base demand;
84. Technologies that facilitate the efficient use of irrigation water must be used;
85. Planting of waterwise flora is encouraged;
86. In accordance with the new SANS 10400-XA standard, all new housing should install solar water heating devices;
87. All non-subsidy housing is encouraged to meet the portion of their electrical demand that exceeds 300 kWh per month by generators such as solar photovoltaic panels and solar hot water heating devices;
88. SANS 10400-XA energy efficiency standards should be adhered to in all planning applications for new buildings, major renovations and usage changes;

Solid Waste

89. that it be noted that the Solid Waste Branch will not enter private property, private roads or any access controlled properties for the removal of solid waste;
90. that should it not be an option for the "Municipality" to remove the refuse due to capacity constraints, the "Developer" will have to enter into a service agreement with a service provider approved by the "Municipality";
91. Refuse storage areas shall be designed in accordance with the requirements as specified by the Solid Waste Branch. Minimum size and building specifications is available from the Solid Waste Branch – contact Saleem Haider at 021 – 808 8241;

PROPOSED REZONING AND SUBDIVISION OF Farm 81/4

92. A single, centralised, refuse storage area which is accessible for collection is required for each complete development. The only exception is the case of a single residential dwelling, where a refuse storage area is not required;
93. The refuse storage area shall be large enough to store all receptacles needed for refuse disposal on the premises, including all material intended to recycling. No household waste is allowed to be disposed / stored without a proper 240 l Municipal wheelle bin;
94. The size of the refuse storage area depends on the rate of refuse generation and the frequency of the collection service. For design purposes, sufficient space should be available to store two weeks' refuse;
95. Where the premises might be utilised by tenants for purposes other than those originally foreseen by the building owner, the area shall be sufficiently large to store all refuse generated, no matter what the tenant's business may be;
96. All black 85 l refuse bins or black refuse bags is in the process of being replaced with 240 l black municipal wheeled containers engraved with WC024 in front, and consequently refuse storage areas should be designed to cater for these containers. The dimensions of these containers are:

Commercial and Domestic : 585 mm wide x 730 mm deep x 1100 mm high
97. With regard to flats and townhouses, a minimum of 50 litres of storage capacity per person, working or living on the premises, is to be provided at a "once a week" collection frequency;
98. Should designers be in any doubt regarding a suitable size for the refuse storage area, advice should be sought from the Solid Waste Department : Tel 021 808-8224
99. Building specifications for refuse storage area:

Floor

The floor shall be concrete, screened to a smooth surface and rounded to a height of 75mm around the perimeter. The floor shall be graded and drained to a floor trap (See: Water Supply and Drainage).

Walls and Roof

The Refuse Storage Area shall be roofed to prevent any rainwater from entering. The walls shall be constructed of brick, concrete or similar and painted with light colour high gloss enamel. The height of the room to the ceiling shall be not less than 2.21 metres.

Ventilation and Lighting

The refuse storage area shall be adequately lit and ventilated. The room shall be provided with a lockable door which shall be fitted with an efficient self-closing devise. The door and ventilated area shall be at least 3 metres from any door or window of a habitable room. Adequate artificial lighting is required in the storage area.

Water Supply and Drainage

A tap shall be provided in the refuse storage area for washing containers and cleaning spillage. The floor should be drained towards a 100 mm floor trap linked to a drainage pipe which discharges to a sewer gully outside the building. In some cases a grease gully may be required.

100. Should the refuse storage area be located at a level different from the level of the street entrance to the property, access ramps are to be provided as stairs are not allowed. The maximum permissible gradient of these ramps is 1:7;

PROPOSED REZONING AND SUBDIVISION OF Farm 81/4

109. All As-built drawings are to be signed by a professional engineer who represents the consulting engineering company responsible for the design and or site supervision of civil engineering services;
110. Section 31 Clearance certificates shall not be issued unless said services have been inspected by the "Engineer" and written clearance given, by the "Engineer";

Section 31 Clearance Certificate

111. It is specifically agreed that the "Developer" undertakes to comply with all conditions of subdivision and rezoning as laid down by the "Municipality" before clearance certificates shall be issued, unless otherwise agreed herein;
112. that the "Municipality" reserves the right to withhold any clearance certificate until such time as the "Developer" has complied with conditions set out in this contract with which he is in default. Any failure to pay monies payable in terms of this contract within 30 (thirty) days after an account has been rendered shall be regarded as a breach of this agreement and the "Municipality" reserves the right to withhold any clearance certificate until such time as the amount owing has been paid;
113. that clearance will only be given per phase and the onus is on the "Developer" to phase his development accordingly;
114. The onus will be on the "Developer" and or his professional team to ensure that all land-use conditions have been complied with before submitting an application for a Section 31 Certificate;
115. that any application for Certificate of Clearance will only be supported by the "Engineer" once all relevant as-built detail, as reflected in the Item "AS-BUILT's" of this document, is submitted to the "Engineer" and approved by the "Engineer".

Avoidance of waste, nuisance and risk

116. Where in the opinion of the "Municipality" a lack of maintenance of any service constitutes a nuisance, health or other risk to the public the "Municipality" may give the "Developer" and or HOA written notice to remedy the defect failing which the "Municipality" may carry out the work itself or have it carried out, at the cost of the "Developer" and or HOA.

Streetlighting

117. The "Developer" will be responsible for the design and construction at his own expense of all internal street lighting services and street lighting on link roads leading to his development (excluding Class 1, 2 and 3 Roads) according to specifications determined by the municipality's electrotechnical engineer and under the supervision of the consulting engineer, appointed by the "Developer";
118. Prior to commencing with the design of street lighting services, the consulting electrical engineer, as appointed by the "Developer" must acquaint himself with, and clarify with the municipality's electrotechnical engineer, the standards of materials and design requirements to be complied with and possible cost of connections to existing services;
119. The final design of the complete internal street lighting network of the development must be submitted by the consulting electrical engineer, as appointed by the "Developer", to the

ATTACHMENT X

Geographic Information System (GIS) data capturing standards

In drawing up the As-build Plans relating to this development, the consultant must create the following separate layers in ESRI .shp, electronic file format in order for the data to reflect spatially correct.

Layer name	Content
TITLE	Title information, including any endorsements and
NOTES	All noted information, both from the owner / surveyor and SG
PARENT PROPLINES	Parent property lines
PARENT PROPNUM	Parent erf number (or portion number)
PROPLINES	New portion boundaries
PROPANNO	New erf numbers
SERVLINES	Servitude polygons
SERVANNO	Servitude type
STREET NAMES	Road centre lines with street names
STREET NUMBERS	Points with street numbers
COMPLEX BOUNDARIES	Where applicable, polygon with complex name (mention whether gated or not and if so, where
SUBURB	Polygon with suburb name, where new suburb / township extension created
ESTATE	Where applicable, polygon with estate name (mention whether gated or not and if so, where gates are)

When data is provided in a .shp format it is mandatory that the .shx, .dbf, files should accompany the shapefile. The prj file containing the projection information must also accompany the shapefile.

It is important that different geographical elements for the GIS capture process remains separate. That means that political boundaries like wards or suburbs be kept separate from something like rivers. The same applies for engineering data types like water lines, sewer lines, electricity etc. that it is kept separate from one another. When new properties are added as part of a development, a list of erf numbers with its associated SG numbers must be provided in an electronic format like .txt, .xls or .csv format.

For road layer shapefiles; the road name, the from_street and to_street where applicable as well as the start en end street numbers needs to be included as part of the attributes. A rotation field needs to be added to give the street name the



STELLENBOSCH
 STELLENBOSCH • PNIEL • FRANSCHHOEK
 MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

2014-09-22

Development Contributions (Services Summary)

Project No: 2014/081/04
 Alt Project Ref: Farm 81/4 Tweespruit
 Town Plan Ref: Farm 81/4 Tweespruit
 Project Name: Farm 81/4 Tweespruit
 Location: Stellenbosch
 Developer: The Developer / Owner / Applicant
 Contact:
 Tel No's:
 Ref No:
 VAT No:

Registration Date: 22-Sep-14
 BICLS FY: 2014/5
 BICLS Date: 22-Sep-14
 Project Status: Estimate
 Address:

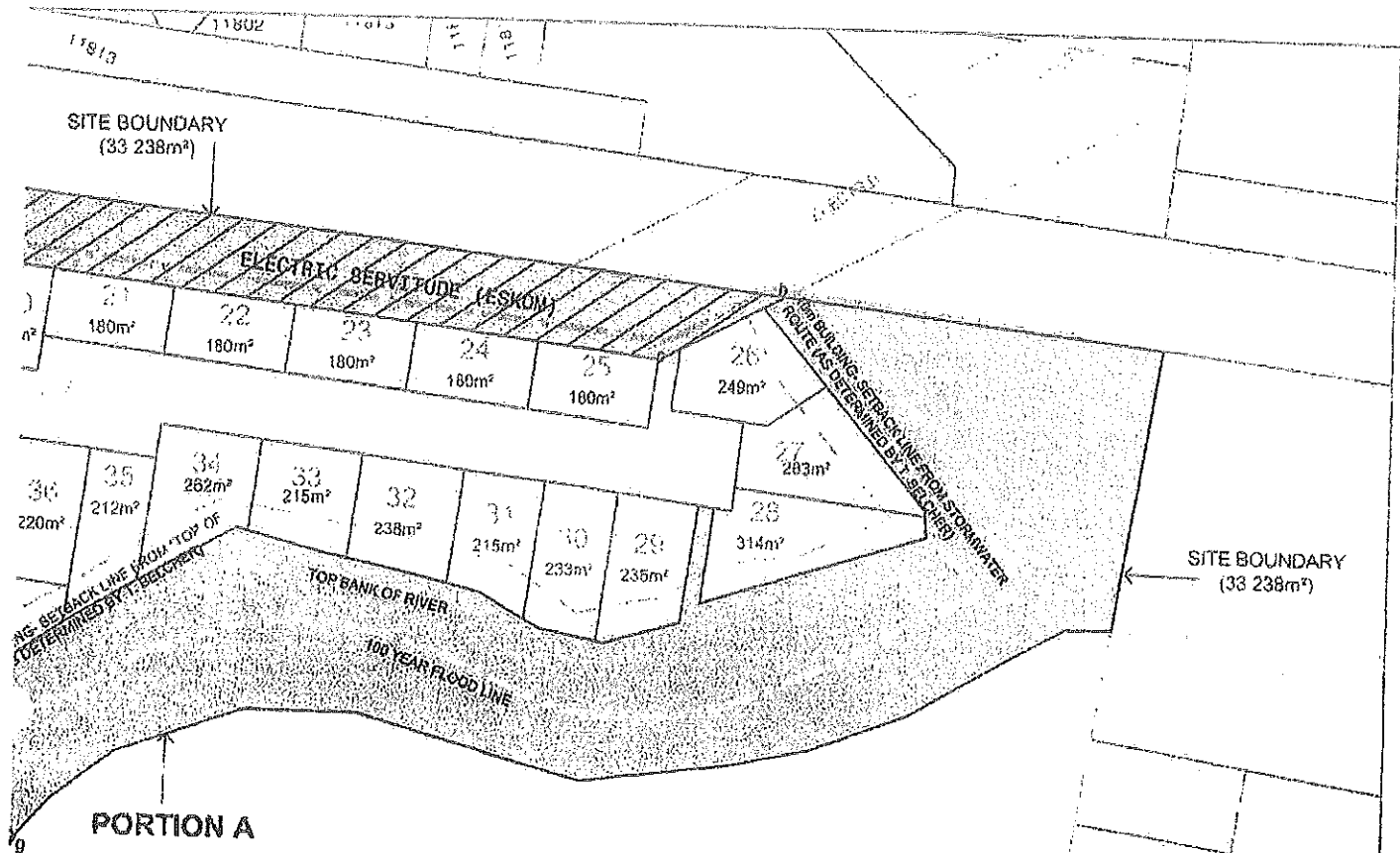
Active: ☒

	Area (m ²)	Contribution	VAT	TOTAL
TOTAL CONTRIBUTION:	33 238	3 127 244 +	437 813 =	3 565 057

Service	Usage	UOM	Contribution	VAT	TOTALS
Roads	276.900	trips/day	1 277 340	178 828	1 456 168
Solid Waste	2.840	t/week	47 888	6 704	54 592
Stormwater	1.725	ha * C	221 605	31 024	252 629
Sewerage	49.700	kl/day	690 731	96 702	787 433
Water	63.900	kl/day	889 680	124 555	1 014 235

Sub Total Contribution for New:	33 238	3 127 244 +	437 813 =	3 565 057
--	---------------	--------------------	------------------	------------------

Service	Usage	UOM	Contribution	VAT	TOTALS
Roads	276.900	trips/day	1 277 340	178 828	1 456 168
Solid Waste	2.840	t/week	47 888	6 704	54 592
Stormwater	1.725	ha * C	221 605	31 024	252 629
Sewerage	49.700	kl/day	690 731	96 702	787 433
Water	63.900	kl/day	889 680	124 555	1 014 235



SERVITUDE
BHT OF WAY

LEGEND:	
	TOP BANK OF RIVER
	100 YEAR FLOODLINE
	MIDDLE OF RIVER
	BUILDING SETBACK LINE FROM TOP OF BANK (AS DETERMINED BY T. BELCHER)
	EUPIED ELECTRICAL CABLE POSITION

STELLENBOSCH MUNICIPALITY

LAND USE MANAGEMENT

THIS SUBDIVISION HAS BEEN APPROVED IN TERMS OF SECTION 25 OF ORDINANCE 15 OF 1955 SUBJECT TO THE CONDITIONS AS SET FORTH HEREIN.

PORTION B

INDER OF FARM 81/4

DIRECTOR: PLANNING & DEVELOPMENT

DATE: 17/11/12



No.	Area	Zone	Area	No.	Area	Zone	Area
1	180m²	Residential Zone III	180	11	180m²	Residential Zone III	180
2	180m²	Residential Zone III	180	12	180m²	Residential Zone III	180
3	180m²	Residential Zone III	180	13	180m²	Residential Zone III	180
4	180m²	Residential Zone III	180	14	180m²	Residential Zone III	180
5	180m²	Residential Zone III	180	15	180m²	Residential Zone III	180
6	180m²	Residential Zone III	180	16	180m²	Residential Zone III	180
7	180m²	Residential Zone III	180	17	180m²	Residential Zone III	180
8	180m²	Residential Zone III	180	18	180m²	Residential Zone III	180
9	180m²	Residential Zone III	180	19	180m²	Residential Zone III	180
10	180m²	Residential Zone III	180	20	180m²	Residential Zone III	180
11	180m²	Residential Zone III	180	21	180m²	Residential Zone III	180
12	180m²	Residential Zone III	180	22	180m²	Residential Zone III	180
13	180m²	Residential Zone III	180	23	180m²	Residential Zone III	180
14	180m²	Residential Zone III	180	24	180m²	Residential Zone III	180
15	180m²	Residential Zone III	180	25	180m²	Residential Zone III	180
16	180m²	Residential Zone III	180	26	180m²	Residential Zone III	180
17	180m²	Residential Zone III	180	27	180m²	Residential Zone III	180
18	180m²	Residential Zone III	180	28	180m²	Residential Zone III	180
19	180m²	Residential Zone III	180	29	180m²	Residential Zone III	180
20	180m²	Residential Zone III	180	30	180m²	Residential Zone III	180
21	180m²	Residential Zone III	180	31	180m²	Residential Zone III	180
22	180m²	Residential Zone III	180	32	180m²	Residential Zone III	180
23	180m²	Residential Zone III	180	33	180m²	Residential Zone III	180
24	180m²	Residential Zone III	180	34	180m²	Residential Zone III	180
25	180m²	Residential Zone III	180	35	180m²	Residential Zone III	180
26	180m²	Residential Zone III	180	36	180m²	Residential Zone III	180
27	180m²	Residential Zone III	180	37	180m²	Residential Zone III	180
28	180m²	Residential Zone III	180	38	180m²	Residential Zone III	180
29	180m²	Residential Zone III	180	39	180m²	Residential Zone III	180
30	180m²	Residential Zone III	180	40	180m²	Residential Zone III	180
31	180m²	Residential Zone III	180	41	180m²	Residential Zone III	180
32	180m²	Residential Zone III	180	42	180m²	Residential Zone III	180
33	180m²	Residential Zone III	180	43	180m²	Residential Zone III	180
34	180m²	Residential Zone III	180	44	180m²	Residential Zone III	180
35	180m²	Residential Zone III	180	45	180m²	Residential Zone III	180
36	180m²	Residential Zone III	180	46	180m²	Residential Zone III	180
37	180m²	Residential Zone III	180	47	180m²	Residential Zone III	180
38	180m²	Residential Zone III	180	48	180m²	Residential Zone III	180
39	180m²	Residential Zone III	180	49	180m²	Residential Zone III	180
40	180m²	Residential Zone III	180	50	180m²	Residential Zone III	180

STELLENBOSCH MUNICIPALITY

LAND USE MANAGEMENT

Sign & Seal: PWV Ltd

Tweespruit Development Farm 81/4 Stellenbosch

Subdivision Plan

FOR APPROVAL