



# Hiland Associates

## Environmental Management Consultants

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GEO10/241b/02  
16 Augustus 2010

Dear Interested & Affected Party / Stakeholder

VIA FAX/EMAIL

**RE: ENVIRONMENTAL AUTHORISATION – PROPOSED CONSTRUCTION OF A RETIREMENT VILLAGE, GOLF LODGES AND A HOTEL ON THE EXISTING KINGSWOOD GOLF ESTATE, GEORGE**

**DEADP REF.: EG12/2/3/1-D2/11-1045/08**

Hiland Associates would like to thank you for your involvement during the environmental process for the Proposed construction of a Retirement Village, Golf Lodges and Hotel on the existing Kingswood Golf Estate, George and would like to inform you on behalf of the applicant, that the Department of Environmental Affairs & Development Planning (DEADP) has issued a Record of Decision, (05 August 2010) [DEADP Ref: **EG12/2/3/1-D2/11-1045/08**].

The decision was to **authorise** the redevelopment of the approved Kingswood Golf Estate to include a 255 unit retirement village with 75 sectional title apartments, 40 assisted living units and a 24 bed frail care facility, plus general recreational activities for retirement; and 114 golf lodges and a 45 suite hotel with ancillary facilities, plus the required associated infrastructure (access, internal roads, sewerage, storm water and water). A full copy of the Environmental Authorisation is attached.

The activities that were applied for as identified in Government Notice R386 of 21 April 2006, were as follows:

**Activity No. 1(k)** The construction of facilities or infrastructure, including associated structures or infrastructure, for –  
the bulk transportation of sewage and water, including storm water, in pipelines with -  
(i) an internal diameter of 0,36 metres or more; or  
(ii) a peak throughput of 120 litres per second or more;

**Activity No. 1(m)** any purpose in the one in ten year flood line of a river or stream, or within 32 metres from the bank of a river or stream where the flood line is unknown, excluding purposes associated with existing residential use, but including -  
(iii) canals;  
(iv) channels;  
(v) bridges;  
(vi) dams; and  
(vii) weirs;

**Activity No. 15** The construction of a road that is wider than 4 metres or that has a reserve wider than 6 metres, excluding roads that fall within the ambit of another listed activity or which are access roads of less than 30 metres long.

The activities that were applied for as identified in Government Notice R387 of 21 April 2006, were as follows:

**Activity No. 2** Any development activity, including associated structures and infrastructure, where the total area of the developed area is, or is intended to be, 20 hectares or more.

The following activities that were applied for as identified in Government Notice R544 of 18 June 2010, (new NEMA regulations that replace the previous NEMA regulations after the 2 August 2010) are as follows:

**Activity No. 9** The construction of facilities or infrastructure exceeding 1000 metres in length for the bulk transportation of water, sewage or storm water –

(i) with an internal diameter of 0,36 metres or more;

(ii) a peak throughput of 120 litres per second or more, excluding

where:

a. such facilities or infrastructure are for bulk transportation of water, sewage or storm water drainage inside a road reserve; or

b. where such construction will occur within urban areas but further than 32 metres from the edge of the water course.

**Activity No. 11** The construction of:

(vi) bulk storm water outlet structures,

(xi) infrastructure or structures covering 50 square metres or more where such construction occurs within a watercourse or within 32 metres of a watercourse, measured from the edge of a watercourse, excluding where such construction will occur behind the development setback line.

**Activity No. 22** The construction of a road, outside urban areas:

(i) with a reserve wider than 13.5 metres or,

(ii) where no reserve exists where the road is wider than 8 metres, or

(iii) for which an environmental authorisation was obtained for the route determination in terms of activity 5 in Government Notice 387 of 2006 or activity 18 in Notice 545 of 2010.

**Activity No. 23** The transformation of undeveloped, vacant or derelict land to –

(i) residential, retail, commercial, recreational, industrial or institutional use, inside and urban area, and where the total area to be transformed is 5 hectares or more, but less than 20 hectares, except where such transformation takes place for linear activities.

The activities that were applied for as identified in Government Notice R545 of 18 June 2010, were as follows:

**Activity No. 15** Physical alteration of undeveloped, vacant or derelict land for residential, retail, commercial, recreational, industrial or institutional use where the total area to be transformed is 20 hectares or more; except where such physical alteration takes place for:

(i) linear development activities; or

(ii) agriculture or afforestation where activity 16 in this schedule will apply.

The activities that were applied for as identified in Government Notice R546 of 18 June 2010, were as follows:

- Activity No. 4** The construction of a road wider than 4 metres with a reserve less than 13,5 metres.
- (d)** In Western Cape
- (i) All areas outside urban areas;
  - (ii) In urban areas:
    - (aa) Areas zoned for use as public open space within urban areas; and
    - (bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, or zoned for a conservation purpose.

- Activity No. 6** Construction of resorts, lodges or other tourism accommodation facilities that sleep 15 people or more.
- (d)** In the Western Cape:
- (i) In an estuary;
  - (ii) All areas outside urban areas;
  - (iii) In urban areas:
    - (aa) Areas seawards of the development setback line or within 1 kilometre from the high-water mark of the sea if no such development setback line is determined;
    - (bb) Areas on the watercourse side of the development setback line or within 100 metres from the edge of a watercourse where no such setback line has been determined.

- Activity No. 12** The clearance of an area of 300 square metres or more of vegetation where 75% or more of the vegetative cover constitutes indigenous vegetation.
- (a) within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA or prior to the publication of such a list, within an area that has been identified as critically endangered in the NSBA 2004;
  - (b) within critical biodiversity areas identified in bioregional plans;
  - (c) within the littoral active zone or 100m inland from the high-water mark of the sea or an estuary, whichever distance is the greater, excluding where such removal will occur behind the development setback line on even in urban areas.

**The reasons for the decision are contained in the ROD.**

As an I&AP/Stakeholder you have the right to appeal the decision taken by DEADP should you so wish in terms of the procedure contained in Chapter 7 of the NEMA regulations.

**The Option to Appeal the decision:**

Should you as an I&AP wish to appeal against the environmental decision, you must lodge a notice of intention to appeal to the Ministers office (details below) within 10 days of receiving this notice of the decision.

**You must serve a copy of the notice of intent to appeal on the applicant and you must advise the applicant where and for what period a copy of the appeal will be available for inspection.**

The appeal must be accompanied by the signed appeal forms available from the Ministers office (details below) and must be lodged within 30 days of the lodging of the notice of intention to appeal.

Post: Western Cape Minister of Local Government, Environmental Affairs and Development  
Planning  
Private Bag X9186  
Cape Town  
8000

Fax: 021 483 4174; or

By hand: Attention: Mr Jaap de Villiers  
1102 Utilitas Building  
1 Dorp Street  
Cape Town  
8001

The prescribed appeal form **must** accompany the appeal and this can be obtained from the Minister's office at Tel (021) 483 3721/3195, email [jedevill@pgwc.gov.za](mailto:jedevill@pgwc.gov.za) or URL <http://www.capegateway.gov.za/eadp>.

Should you have any queries kindly contact this office directly on 044-889 0229.

Kind regards,



Chantal Zandberg  
**For Hilland Associates**