



Enquiries

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File Ref: 18/2103/PB

10 December 2018

Attention: Mrs S. Vogel

Tel: 044 553 5194

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Dear Sir

OSCAER PERMIT IN TERMS OF THE ENVIRONMENTAL CONSERVATION ACT, 1989 (ACT 107 OF 1989) AND THE OUTENIQUA SENSITIVE COASTAL AREA EXTENTION REGULATIONS: THE DISTURBANCE OF VEGETATION AND EARTHWORKS ON ERF 2103, PIESANG VALLEY, PLETTENBERG BAY IN BITOU MUNICIPALITY

The information provided by Mr Rushdi Salie of Scott and Partners Architects regarding the construction of a residential dwelling and associated infrastructure refers.

A. DESCRIPTION OF THE ACTIVITY

Disturbance of vegetation and earthworks: The proposed activity entails the construction of a single residential dwelling consisting of a double storey house and basement; decking and boardwalks; access and parking areas; pavilion for entertaining guests as well as a gatehouse and guardhouse. The construction is to occur on Erf 2103 within the areas as specified on the Site Plan (Drawing Number: VOG/WD1.1) as drawn by Scott and Partners and attached as Annexure 1 to this permit.

B. LOCATION

The proposed works are to occur on Erf 2103 within the areas as specified on the Site Plan (Drawing Number: VOG/WD1.1) as drawn by Scott and Partners and attached as Annexure 1 to this permit as part of the Environmental Authorisation (EA) granted for the construction of the single residential dwelling and access road (DEAD&P Ref. No: 16/3/3/1/D1/3/0004/18).

SG 21 Digit Code:	C03900080000210300000
Centre Point GPS Co-ordinates:	34° 03' 36.94" South 23° 21' 49.15" East

C. APPLICANT

Ms. Saskia Vogel
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D. ENVIRONMENTAL CONSULTANT

Mrs. Melissa Mackay
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E. ARCHITECT

Mr Rushdi Salie
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F. DECISION

In terms of section 21 (1) of the Environment Conservation Act, 1989 (Act 73 of 1989) regarding identified activities concerning the Outeniqua Sensitive Coastal Area extension, the Bitou Municipality (as defined in terms of Government Notice No. R1528 of 27 November 1998), hereby issues a permit with conditions for the execution of the activity as described above.

G. KEY FACTORS AFFECTING THE DECISION

The proposed activities have previously undergone an Environmental Assessment Process and obtained Environmental Authorisation on the 17th September 2018. The building plans and subsequent information submitted indicate that the proposed construction of the dwelling will occur within areas that have previously undergone environmental impact assessment and that have incorporated recommendations from specialists during the impact assessment into the Site Plan. As such an OSCAER permit is being granted to undertake the works as specified in the Environmental Management Plan (EMP) and Environmental Authorisation. All works are to be undertaken in compliance with the approved EMP and as such no further assessment was deemed necessary.

H. CONDITIONS OF THE PERMIT

The applicant must adhere to but is not limited to the following:

Scope and General Matters

1. This permit is only applicable to the proposed construction a single residential dwelling and associated parking and access activities as per the EA issued on the 17th of September 2018 (DEAD&P Ref No. 16/3/3/1/D1/3/0004/18) and the proposed Site Plan by Scott and Partners attached as Annexure 1. This permit also grants permission to undertake any and all clearing of Alien Invasive Plant Species as listed in Alien Invasive Regulations, 2014. Clearing is to occur in a manner not causing degradation to the natural environment. Any other or new activities on the site are subjected to the OSCAE Regulation in terms of Government Notice No. R879 of May 1996 and it is the owner's responsibility to ensure compliance with these regulations.

2. The applicant must give the municipality one week (7 days) written notice before commencement of the activities. Such notice shall make clear reference to the site location details and reference number given above.

Compliance and Monitoring

3. The applicant shall be responsible for ensuring compliance with the conditions of the permit by any person acting on his / her behalf, including employees, the consultant, the contractor and any other person rendering a service to the applicant with regard to the activity.
4. The applicant shall only hand over and give access to the site to a contractor after receipt of a written confirmation by the contractor that the conditions of authorisation herein will be adhered to.
5. The applicant is to appoint a suitably qualified Environmental Control Officer (ECO) who has adequate environmental knowledge to understand and implement the conditions as set out in this permit. This ECO is to monitor the clearing of vegetation and construction of the proposed protection measures and whether all works are done in accordance with this permit and approved Environmental Management Plan. The ECO is to keep a photographic record of the site and is to submit monthly reports to the Bitou Municipality.
6. In the event of non-compliance and resultant damage to the environment, the Municipality may require that remedial measures be undertaken to its satisfaction, at the cost of the applicant
7. A copy of this permit must be kept on site for the duration of the authorised activity on completion of the proposed activities; waste material of any description must be removed from the site and disposed of at a licensed landfill site.
8. The applicant must compile and submit an audit report to the Municipality on completion of the clearing/construction activities.
 - 8.1. The audit report must indicate the date on which the clearing of vegetation was completed as well as details with regard to compliance with the conditions of this permit.
 - 8.2. If the audit report is not submitted, the Municipality may give 30 days' written notice and may have such a monitoring report undertaken at the expense of the applicant and may authorise a person to take such measures necessary for this purpose.

General Conditions

9. The disturbance of protected plant species is not part of this permit and should be the subject of a separate application directed to the Department of Agriculture, Forestry and Fisheries. A license to remove protected trees must be issued to the land owner/his representative on application for a license by DAFF, as required by the National Forest Act, 84 of 1998 as amended (NFA), to cut, disturb, damage or destroy Natural Forest. An application to remove such trees, if applicable, can only be submitted once the building plans for the proposed building are approved by Bitou Municipality.
10. Removal of protected trees and forest prior to a NFA license being issued is an offence under the provisions of the NFA and can lead to prosecution, even with the OSCAER permit already being issued by the municipality.
11. In terms of the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004), Alien and Invasive Species Regulations, 2014, specific alien plant species are prohibited and should be removed, without the use of heavy machinery and without disturbing the topsoil. The owner is to ensure that they comply with the relevant legislation.
12. Under no circumstances will mechanical clearing be allowed in wetland areas or steep slopes. Alien vegetation, if applicable, shall be removed by hand in any wetland areas and on steep slopes.
13. The contractor shall provide suitable containerised or chemical toilet facilities or any other approved toilet facilities to be placed on site in such a way that it will not cause water or other environmental pollution. Toilets shall be of a neat construction and must have doors and locks and secured so that they can't blow over. Toilets should be supplied at a ratio of 1 toilet for every 15 workers on site.

14. That construction activity should be restricted to normal working hours (08h00 to 17h00).
15. No fires are permitted on site. Adequate firefighting equipment must be available on site and be in good working order.

Environmental Conditions

16. All works are to comply with the existing and approved Environmental Management Plan by CapeEAPrac dated 1 June 2018.
17. All trees and woody vegetation must be removed by hand (using any form of handheld tools and equipment). Felled vegetation that is removed from the property to be disposed of may only be disposed of at the Municipal waste disposal site or approved transfer station or to a permitted re-user, e.g. compost plant, bio-fuel energy plant, etc.
18. Vegetation may be disposed of onsite through chipping, grinding or other mechanical means to maintain material as soil cover / compost.
19. Indigenous plants outside of the building footprint or wild animals may not be harmed in any way.
20. Any incident regarding any harm to wild animals or indigenous plants must be reported to the Director: Economic Development and Planning of Bitou Municipality.
21. During the clearing of vegetation, the contractor shall protect areas susceptible to erosion by installing all the necessary temporary and permanent erosion protection works at the earliest possible stage of clearing and before vacating the site. All potentially unstable slopes must be avoided and disturbance effectively stabilised where applicable.
22. The contractor must at all times maintain supervision of the site and ensure that all workers are aware of and comply with the conditions of authorisation.
23. The disturbance of natural vegetation should be kept to a minimum and restricted to the footprint. The working and access area is to be clearly demarcated in order to prevent access and disturbance to areas outside the footprint. An appropriate method of demarcation of the site should be agreed with the ECO. All demarcations must be maintained throughout the construction period. These areas are to be strictly treated as No-Go areas by the appointed contractor and his labourers.
24. All topsoil from construction areas is to be stockpiled and re-used on the property. Topsoil is a valuable material and should not be lost.
25. The contractor is to ensure that no organic waste, surplus food or general pollution is dumped by his employees on the site but that they make use of weather and scavenger proof waste bins that are to be emptied on a regular basis.
26. Hazardous materials kept on site must be contained in suitable leak proof containers and put in a safe place with suitable signage to identify it as a hazardous storage area.

I. DURATION AND DATE OF EXPIRY

This permit is valid for five years and shall lapse if the activity does not commence within two years of the date of issue.

Yours faithfully,



Chris Schliemann

Manager: Town Planning

Date of Decision: 10 December 2018

Cc

Scott and Partners
CapeEAPrac Cape Environmental Assessment Practitioners
DEAD&P (Shireen Pullen)