



Prof. W.J. van H Botha
P.O. Box 12824
Brandhof
9324

Attention: Prof. W. Botha
Fax: 051-436 4400

Dear Sir/Madam

APPLICATION FOR THE CONSTRUCTION OF AN ACTIVITY IDENTIFIED IN TERMS OF SECTION 22 OF THE ENVIRONMENT CONSERVATION ACT, 1989 (ACT NO. 73 OF 1989) WHICH HAS REFERENCE TO THE DEVELOPMENT OF A WEEKEND/HOLIDAY RESIDENTIAL SCHEME (50 UNITS) ON PORTION 6 OF 3 OF THE FARM BOSCHBANK 12, DISTRICT OF PARYS

By virtue of the powers delegated in terms of the Environment Conservation Act, 1989 (Act No. 73 of 1989) authorisation in terms of Section 22 of the Act is through the attached Record of Decision granted for:

The development of a weekend/holiday residential scheme (50 units) on portion 6 of 3 of the farm Boschbank 12, District of Parys, listed under (Government Notice No. R 1182 of 05 September 1997) item 1m, the construction or upgrading of public and private resorts and associated infrastructure.

Enclosed please find the record of decision and the conditions under which this application is authorised. This authorisation is only in terms of the Environment Conservation Act and does not exempt the applicant from compliance with any other applicable legislation.

In terms of section 35 of the Environment Conservation Act, 1989 (Act No. 73 of 1989) and regulation 11 of Government Notice R1183, appeals on the record of decision can, within 30 days from the date of this authorisation be lodged with:

**Chief Director
TOURISM, ENVIRONMENTAL
AND ECONOMIC AFFAIRS
Private Bag X20801
Bloemfontein 9300**

Department of Tourism, Environmental and Economic Affairs

OFFICE OF THE DEPUTY DIRECTOR: ENVIRONMENTAL MANAGEMENT

34 MarkGraaff Street - Bloemfontein - 9301 - Private Bag X20801 - Bloemfontein - 9300

☎: 051-400 4842 • 📠: 051-400 4811 • Call Centre: 086 110 2185

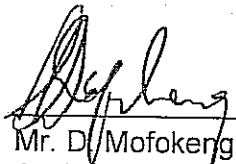
Website: www.freestatel tourism.gov.za

The MEC of the Department of Tourism, Environmental and Economic Affairs
Private Bag X20801
BLOEMFONTEIN
9300

Appeals must comply with the provisions of regulation 11 of the environmental impact assessment regulations, (Government Notice No. R 1183 of 05 September 1997), which reads as follows:

1. An appeal to the Minister or provincial authority under section 35(3) of the Act must be done in writing 30 days from the date on which the record of decision was issued to the applicant in terms of regulation 10(1);
2. An appeal must set out all the facts as well as the grounds of appeal, and must be accompanied by all relevant documents or copies of them which are certified as true by a commissioner of oaths.

Yours faithfully



Mr. D. Mofokeng
Assistant Director, Environmental Management

23/2/03
Date

Chief Director
TOURISM, ENVIRONMENTAL
AND ECONOMIC AFFAIRS
Private Bag X20801
Bloemfontein 9300

APPLICATION FOR AUTHORISATION IN TERMS OF SECTION 22 OF THE ENVIRONMENT CONSERVATION ACT, 1989 (ACT NO. 73 OF 1989): SCHEDULE 1 OF GOVERNMENT GAZETTE NO. R 1182; ACTIVITY 1(m); THE CONSTRUCTION OR UPGRADING OF PUBLIC AND PRIVATE RESORTS AND ASSOCIATED INFRASTRUCTURE.

FILE: EM1/1m/03/175
PROJECT NAME: Development of a weekend/holiday residential scheme (50 units) on portion 6 of 3 of the farm Boschbank 12, District of Parys.

A. BRIEF DESCRIPTION OF THE ACTIVITY

The proposed activity will include the development of 50 holiday/weekend residential units with associated infrastructure. Internal roads construction, sewerage system and waste water treatment facility construction, electricity supply and refuse removal forms part of the project description. The development site is approximately 5 hectares in extent, with its own access road by means of right of way servitude.

B. LOCATION

The site is a riparian property located on portion 6 of 3 of the farm Boschbank 12, in the district of Parys.

C. APPLICANT

Multidirect Investments 156 (Pty) Ltd
P.O. Box 754
Auklandpark
2006

Telephone : 082 885 0017
Fax : 011-432 3728

D. CONSULTANT

Prof. W.J. van H Botha
P.O. Box 12824
Brandhof
9324

Telephone : 051-436 4400
Fax : 051-436 4400

Chief Director
**TOURISM, ENVIRONMENTAL
AND ECONOMIC AFFAIRS**
Private Bag X20801
Bloemfontein 9300

23 FEB 2005

**Department of Tourism, Environmental and
Economic Affairs**

Office of the Deputy Director: Environmental Management
34 Markgraaff Street – Bloemfontein – 9301 – Private Bag X 20801 – Bloemfontein – 9300
☎: (051) 400 4842 – 📠: (051) 400 4811 – Call Centre: 086 110 2185
Website: www.freestate tourism.gov.za

E. SITE VISIT

Danie Krynauw from this department did a visual inspection of the surrounding area for the proposed development sites during March 2004.

F. DECISION

In terms of Section 22 of the Environment Conservation Act, 1989 (Act No. 73 of 1989) the, Chief Director for Environmental Affairs and Conservation of the Department of Tourism, Environmental and Economic Affairs hereby grants authorisation for the execution of the activity described above, subject to the conditions of approval contained in this Record of Decision.

G. CONDITIONS OF APPROVAL:

SPECIFIC

1. This authorisation has been granted solely for the purpose of undertaking the specified activity referred to above. In the event of non-compliance with any of the conditions this authorization will be deemed invalid.
2. An integrated waste management approach must be used that is based on best practices and should incorporate reduction, recycling, re-use and disposal, where appropriate. All waste generated on site during the construction and/or operation of the development must be stored, handled and disposed of in an environmentally acceptable way, and as directed by this Department or any other relevant authority.
3. The recommendations and mitigation measures contained in the final scoping report and its amendments compiled by Prof. W. Botha must be implemented and adhered to. Special attention must be given to the following recommendation:
 - Care must be taken to prevent disturbance of existing vegetation to a minimum, (point 2.9).
4. The conditions stipulated in the Record of Decision (RoD), the recommendations, and mitigation measures contained in the final scoping report shall be a legally binding component of any contract and should therefore be legally enforceable.
5. The land use of the concerned land is strictly controlled in terms of the Vaal River Regional Complex Guideplan 1982. The developer will therefore have to develop this land in accordance with the development guidelines in terms of Annexure "C" of this Guideplan. Special attention should be given to the 100 meter building line restriction from the river border.
6. An architectural theme must be prescribed according to which all building structures will have to be erected and a theme that will compliment the natural surroundings.
7. All recommendations contained in the final scoping report and its appendices which are not covered under the conditions contained in this RoD, must be regarded as conditions in terms of this RoD.

Chief Director
TOURISM, ENVIRONMENTAL
AND ECONOMIC AFFAIRS
Private Bag 12080
Pretoria 0001

23 FEB 2005

8. In case of non-compliance with regulations the burden of proof rests with the applicant and/or the relevant contractor.
9. Construction and operational phase's environmental impacts must be managed through the use of an Environmental Management Plan; such a plan must be made available to this Department for approval before any construction of the said development can continue. This plan must include but not be limited to the following aspects:
 - Safety and Access control;
 - Staff (operational phase);
 - Dust control;
 - Fire prevention and control;
 - Labour issues (construction phase);
 - Noise disturbance;
 - River and riparian zone;
 - Invasive vegetation;
 - Landscaping (trees to be planted around structures);
 - Water use;
 - Drainage;
 - Stormwater runoff;
 - Soil preservation;
 - Rehabilitation;
 - Source of construction material;
 - Waste management and pollution control during construction phase;
 - Waste management and pollution control during operational phase;
 - Water quality monitoring;
 - Responsible parties.
10. The applicant must appoint an environmental control officer to ensure that the conditions stipulated in this RoD, the recommendations, mitigation measures and the EMP are complied with. The name and contact details of such an officer must be announced and forwarded to this department before construction activities commence.
11. The environmental control officer must ensure on an ongoing basis, that the construction contractor executes his activities according to a signed contract. Monthly progress reports must be submitted to this Department. Also, these reports must be communicated to the directly affected residents for information and ongoing public participation throughout the construction phase.
12. Gravel quarries that will be used to obtain gravel for this project in any manner must have proof of a mining permit issued by the Department of Minerals and Energy.
13. This department reserves the right to monitor and audit the development throughout its full life cycle to ensure that it complies with the conditions stipulated in this RoD, the recommendations, and mitigation measures contained in the final scoping reports and an approved EMP.
14. If topsoil need to be stripped, it should be stored separately and used for the effective re-vegetation of rehabilitated areas.

Chief Director
TOWN, ENVIRONMENTAL
AND ECONOMIC AFFAIRS
Private Bag 20801
Blenheim 9500

The following **general conditions** must be complied with:

15. This Authorisation is granted in terms of Section 28A of the Environment Conservation Act, 1989 (Act No. 73 of 1989) and does not exempt the holder from compliance with other relevant Legislation.
16. The applicant must advertise this Record of Decision to notify interested and affected parties of this authorisation and their right to appeal against the Record of Decision, within 30 days from the approval date of the ROD.
17. The authorised activity, including site preparation, may not commence before the statutory 30-day appeal period expires. The 30-day appeal period starts from the date of advertising this Record of Decision.
18. This authorisation refers only to the project specified and described in this Record of Decision.
 - a. Changes in the proposal resulting in significant environmental impacts are only permissible if approved in writing by the Department.
 - b. The Department reserves the right to amend and review the conditions of authorisation every 5 years.
19. The Department must be notified, within 30 days thereof, of any change of ownership and/or project developer. Conditions imposed in this Record of Decision must be made known to the new owner and/or developer and are binding on the new owner and/or developer.
20. The Department must be notified of any change of address of the owner and/or developer.
21. The conditions of the authorisation should be brought to the attention of all persons (employees, sub-consultants etc.) associated with the undertaking of this activity to bind such persons to these conditions.
22. The owner and/or developer must notify the relevant authority, in writing, within 24 hours thereof if any condition of this authorisation is not adhered to.
23. Proof of compliance with the conditions described in the Record of Decision must be forwarded to the Department one week prior to the commencement of construction or operation of the development (as appropriate).
24. Records related to compliance / non-compliance with conditions of this authorisation must be kept in good order. Such records should be made available to this Department within seven (7) days from the date of written request from this Department.
25. Non-compliance with or any deviation from the conditions of this authorisation as set out in the Record of Decision is regarded as an offence, and after reasonable provision has been given for remedial action, will be dealt with in terms of Section 29, 30 and 31A of the Environment Conservation Act (Act No. 73 of 1989) as well as any other appropriate legal mechanisms.
26. The applicant shall be responsible for all costs necessary to comply with the above conditions unless otherwise specified.

Provincial Government, Local Authority, or committees appointed in terms of the conditions of the application or any other public authority or organisation shall not be held responsible for any damages or losses suffered by the developer or his successor in title in any instance where construction or operation subsequent to construction be temporarily or permanently stopped for reasons of non-compliance by the developer with the conditions of approval as set out in this document or any other subsequent document emanating from these conditions of approval.

H. KEY FACTORS FOR THE DECISION

The department's authorisation is based upon a review of the final scoping report and its amendments compiled by Prof. W. Botha. The final scoping report concludes that, provided the applicant implements the mitigation measures and recommendations as outlined and contained in the report, the proposed development will have a negligible impact on the natural environment. While a number of environmental impacts have been identified, none of these are considered so severe after mitigation as to prevent the further planning and design and construction of the proposed development.

The environmental impact assessment complies with the requirements of the EIA regulations. Information submitted by the independent environmental consultant is deemed to be sufficient and adequate to make an informed decision.

Negative environmental impacts associated with the project can be sufficiently mitigated, provided the conditions contained in this record of decision are implemented and adhered to.

I. DURATION AND DATE OF EXPIRY

This authorisation shall lapse if the activity does not commence within two years of the date of issue of this authorisation.

Chief Director
TOURISM, ENVIRONMENTAL
AND ECONOMIC AFFAIRS
Private Bag X20801
Bloemfontein 9300

23 FEB 2005

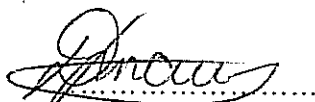
J. APPEAL

Section 35 of the Environment Conservation Act, 1989 (Act No. 73 of 1989), makes provision for appeal by any person who feels aggravated by a decision made by a relevant authority in terms of these regulations. "Any person", therefore includes the applicant, interested party or member of the public.

An appeal to the MEC of the Department of Tourism, Environmental & Economic Affairs under section 35 (3) of the Environment Conservation Act, 1989 (Act No. 73 of 1989), must be done in writing within 30 days from the date on which the Record of Decision was issued to the applicant in terms of regulation 10(1) and should be directed to:

MEC (Tourism, Environmental & Economic Affairs)
Private Bag X20801
BLOEMFONTEIN
9300

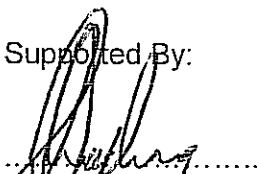
Compiled By:



Mr. D. Krynauw
(Principal Environmental Officer, EIA-Section)

10/02/2005
Date

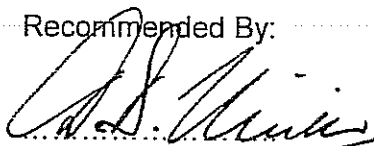
Supported By:



Mr. D. Mofokeng
(Acting Deputy Director, Environmental Management)

10/02/05
Date

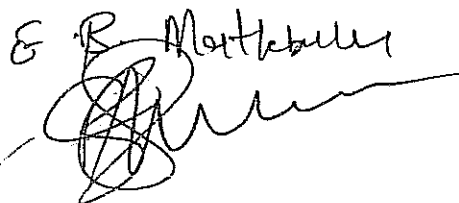
Recommended By:



Dr. D. Muller
(Acting Director, Environmental Affairs)

10/02/2005
Date

Approved By:



Mr. K.J. Khotle
(Chief Director, Environmental Affairs and Conservation)

18 Feb 2005
Date

Chief Director
TOURISM, ENVIRONMENTAL
AND ECONOMIC AFFAIRS
Private Bag X20801
Bloemfontein 9300

23 FEB 2005



RECORD OF DECISION

APPLICATION FOR AUTHORISATION IN TERMS OF SECTION 22 OF THE ENVIRONMENT CONSERVATION ACT, 1989 (ACT NO. 73 OF 1989); SCHEDULE 1 OF GOVERNMENT GAZETTE NO. R 1182; ACTIVITY 1(m); THE CONSTRUCTION OR UPGRADING OF PUBLIC AND PRIVATE RESORTS AND ASSOCIATED INFRASTRUCTURE.

FILE: EM1/1m/03/175
PROJECT NAME: Development of a weekend/holiday residential scheme (50 units) on portion 6 of 3 of the farm Boschbank 12, District of Parys.

A. BRIEF DESCRIPTION OF THE ACTIVITY

The proposed activity will include the development of 50 holiday/weekend residential units with associated infrastructure. Internal roads construction, sewerage system and waste water treatment facility construction, electricity supply and refuse removal forms part of the project description. The development site is approximately 5 hectares in extent, with its own access road by means of right of way servitude.

B. LOCATION

The site is a riparian property located on portion 6 of 3 of the farm Boschbank 12, in the district of Parys.

C. APPLICANT

Multidirect Investments 156 (Pty) Ltd
P.O. Box 754
Aucklandpark
2006

Telephone : 082 885 0017
Fax : 011-432 3728

D. CONSULTANT

Prof. W.J. van H Botha
P.O. Box 12824
Brandhof
9324

Telephone : 051-436 4400
Fax : 051-436 4400

Chief Director
**TOURISM, ENVIRONMENTAL
AND ECONOMIC AFFAIRS**
Private Bag X20801
Bloemfontein 9300

23 FEB 2005

**Department of Tourism, Environmental and
Economic Affairs**

Office of the Deputy Director: Environmental Management
34 Markgraff Street - Bloemfontein - 9301 - Private Bag X 20801 - Bloemfontein - 9300
T: (051) 400 4842 - F: (051) 400 4811 - Call Centre: 086 110 2185
Website: www.tourism.gov.za

E. SITE VISIT

Danie Krynauw from this department did a visual inspection of the surrounding area for the proposed development sites during March 2004.

F. DECISION

In terms of Section 22 of the Environment Conservation Act, 1989 (Act No. 73 of 1989) the, Chief Director for Environmental Affairs and Conservation of the Department of Tourism, Environmental and Economic Affairs hereby grants authorisation for the execution of the activity described above, subject to the conditions of approval contained in this Record of Decision.

G. CONDITIONS OF APPROVAL:

SPECIFIC

1. This authorisation has been granted solely for the purpose of undertaking the specified activity referred to above. In the event of non-compliance with any of the conditions this authorization will be deemed invalid.
2. An integrated waste management approach must be used that is based on best practices and should incorporate reduction, recycling, re-use and disposal, where appropriate. All waste generated on site during the construction and/or operation of the development must be stored, handled and disposed of in an environmentally acceptable way, and as directed by this Department or any other relevant authority.
3. The recommendations and mitigation measures contained in the final scoping report and its amendments compiled by Prof. W. Botha must be implemented and adhered to. Special attention must be given to the following recommendation:
 - Care must be taken to prevent disturbance of existing vegetation to a minimum, (point 2.9).
4. The conditions stipulated in the Record of Decision (RoD), the recommendations, and mitigation measures contained in the final scoping report shall be a legally binding component of any contract and should therefore be legally enforceable.
5. The land use of the concerned land is strictly controlled in terms of the Vaal River Regional Complex Guideplan 1982. The developer will therefore have to develop this land in accordance with the development guidelines in terms of Annexure "C" of this Guideplan. Special attention should be given to the 100 meter building line restriction from the river border.
6. An architectural theme must be prescribed according to which all building structures will have to be erected and a theme that will compliment the natural surroundings.
7. All recommendations contained in the final scoping report and its appendices which are not covered under the conditions contained in this RoD, must be regarded as conditions in terms of this RoD.

Chief Director
TOURISM, ENVIRONMENTAL
AND ECONOMIC AFFAIRS
Private Bag 420801
Stellenbosch 7530

23 FEB 2005

8. In case of non-compliance with regulations the burden of proof rests with the applicant and/or the relevant contractor.
9. Construction and operational phase's environmental impacts must be managed through the use of an Environmental Management Plan; such a plan must be made available to this Department for approval before any construction of the said development can continue. This plan must include but not be limited to the following aspects:
 - Safety and Access control;
 - Staff (operational phase);
 - Dust control;
 - Fire prevention and control;
 - Labour issues (construction phase);
 - Noise disturbance;
 - River and riparian zone;
 - Invasive vegetation;
 - Landscaping (trees to be planted around structures);
 - Water use;
 - Drainage;
 - Stormwater runoff;
 - Soil preservation;
 - Rehabilitation;
 - Source of construction material;
 - Waste management and pollution control during construction phase;
 - Waste management and pollution control during operational phase;
 - Water quality monitoring;
 - Responsible parties.
10. The applicant must appoint an environmental control officer to ensure that the conditions stipulated in this RoD, the recommendations, mitigation measures and the EMP are complied with. The name and contact details of such an officer must be announced and forwarded to this department before construction activities commence.
11. The environmental control officer must ensure on an ongoing basis, that the construction contractor executes his activities according to a signed contract. Monthly progress reports must be submitted to this Department. Also, these reports must be communicated to the directly affected residents for information and ongoing public participation throughout the construction phase.
12. Gravel quarries that will be used to obtain gravel for this project in any manner must have proof of a mining permit issued by the Department of Minerals and Energy.
13. This department reserves the right to monitor and audit the development throughout its full life cycle to ensure that it complies with the conditions stipulated in this RoD, the recommendations, and mitigation measures contained in the final scoping reports and an approved EMP.
14. If topsoil need to be stripped, it should be stored separately and used for the effective re-vegetation of rehabilitated areas.

Chief Director
TOURISM, ENVIRONMENTAL
AND ECONOMIC AFFAIRS
Private Bag 20800
Blenheim 9100

2 3 1 1 1 1

The following general conditions must be complied with:

15. This Authorisation is granted in terms of Section 28A of the Environment Conservation Act, 1989 (Act No. 73 of 1989) and does not exempt the holder from compliance with other relevant Legislation.
16. The applicant must advertise this Record of Decision to notify interested and affected parties of this authorisation and their right to appeal against the Record of Decision, within 30 days from the approval date of the ROD.
17. The authorised activity, including site preparation, may not commence before the statutory 30-day appeal period expires. The 30-day appeal period starts from the date of advertising this Record of Decision.
18. This authorisation refers only to the project specified and described in this Record of Decision.
 - a. Changes in the proposal resulting in significant environmental impacts are only permissible if approved in writing by the Department.
 - b. The Department reserves the right to amend and review the conditions of authorisation every 5 years.
19. The Department must be notified, within 30 days thereof, of any change of ownership and/or project developer. Conditions imposed in this Record of Decision must be made known to the new owner and/or developer and are binding on the new owner and/or developer.
20. The Department must be notified of any change of address of the owner and/or developer.
21. The conditions of the authorisation should be brought to the attention of all persons (employees, sub-consultants etc.) associated with the undertaking of this activity to bind such persons to these conditions.
22. The owner and/or developer must notify the relevant authority, in writing, within 24 hours thereof if any condition of this authorisation is not adhered to.
23. Proof of compliance with the conditions described in the Record of Decision must be forwarded to the Department one week prior to the commencement of construction or operation of the development (as appropriate).
24. Records related to compliance / non-compliance with conditions of this authorisation must be kept in good order. Such records should be made available to this Department within seven (7) days from the date of written request from this Department.
25. Non-compliance with or any deviation from the conditions of this authorisation as set out in the Record of Decision is regarded as an offence, and after reasonable provision has been given for remedial action, will be dealt with in terms of Section 29, 30 and 31A of the Environment Conservation Act (Act No. 73 of 1989) as well as any other appropriate legal mechanisms.
26. The applicant shall be responsible for all costs necessary to comply with the above conditions unless otherwise specified.

Chief Director
TOURISM, ENVIRONMENTAL
AND ECONOMIC AFFAIRS
PRIVATE MAIL ROOM
BROOKLYN ROAD 9300

2011/11/14

Provincial Government, Local Authority, or committees appointed in terms of the conditions of the application or any other public authority or organisation shall not be held responsible for any damages or losses suffered by the developer or his successor in title in any instance where construction or operation subsequent to construction be temporarily or permanently stopped for reasons of non-compliance by the developer with the conditions of approval as set out in this document or any other subsequent document emanating from these conditions of approval.

H. KEY FACTORS FOR THE DECISION

The department's authorisation is based upon a review of the final scoping report and its amendments compiled by Prof. W. Botha. The final scoping report concludes that, provided the applicant implements the mitigation measures and recommendations as outlined and contained in the report, the proposed development will have a negligible impact on the natural environment. While a number of environmental impacts have been identified, none of these are considered so severe after mitigation as to prevent the further planning and design and construction of the proposed development.

The environmental impact assessment complies with the requirements of the EIA regulations. Information submitted by the independent environmental consultant is deemed to be sufficient and adequate to make an informed decision.

Negative environmental impacts associated with the project can be sufficiently mitigated, provided the conditions contained in this record of decision are implemented and adhered to.

I. DURATION AND DATE OF EXPIRY

This authorisation shall lapse if the activity does not commence within two years of the date of issue of this authorisation.

Chief Director
TOURISM, ENVIRONMENTAL
AND ECONOMIC AFFAIRS
Private Bag X20001
Bloemfontein 9300

23 FEB 2005

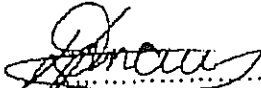
J. APPEAL

Section 35 of the Environment Conservation Act, 1989 (Act No. 73 of 1989), makes provision for appeal by any person who feels aggravated by a decision made by a relevant authority in terms of these regulations. "Any person", therefore includes the applicant, interested party or member of the public.

An appeal to the MEC of the Department of Tourism, Environmental & Economic Affairs under section 35 (3) of the Environment Conservation Act, 1989 (Act No. 73 of 1989), must be done in writing within 30 days from the date on which the Record of Decision was issued to the applicant in terms of regulation 10(1) and should be directed to:

MEC (Tourism, Environmental & Economic Affairs)
Private Bag X20801
BLOEMFONTEIN
9300

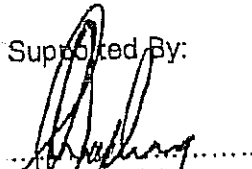
Compiled By:


.....
Mr. D. Krynauw

(Principal Environmental Officer, EIA-Section)

10/02/2005
.....
Date

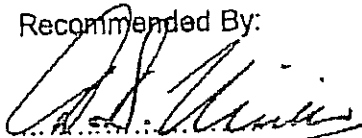
Supported By:


.....
Mr. D. Mofokeng

(Acting Deputy Director, Environmental Management)

10/2/05
.....
Date

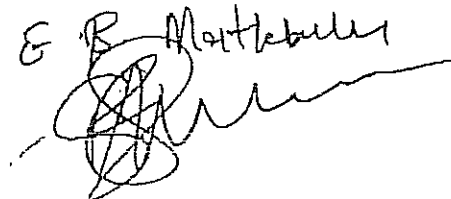
Recommended By:


.....
Dr. D. Muller

(Acting Director, Environmental Affairs)

10/02/2005
.....
Date

Approved By:


.....
Mr. K.J. Khotle

(Chief Director, Environmental Affairs and Conservation)

18 Feb 2005
.....
Date

Chief Director
TOURISM, ENVIRONMENTAL
AND ECONOMIC AFFAIRS
Private Bag X20801
Bloemfontein 9300

23 FEB 2005