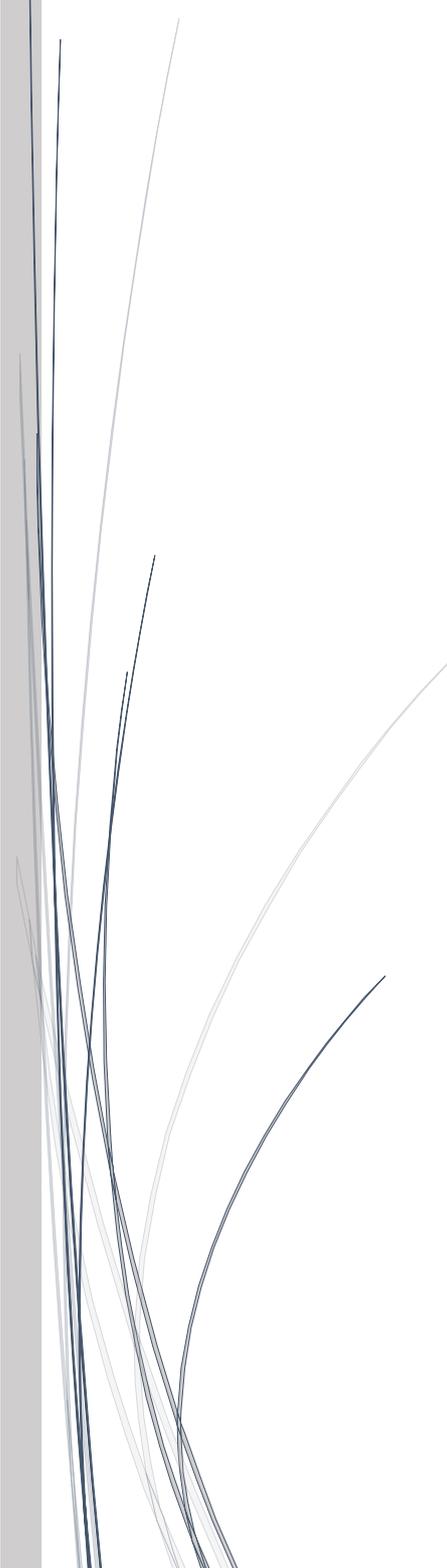


ENVIRONMENTAL RECORD OF DECISIONS

BEVERLEY HILLS ESTATE
HOMEOWNERS ASSOCIATION



For printing purposes only.
When printing back to back, the Contents page will be the second page.

CONTENTS

ENVIRONMENTAL RECORD OF DECISIONS4

DOCUMENTATION ASSESSED4

ASSESSING OFFICER.....5

RECORD OF DECISION5

DESCRIPTION ACTIVITY5

REPORT6

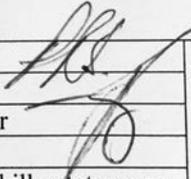
DECISION.....7

KEY DECISION FACTORS:.....7

CONDITIONS OF APPROVAL8

VALIDITY.....9

APPEAL9

Environmental Record of Decisions		Beverley Hills Estate	Chairperson		
		Signature:	Estate Manager		
		Signature:			
Preparation date:	03 May 2020	Webpage Publication	www.beverleyhillsestate.co.za		
Revision number:	1.0	Page number:	3 of 9		

ENVIRONMENTAL RECORD OF DECISIONS

Important facts relating to “Record of Decision” for Beverley Hills Estate.

Situated at Portion 646 (of 32) of the Farm Lot 56 No 931 Ballito Beverley Hills in the Magisterial district of Lower Tugela In the Province of KwaZulu Natal being 17.52 hectares in extent and indicated on the 1:50,000 map as 2931 C A Verulam at the co-ordinates

29° 31´ 30” South & 31° 14´ 00” East

Applicant: Mr. J Cole

Address: 26 Pearson Road, Everton. 3610

Consultants: Guy Nicolson Consulting CC

Address: 6 Indwa Place, Kloof. 3610

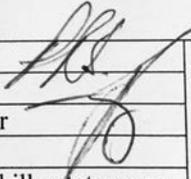
DOCUMENTATION ASSESSED

Application form, compiled by J Cole dated 13 September 2001, for Authorisation in terms of Section 22 of the Environment Conservation Act, 1989.

Environmental Scoping Report, compiled by Guy Nicolson, dated November 2001.

Correspondence submitted by KZN Wildlife dated 10 December 2001.

Various other documents of correspondence received from relevant local Authorities and other interested neighbouring Parties dated between January and March 2002.

Environmental Record of Decisions	Beverley Hills Estate	Chairperson		
	Signature:	Estate Manager		
	Signature:			
Preparation date:	03 May 2020	Webpage Publication	www.beverleyhillsestate.co.za	
Revision number:	1.0	Page number:	4 of 9	

ASSESSING OFFICER

On 27 May 2002 the assessing officer, NOMBULELO ZUNGU, declared “that this application was assessed to the best of my ability, based on the information provided to me by the applicant and/or his consultant, and that which I could acquire during the site visit.”

On 29 May 2002 Mr H B Strauss, (Head of Dept) of the Department of Agriculture and Environmental Affairs by virtue of powers delegated by the National Minister of Environmental Affairs and Tourism in terms of Section 22 of the Environment Conservation Act, (Act No,73 of 1989), authorised the project viz. “The proposed rezoning of land for constructing 163 units on portion 646 (of 32) of the farm Lot 56 - No.931, Beverley Hills Estate.

The authorisation was subject to certain terms and conditions and is hereafter known as the “RECORD OF DECISION”.

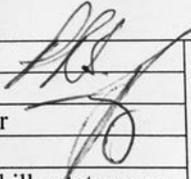
It is important to note that the Authorisation was for a period of 24 months stating clearly that if construction had not commenced within the period, then a new application would need to be submitted.

RECORD OF DECISION

Herewith, the record of decision in terms of regulation 10(1) of the Government Notice No. R.1183 of 5 September 1997 as required by Section 22(3) of the Environment Conservation Act 1989 with regard to the undertaking of the activity described below. The Record of Decision must be made available to interested and affected parties on request.

DESCRIPTION ACTIVITY

The rezoning of land from agricultural to residential for the purpose of constructing a total of approximately 163 units with a mix of free standing homes and sectional title duplexes,

Environmental Record of Decisions	Beverley Hills Estate	Chairperson		
	Signature:	Estate Manager		
	Signature:			
Preparation date:	03 May 2020	Webpage Publication	www.beverleyhillsestate.co.za	
Revision number:	1.0	Page number:	5 of 9	

simplexes and flats. The development comprises of 51 detached single and double storeys dwellings on separate sites, occupying 5.35ha; 30 semi-detached single storey dwellings with 2 dwellings per block occupying 2.68ha; 28 double storey dwellings with 4 dwellings per block occupying 1.78ha; 54 three storey apartments with 6 apartments per block on 2.84ha and common open space and recreational facilities occupying 3.42ha of the area of the site and roads occupying 1.45ha of the site.

REPORT

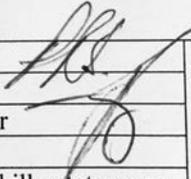
The infrastructure of the site will be provided by the developer and connected to the adjoining infrastructure of Ballito in accordance with standards, requirements and approvals of Dolphin Coast Local Authority.

Sewerage disposal will be by waterborne sewage disposal to the main trunk sewer down slope from the site.

Solid waste disposal will be by means of the existing services provided by the local authority, with solid waste transported and disposed of at an existing Regional approved solid waste disposal site.

Storm water from the site will be connected to 600mm diameter pipe which will be deviated into Leonora Drive from Beverley Hills. Water from the upper slopes will be cut off from descending the valley line by the upper road system and diverted into the storm water management system of Leonora Drive in order to reduce the volume of water descending down the valley.

The lowermost area of the development in the wide valley line bottom will be retained as open space and storm water attenuation measures will be constructed within this floor.

Environmental Record of Decisions		Beverley Hills Estate	Chairperson		
		Signature:	Estate Manager		
		Signature:			
Preparation date:	03 May 2020	Webpage Publication	www.beverleyhillsestate.co.za		
Revision number:	1.0	Page number:	6 of 9		

Four (4) residents complained about traffic generation onto Leonora Drive and an increase in noise and air pollution. These were looked at by conducting the Traffic Impact Assessment, prepared by De Leuw Cather Emratani. Traffic count was conducted during peak hours and these do not prove that this is a major problem.

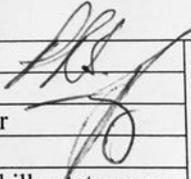
DECISION

That approval be granted to the applicant for:

The rezoning of land from agriculture to residential development and construction of 163 unit on portion 646 (of 32) of Lot 56 No,931 Of Beverley Sugar Estate, Ballito, KwaZulu-Natal. The development includes details as described above.

KEY DECISION FACTORS:

- The site does not have any significant biological conservation potential, and through appropriate rehabilitation and landscaping, as part of the development process, the biological conservation potential of the site could be enhanced.
- KZN Wildlife has no objection to the proposed development.
- The storm water will be designed to prevent the increase in storm water from being concentrated onto the Villa Leonora property below the site.
- Storm water control berms will be formed at the top of banks to prevent scouring.
- Culturally significant sites exist on property. Amafa has indicated that test pits are to be excavated in BED 1 and 3 and salvage excavations to be conducted in BED 2 prior to construction.
- The applicant, Siza Water and KwaDukuza Municipality, have entered into service agreements.

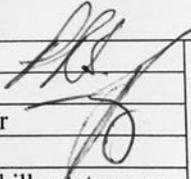
Environmental Record of Decisions	Beverley Hills Estate	Chairperson		
	Signature:	Estate Manager		
	Signature:			
Preparation date:	03 May 2020	Webpage Publication	www.beverleyhillsestate.co.za	
Revision number:	1.0	Page number:	7 of 9	

- The requirements of Section 24(7) of the National Environmental Management Act 1998, have been met.

CONDITIONS OF APPROVAL

Approval is granted on condition that

1. Development to comply substantially with layout drawing No 2137 Rev A prepared by Ndebele Kirby Planners dated May 2002.
2. A detailed Geotechnical report must be conducted prior to the development taking place.
3. The recommendation of the civil engineer in regard to storm water disposal methods, in particular to avoid soil erosion and to prevent storm water run-off concentrating on the downstream properties must be fully complied with, under the supervision of a suitably qualified professional engineer.
4. The Archaeological mitigation measures as identified within the Archaeological Report authorised and approved by Amafa must be carried out to the satisfaction of Amafa before development can be commenced with.
5. All aspects of bulk service provision, traffic management, and disposal of wastes and storm water are subject to the approval of the local authority.
6. Appropriate measures, such as watering, screening and mulching, to reduce the windblown dust from the dry powdery soils on the site must be taken by the developer during the construction process.
7. The landscaping plan emphasizing the use of deep rooting indigenous plants, should either be separate document or annexure to the Environmental Management Plan which must be submitted to this office prior to the construction phase of the project.
8. Landscaping plan to be prepared by person(s) with expertise in coastal plants and landscaping.
9. The applicant is responsible for compliance with the provisions for Duty of Care and re mediation of damage contained in section 28 of the National Environmental Management Act, 1998.

Environmental Record of Decisions	Beverley Hills Estate	Chairperson		
	Signature:	Estate Manager		
	Signature:			
Preparation date:	03 May 2020	Webpage Publication	www.beverleyhillsestate.co.za	
Revision number:	1.0	Page number:	8 of 9	

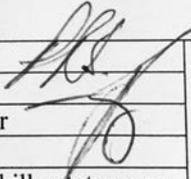
10. This Department retains the right to inspect the property during its development and operational phase.
11. All registered interested and effected parties should be made aware of the issuing of this Record of Decision within 7 days and their right to appeal within 30 calendar days of date of issue.
12. Failure to comply with these conditions of Authorisation will render this authorisation invalid and the applicant liable to legal action under Section 29 of the Environment Conservation Act, 1989.

VALIDITY

This Authorisation is valid for a period of 24 months from the date of issue, that is, if physical work on the development has not commenced within this period then this authorisation is deemed to have lapsed and is no longer valid.

APPEAL

An appeal against this authorisation or conditions of authorisation may be lodged with the MEC for Agriculture and Environmental Affairs, Mr Narend Singh, Private Bag X89, ULUNDI, 3838, setting out the grounds of the appeal and including any relevant documentation and certified copies, within 30 calendar days of the date of authorisation, in accordance with Section 35 of the Environment Conservation Act, 1989.

Environmental Record of Decisions		Beverley Hills Estate	Chairperson		
		Signature:	Estate Manager		
		Signature:			
Preparation date:	03 May 2020	Webpage Publication	www.beverleyhillsestate.co.za		
Revision number:	1.0	Page number:	9 of 9		