

In terms of the **National Environmental Management Act and 2014 Environmental Impact Regulations** as amended, 2017, for:

**PART 2 AMENDMENT APPLICATION ON BEHALF OF KINGSWAY  
HOMEOWNERS' ASSOCIATION, KOUGA LOCAL MUNICIPALITY,  
EASTERN CAPE**

**DEDEAT REFERENCE: EC08/1M/74-98**

**FINAL AMENDMENT ASSESSMENT REPORT  
FOR DECISION MAKING**

**May 2026**



**PREPARED FOR THE APPLICANT:**

**PREPARED BY:**

**DATE:**

**Kingsway Homeowners Association**

**Claire De Jongh (EAPASA REG: 2021/3519)**

**MAY 2026**

## TABLE OF DEFINITIONS

Amendment Assessment Report – report compiled by an Environmental Assessment Practitioner (EAP) that describes the environmental impacts of a proposed change to an Environmental Authorisation (EA). NEMA 2014 EIA (as amended, 2017) Regulation 31 outlines the requirement for an EA holder to submit an amendment application, while Regulation 32 specifies the content and requirements of the associated Environmental Impact Assessment report, which must assess all impacts of the proposed amendment..

“development footprint” means any evidence of physical alteration as a result of the undertaking of any activity;

“coastal waters” means -(a) marine waters that form part of the internal waters or territorial waters of the Republic referred to in sections 3 and 4 of the Maritime Zones Act, 1994 (Act No. 15 of 1994), respectively; and (b) subject to section 26, any estuary.

Critical Biodiversity Area – Areas in a natural condition that are required to meet biodiversity targets, for species, ecosystems or ecological processes and infrastructure.

“development” means the building, erection, construction or establishment of a facility, structure or infrastructure, including associated earthworks or borrow pits, that is necessary for the undertaking of a NEMA or specified activity, [including any associated post development monitoring] but excludes any modification, alteration or expansion of such a facility, structure or infrastructure, including associated earthworks or borrow pits, and excluding the redevelopment of the same facility in the same location, with the same capacity and footprint;

“development setback” means a setback line defined or adopted by the competent authority;

Environmental Assessment Practitioner – an individual responsible for the planning, management, coordination or review of environmental impact assessments, strategic environmental assessments and environmental management programmes.

Environment Conservation Act 73 of 1989 - preceded the National Environmental Management Act (Act 107 of 1998)

Environment Conservation Act 73 of 1989 Regulations - promulgated in 1997, superseded by 2006, 2010, 2014 and 2014 (as amended, 2017) EIA Regulations issued in terms of the National Environmental Management Act (Act 107 of 1998)

Environmental Control Officer – A site agent who needs to ensure that all environmental authorisation and conditions are adhered to during the construction / operational phase of the project as required

Ecological Support Area – Areas that are not essential for meeting biodiversity targets, but that play an important role in supporting the functioning of PAs or CBAs and are often vital for delivering ecosystem services.

Environmental Impact Assessment regulations

Environmental Management Programme – an environmental management tool used to ensure that undue or reasonably avoidable adverse impacts of the construction, operation and decommissioning of a project are prevented; and that the positive benefits of the projects are enhanced

“estuary” means a body of surface water - (a) that is part of a water course that is permanently or periodically open to the sea; (b) in which a rise and fall of the water level as a result of the tides is measurable at spring tides when the water course is open to the sea; or (c) in respect of which the salinity is measurably higher as a result of the influence of the sea.

“estuarine functional zone” means the area in and around an estuary which includes the open water area, estuarine habitat (such as sand and mudflats, rock and plant communities) and the surrounding floodplain area, as defined by the area below the 5 m topographical contour (referenced from the indicative mean sea level)”;

“indigenous vegetation” refers to vegetation consisting of indigenous plant species occurring naturally in an area, regardless of the level of alien infestation and where the topsoil has not been lawfully disturbed during the preceding ten years;

interested and affected party - an whose name is recorded in the register opened for that application in terms of regulation 42 of NEMA regulations.

<p>“interests of the whole community” means the collective interests of the community determined by-</p> <p>(a) prioritising the collective interests in coastal public property of all persons living in the Republic over the interests of a particular group or sector of society;</p> <p>(b) adopting a long-term perspective that takes into account the interests of future generations in inheriting coastal public property and a coastal environment characterised by healthy and productive ecosystems and economic activities that are ecologically and socially sustainable; and</p> <p>(c) taking into account the interests of other living organisms that are dependent on the coastal environment.</p>
<p>“local community” means any community of people living, or having rights or interests, in a distinct geographical area within the coastal zone;</p>
<p>“maintenance” means actions performed to keep a structure or system functioning or in service on the same location, capacity and footprint;</p>
<p>Maintenance Management Plan – means a maintenance management plan for maintenance purposes defined and adopted by the competent authority</p>
<p>National Environmental Management Act (Act 107 of 1998) as amended 2017 – national environmental legislation that provides principles for decision-making on matters that affect the environment.</p>
<p><b>Open space zone 1</b></p> <p><b>Primary use: Public Open space</b></p> <p><i>Land for the provision of active and passive recreational areas on public owned land.</i></p> <p><i>Generally to promote public recreation, enhance aesthetical appearance and promote the maintenance of a functional open space system.</i></p> <p><i>Land for protection of heritage resources and cultural activities.</i></p> <p><i>Consent uses</i></p> <ul style="list-style-type: none"> <li><i>Camping Site</i></li> <li><i>Cemetery</i></li> <li><i>Child Care Facility</i></li> <li><i>Events</i></li> <li><i>Memorial Site</i></li> <li><i>Tourist facility</i></li> </ul>
<p>Open Space zone 2</p> <p><b>Primary use: Private open space</b></p> <p>Land for the provision of active and passive recreational areas on private owned land.</p> <p>Generally to promote private recreation, enhance aesthetical appearance and promote the maintenance of a functional open space system.</p> <p><i>Consent uses</i></p> <ul style="list-style-type: none"> <li><i>Cemetery</i></li> <li><i>Camping Site</i></li> <li><i>Sport Facility</i></li> <li><i>Tourist Facility</i></li> </ul>
<p><b>Applicable zoning between residential erven.</b></p>
<p>Open Space zone 3</p> <p><b>Primary use: Private open space</b></p> <p>The use of land for conservation and natural areas.</p>

Include statutory and non-statutory conservation areas and provision for these land uses.  
 Protection of the natural environment and for conservation and biodiversity purposes for areas which is regarded as conservation worthy

Consent use

*Holiday Accommodation*

*Landing Pad*

*Tourist Facility*

**Applicable zoning east (estuary) and west (intact thicket) of resort**

Private Open Space means land which is for private use, and is used as an open area, park, garden, playground, recreation ground or square and can form part of a residential development

**Public Open Space** means a park, public garden, square, sports field, sports facility, memorial site, children’s’ playground, amusement park, place of recreation, beach area or any similar amenity, in respect of which the ownership as such vests in the local authority, and can include ablution facilities and support infrastructure

Protected area - an area of land or sea that is formally protected by law and managed mainly for biodiversity conservation. Protected areas recognised in the National Environmental Management: Protected Areas Act (Act 57 of 2003) (hereafter referred to as the Protected Areas Act) are considered formal protected areas in the NPAES. The NPAES distinguishes between land-based protected areas, which may protect both terrestrial and freshwater biodiversity features, and marine protected areas.

**TABLE OF ABBREVIATIONS**

<b>CBA</b>	CBA Critical Biodiversity Area
<b>DEDEAT</b>	Eastern cape Department of Economic Development, Environmental Affairs and Tourism
<b>DFFE</b>	Department of Forestry, Fisheries and the Environmental
<b>DWS</b>	Department of Water and Sanitation
<b>EAP</b>	Environmental Assessment Practitioner
<b>ECO</b>	Environmental Control Officer
<b>EFZ</b>	Estuarine Functional Zone
<b>EIA</b>	Environmental Impact Assessment
<b>EMPr</b>	Environmental Management Programme report
<b>ESA</b>	Ecological Support Area
<b>IAP</b>	Interested and Affected Party/ies
<b>KLM</b>	Kouga Local Municipality
<b>LUPO</b>	Land Use Planning Ordinance, Ordinance 15 of 1985.
<b>MMP</b>	Maintenance Management Plan
<b>NEMA</b>	National Environmental Management Act (Act 107 of 1998)
<b>NEMPAA</b>	National Environmental Management: Protected Areas Act (Act 57 of 2003)
<b>NEMWA</b>	National Environmental Management Waste Act (Act
<b>PA</b>	Protected Area
<b>SAHRA</b>	South African Heritage Resources Agency
<b>SANBI</b>	South African National Biodiversity Institute
<b>SBDM</b>	Sarah Baartman District Municipality
<b>SPLUMA</b>	Spatial Planning and Land Use Management Act 16 of 2013

STR	DFFE Screening Tool Report
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Regulation 31 NEMA EIA regulations (as amended, 2017) Amendments to be applied for in terms of Part 2
<p>An environmental authorisation may be amended by following the process prescribed in this Part if the amendment will result in a change to the scope of a valid environmental authorisation where such change will result in an increased level or change in the nature of impact where such level or change in nature of impact was not-</p> <p style="text-align: center;"><b>(a) assessed and included in the initial application for environmental authorisation; or</b>  <b>(b) taken into consideration in the initial environmental authorisation;</b></p> <p>and the change does not, on its own, constitute a listed or specified activity.</p>

Regulation 32 of NEMA EIA regulations (as amended, 2017) applicable to Amendment Report	CROSS REFERENCE IN amendment report
(1) The applicant must within 90 days of receipt by the competent authority of the application made in terms of regulation 31, submit to the competent authority-	
(a) a report, reflecting-	
(i) an <b>assessment of all impacts</b> related to the proposed change;	Section 7: Impact Assessment of proposed change
(ii) advantages and disadvantages associated with the proposed change; and	Section 7: Impact Assessment of proposed change
(iii) measures to ensure avoidance, management and mitigation of impacts associated with such proposed change; and	Section 7: Impact Assessment of proposed change
iv) any changes to the EMPr;	Section 7: Impact Assessment of proposed change Appendix 2 – Draft EMPr
which report-	Section 7: Impact Assessment of proposed change
(aa) had been subjected to a public participation process, which had been agreed to by the competent authority, and which was appropriate to bring the proposed change to the attention of potential and registered interested and affected parties, including organs of state, which have jurisdiction in respect of any aspect of the relevant activity, and the competent authority; and	
(bb) reflects the incorporation of comments received, including any comments of the competent authority; or	Appendix 1 (to be updated after 30-day review and comment period)
(b) a notification in writing that the report will be submitted within 140 days of receipt of the application by the competent authority, as significant changes have been made or significant new information has been added to the report, which changes or information was not contained in the report consulted on during the initial public participation process contemplated in subregulation (1)(a) and that the revised report will be subjected to another public participation process of at least 30 days.	Not applicable
(2) In the event where subregulation (1)(b) applies, the report, which reflects the incorporation of comments received,	Not applicable

## EAP Services

including any comments of the competent authority, must be submitted to the competent authority within 140 days of receipt of the application by the competent authority.	
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## EXECUTIVE SUMMARY

Kingsway Resort is located within the Kouga Municipal area, approximately 50 km west of Port Elizabeth and approximately 2.5 km south of the N2 Bridge which crosses the Gamtoos River estuary. The resort is located on the eastern bank of the Gamtoos River estuary, on a slightly elevated section of the Gamtoos River floodplain, approximately 3.5 km from the estuary mouth. The site is owned by Kingsway Caravan Park (Pty) Ltd.

An environmental authorisation (EC08/1m/74-98) was granted on **29 April 2008** for the expansion / upgrading of the Kingsway Resort in terms of Section 22 of the Environmental Conservation Act (Act 73 of 1989) to undertake a listed activity as schedule under Section 21 of the Act. (Appendix 6).

The following activities were authorised:

- 1(m) - The construction or upgrading of public and private resorts and associated infrastructure
- 1(k) - The construction or upgrading of reservoirs for public water supply
- 2(c) - The change of land use from agricultural or zoned undetermined use or an equivalent zoning, to any other

A compliance audit was submitted in 2024. The majority of conditions of the ROD (EA) were found to be non-compliant as information relating to an appointment of ECO, audit reports, CEMP, OEMP and layout plans required to be submitted to DEDEAT (then DEDEA) for approval, were not on record / had not yet been compiled. In addition, it was found that amendments were required for conditions contained within the EA (EC08/1M/74-98) and related measures in the scoping report (Appendix 5).

Based on the audit results and meeting held, the DEDEAT advised that public open space consisting of the 136 erven be rezoned from public open space to private open space to allow more flexibility in terms of management of this area.

Existing caravan sites 72 / 75 developed

New erven in northern area 24 / 30 developed

Existing mobile home sites 28 / 31 developed.

Total 136 sites

The following has been requested to be compiled and submitted to DEDEAT approval:

- Construction EMP
  - CEMP needs to be in place for managing environmental impacts during construction / maintenance activities.
  - CEMP to include scoping report mitigation measures, Botanical survey recommendations, relevant conditions of ROD, and best practice measures pertaining to construction / maintenance in CEMP.
  - Code of conduct incorporating general and environmental rules
  - Building regulations should be included in CEMP and aligned to ROD / scoping requirements if not done.
  - CEMP containing code of conduct should be sent to DEDEAT for approval
- Layout plan which indicates current landuses, servitudes and erf sizes
- Amendment of ROD – change of holder of EA; rezoning from public to private open for area surrounding the erven, erf sizes, communal areas, any activities carried out

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- Operational EMP (including maintenance activities for private and public open space)
  - OMP to include relevant conditions of ROD, scoping and botanical survey pertaining to operations.
  - Waste management plan
  - Fauna management programme
  - Landscaping guidelines
  - Rehabilitation plan
  - Vegetation management programme
  - Alien vegetation control programme

It is recommended to combine the required rehabilitation plan, vegetation and alien invasive management programme and landscaping guidelines into one plan for easy use.

DEDEAT recommended a part 2 amendment to be carried out to address some of the non-compliances identified in the audit report.

DEDEAT accepted the following approach to carry out the part 2 amendment application process:

1. Consolidate information and complete part 2 amendment application form;
2. EAP to compile part 2 amendment report as applicable to the proposed amendment requests, as required in terms of regulation 32 of the NEMA 2014 EIA regulations, as amended, 2017: baseline information, impact assessment of proposed amendments, impact assessment rating methodology, any additional mitigation measures identified, draft EMPr for approval (includes conditions of existing ROD, measures from assessment carried out and any new measures identified) Note: an approved EMPr will address the majority of non-compliances addressed in the audit
3. Carry out public participation as per section 41 of the NEMA EIA regulations, as amended, 2017, with permission to exclude placement of site notices(regulation 41 (2) a; regulation 41 (4)) and an advert(regulation 41 c); the original application process was subjected to a public participation process where Regulation 41 (2) and (4) were met.
4. Public participation is proposed to entail the following:
5. IAP register (provided as Appendix 1):
  - all homeowners / member of the Kingsway homeowner association
  - Adjacent landowners o relevant organs of state
  - ward councillor
6. Submit notice of intent to submit part 2 amendment application to IAPs (regulation 41 (2) b) and make the draft part 2 amendment application and EMPr available for a 30-day review and comment period;
7. Record all comments received; update the draft amendment report to a final amendment report as required in response to comments
8. Submit part 2 amendment application to the DEDEAT
9. Submit final part 2 amendment report and EMPr to the DEDEAT for decision making

An amendment assessment report has been compiled to assess the impact of the proposed amendments; The report provides an overview of baseline conditions and potential direct, indirect and cumulative impacts that are likely to occur as a result of the proposed amendments. An EMPr has been compiled which includes all the mitigation measures contained within the scoping report (Appendix 5) and conditions of the EA (Appendix 6); and includes any amendments / additional mitigation measures as required. The EMPr is provided in Appendix 2.

The part 2 amendment application form, draft amendment assessment report and the draft EMPr was submitted to the register of interested and affected parties for a 30-day review and comment period (20 November 2025 – 12 January 2026).

The application was submitted to the DEDEAT and accepted on 10 April 2026.

The draft reports have been updated (this report and appendices 1-6); all comments received up until May 2026 have been recorded; the final amendment report and comments and responses report have been updated as required in response to comments.

No negative impacts of high significance were identified as a result of the proposed amendments to the EA. Some construction related impacts are identified as construction of some dwellings remains to take place; additional measures are recommended to mitigate related construction / maintenance / operational impacts; all impact are expected to be of low significance with measures in place. The original change in land use from agriculture to conservation use, and the corrected land use zoning, is considered a positive impact of medium significance for biodiversity in the area. A low positive impact on residents of the resort may result if the proposed amendments are approved. A summary of impacts is provided below in Table 1. The draft EMPR is provided in Appendix B.

The final part 2 amendment report and accompanying appendices is hereby submitted to the DEDEAT for decision making: 25 May 2026

Appendix 1 – Public participation and comments and response report, May 2026

Appendix 2 – Final Draft environmental management programme report

Appendix 3 – Screening tool Report

Appendix 4 – Impact Assessment rating methodology

Appendix 5 – Scoping report and vegetation assessment

Appendix 6 – Record of decision

The final part 2 amendment report is made available to all IAPs: <https://eapservices.co.za/khoa-part-2-amendment/>  
Any further comments are requested to be submitted directly to the DEDEAT within 30 days (25 June 2026).

Table 1: Summary of impacts from proposed amendments

Amendment request			
3. Contact details of applicant (No impact)			
No impact			
Amendment request			
7.1 The change land use of Portions 1 and 34 of the Farm Mauritzkraal No 501, to be affected <u>within 12 months</u> of the date of signature of this authorization, by means of a rezoning in terms of the <u>Land Use Planning Ordinance, Ordinance 15 of 1985</u> .			
Amendment of condition 7.1 to: The change land use of Portions 1 and 34 of the Farm Mauritzkraal No 501, to be affected <b>within 24 months</b> of the date of signature of this authorization, by means of a rezoning in terms of the <b>Spatial Planning and Land Use Management Act 16 of 2013 (SPLUMA)</b>			
Impact 1:	Economic		
Impact Status	Negative	Negative	Positive
Impact Criteria	No go alternative	Without mitigation	With mitigation

Impact Significance	medium	12	medium	12	medium	12
<b>Impact 2:</b>	<b>Conservation use</b>					
Impact Status	Negative		Negative		Positive	
Impact Criteria	No go alternative		Without mitigation		With mitigation	
Impact Significance	medium	14	medium	14	medium	14

**Amendment request**

*7.3 Construction of housing infrastructure to commence within 12 months of completion of the construction of bulk service infrastructure and to be completed within 60 months of commencement.*

Amendment of condition 7.3 to: Construction of individual dwelling to commence after completion of the construction of bulk service infrastructure and to be completed within **12 months from date of commencement of construction.**

<b>Impact 1:</b>	<b>Economic</b>					
Impact Status	Negative		Negative		Positive	
Impact Criteria	No go alternative		Without mitigation		With mitigation	
Impact Significance	medium	12	medium	12	medium	12

<b>Impact 2:</b>	<b>Noise</b>					
Impact Status	Negative		Negative		Negative	
Impact Criteria	No go alternative		Without mitigation		With mitigation	
Impact Significance	-	-	Low	9	Low	7

<b>Impact 3:</b>	<b>Visual</b>					
Impact Status	Negative		Negative		Negative	
Impact Criteria	No go alternative		Without mitigation		With mitigation	
Impact Significance	-	-	Medium	11	Low	9

<b>Impact 4:</b>	<b>Indigenous vegetation</b>					
Impact Status	-		Negative		Negative	
Impact Criteria	No go alternative		Without mitigation		With mitigation	
Impact Significance	-	-	Low	9	Low	6

**Amendment request**

*8.3.12 The development footprint of each Individual unit as well as the area to be used for the installation of services and the Individual approach road to each site to be clearly demarcated with pegs. All areas outside the demarcated areas are to be Indicated as "no-go" areas for construction workers, machinery and vehicles and access to these areas are to be prohibited*

Amendment of condition to: 8.3.12: The development footprint of each Individual unit as well as the area to be used for the installation of services and the Individual approach road to each site to be clearly demarcated with pegs. **Permission from KHOA to be granted for required laydown areas that may encroach onto open space 2; these must be clearly demarcated with pegs. All open space 3 areas and** areas outside the demarcated area to be designated as "no-go" areas for construction workers, machinery and vehicles and access to these areas are to be prohibited.

*8.4.13.2 Limited landscaping can be allowed as part of site rehabilitation on Individual portions, but such landscaping must be restricted to the use of indigenous plant species and must be In keeping with the natural vegetation found on the property. Established, non-Invasive alien species may be retained but the area Is to be kept clear of all invasive alien plant species.*

Amendment of condition to 8.4.13.2: Limited landscaping can be allowed as part of site rehabilitation on Individual portions **and open space 2**, but such landscaping must be restricted to the use of indigenous plant species and must be In keeping with the natural vegetation found on the property. Established, non-Invasive alien species may be retained but the area Is to be kept clear of all invasive alien plant species.

<b>Impact 1:</b>	<b>Noise</b>					
Impact Status	-		Negative		Negative	
Impact Criteria	No go alternative		Without mitigation		With mitigation	
<b>Impact Significance</b>	-	-	<b>Low</b>	<b>9</b>	<b>Low</b>	<b>7</b>

<b>Impact 2:</b>	<b>Visual</b>					
Impact Status	-		Negative		Negative	
Impact Criteria	No go alternative		Without mitigation		With mitigation	
<b>Impact Significance</b>	-	-	<b>Medium</b>	<b>11</b>	<b>Low</b>	<b>9</b>

<b>Impact 3:</b>	<b>Indigenous vegetation</b>					
Impact Status	-		Negative		Negative	
Impact Criteria	No go alternative		Without mitigation		With mitigation	
<b>Impact Significance</b>	-	-	<b>Low</b>	<b>9</b>	<b>Low</b>	<b>6</b>

<b>Impact 4:</b>	<b>Waste generation</b>					
Impact Status	-		Negative		Negative	
Impact Criteria	No go alternative		Without mitigation		With mitigation	
<b>Impact Significance</b>	-	-	<b>Low</b>	<b>9</b>	<b>Low</b>	<b>6</b>

<b>Impact 5:</b>	<b>Hazardous materials</b>					
Impact Status	-		Negative		Negative	
Impact Criteria	No go alternative		Without mitigation		With mitigation	
<b>Impact Significance</b>	-	-	<b>Low</b>	<b>9</b>	<b>Low</b>	<b>6</b>

**Amendment request**

*All undeveloped land within portions 1 and 34 to be zoned as Open Space III, regarded as common property and to be managed as a protected natural area or Nature Reserve by the Kingsway Homeowners Association.*

Amendment of description to: All undeveloped land within portions 1 and 34 ( currently Ptn 35 / 501 and RE 209 / 501) outside designated sectional title erven and open space 2 area between these sectional title erven, to be zoned as Open Space zone 3 and managed as a as a protected natural area or Nature Reserve by the Kingsway Homeowners Association.

*8.2.1 Portion 34 of the farm Mauritzkraal 501 within the Kouga Municipal area to be rezoned from Resort I to Resort II and Private Open Space III In terms of the Land Use Planning Ordinance, Ordinance 15 of 1985 and Portion 1 of the farm Mauritzkraal 501 to be rezoned from Agriculture to Resort II and Private Open Space III to facilitate the upgrading/ expansion of the existing Kingsway Resort*

Amendment of condition to 8.2.1: Portion 34 of the farm Mauritzkraal 501 (currently RE 209 / 501) within the Kouga Municipal area to be rezoned from Resort I to Resort II **and open space 2** and open Space 3 In terms of the Land Use Planning Ordinance, Ordinance 15 of 1985 (replaced by the Spatial Planning and Land Use Management Act 16 of 2013 (SPLUMA) and Portion 1 (currently Ptn 35 / 501 and RE 209 / 501) of the farm Mauritzkraal 501 to be rezoned from Agriculture to Resort II **and open space 2** and open space 3 to facilitate the upgrading/ expansion of the existing Kingsway Resort

*8.2.4.2 Allocation of all land other than Individual Resort II portions as Open Space III*

Amendment of condition 8.2.4.2 to: Allocation of all land other than Individual Resort II portions **and open space 2 area** as Open Space 3

*The common land (Erf 172) registered in the name of Kingsway Caravan Park (Pty) Ltd; all this common land be transferred to the Kingsway HOA on completion of the development and that it be managed as Public Open Space Zone III (i.e. as a protected natural area).*

Amendment of mitigation measure: *The common land (Erf 172) (currently RE 209 / 501) registered in the name of Kingsway Caravan Park (Pty) Ltd; all this common land be transferred to the Kingsway HOA on completion of the development and that it be managed as open space 2 (i.e. private use) and Open Space 3 (i.e. as a protected natural area) as per Figure provided in amendment report.*

*The proposed land use restriction that should be registered against the title deed of Portion 1 (in perpetuity) (and its management as Public Open Space III and its proposed incorporation into the Caravan Resort as a Protected Area or Nature Reserve*

Amendment of mitigation measure : *The proposed land use restriction that should be registered against the title deed of Portion 1 ((currently Ptn 35 / 501 and RE 209 / 501) (in perpetuity) (and its management as Public Open Space III and its proposed incorporation into the Caravan Resort as a Protected Area or Nature Reserve*

**Impact 1:** **Terrestrial and aquatic biodiversity – Conservation use and loss of some area as designated open space 3**

Impact Status	Negative	Positive	Positive
<b>Impact Significance</b>	Low <b>9</b>	Medium low <b>14</b>	Medium <b>19</b>

**Impact 2:** **Social impact**

Impact Status	Negative	Positive	Positive
Impact Criteria	No go alternative	Without mitigation	With mitigation
<b>Impact Significance</b>	<b>medium 13</b>	<b>Medium low 14</b>	<b>Medium low 14</b>

# EAP Services

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Appendix 1: Draft PP and CRR

Appendix 2: Draft EMPr

Appendix 3: Screening Tool Report

Appendix 4: Rating methodology

Appendix 5: Scoping report and vegetation

Appendix 6: ROD

## 1. Introduction

An environmental authorisation (EC08/1m/74-98) was granted on **29 April 2008** for the expansion / upgrading of the Kingsway Resort in terms of Section 22 of the Environmental Conservation Act (Act 73 of 1989) to undertake a listed activity as schedule under Section 21 of the Act. (Appendix 6).

The following activities were authorised:

- 1(m) - The **construction or upgrading of public and private resorts and associated infrastructure** (amendment required to complete construction of remaining units)
- 1(k) - The construction or upgrading of reservoirs for public water supply (completed)
- 2(c) - The **change of land use from agricultural or zoned undetermined** use or an equivalent zoning, to any other (amendment to zone to open space 2, open space 3 and resort; original was agriculture and)

A compliance audit was submitted in 2024. The majority of conditions of the ROD (EA) were found to be non-compliant as information relating to an appointment of ECO, audit reports, CEMP, OEMP and layout plans required to be submitted to DEDEAT (then DEDEA) for approval, were not on record / had not yet been compiled. In addition, it was found that amendments were required for conditions contained within the EA (EC08/1M/74-98) (Appendix 6) and related measures in the scoping report (Appendix 5).

Based on the audit results and meeting held, the DEDEAT advised that public open space consisting of the 136 erven be rezoned from public open space to private open space to allow more flexibility in terms of management of this area.

Existing caravan sites 72 / 75 developed

New erven in northern area 24 / 30 developed

Existing mobile home sites 28 / 31 developed.

Total 136 sites

The following has been requested to be compiled and submitted to DEDEAT approval:

- Construction EMP
  - CEMP needs to be in place for managing environmental impacts during construction / maintenance activities.
  - CEMP to include scoping report mitigation measures, Botanical survey recommendations, relevant conditions of ROD, and best practice measures pertaining to construction / maintenance in CEMP.
  - Code of conduct incorporating general and environmental rules
  - Building regulations should be included in CEMP and aligned to ROD / scoping requirements if not done.
  - CEMP containing code of conduct should be sent to DEDEAT for approval
- Layout plan which indicates current landuses, servitudes and erf sizes
- Amendment of ROD – change of holder of EA; rezoning from public to private open for area surrounding the erven, erf sizes, communal areas, any activities carried out
- Operational EMP (including maintenance activities for private and public open space)
  - OMP to include relevant conditions of ROD, scoping and botanical survey pertaining to operations.
  - Waste management plan
  - Fauna management programme
  - Landscaping guidelines

# EAP Services

- Rehabilitation plan
- Vegetation management programme
- Alien vegetation control programme

It is recommended to combine the required rehabilitation plan, vegetation and alien invasive management programme and landscaping guidelines into one plan for easy use.

DEDEAT recommended a part 2 amendment to be carried out to address some of the non-compliances identified in the audit report.

DEDEAT accepted the following approach to carry out the part 2 amendment application process:

1. Consolidate information and complete part 2 amendment application form;
2. EAP to compile part 2 amendment report as applicable to the proposed amendment requests, as required in terms of regulation 32 of the NEMA 2014 EIA regulations, as amended, 2017: baseline information, impact assessment of proposed amendments, impact assessment rating methodology, any additional mitigation measures identified, draft EMPr for approval (includes conditions of existing ROD, measures from assessment carried out and any new measures identified) Note: an approved EMPr will address the majority of non-compliances addressed in the audit
3. Carry out public participation as per section 41 of the NEMA EIA regulations, as amended, 2017, with permission to exclude placement of site notices(regulation 41 (2) a; regulation 41 (4)) and an advert(regulation 41 c); the original application process was subjected to a public participation process where Regulation 41 (2) and (4) were met.
4. Public participation is proposed to entail the following:
5. IAP register (provided as Appendix 1):
  - all homeowners / member of the Kingsway homeowner association
  - Adjacent landowners o relevant organs of state
  - ward councillor
6. Submit notice of intent to submit part 2 amendment application to IAPs (regulation 41 (2) b) and make the draft part 2 amendment application and EMPr available for a 30-day review and comment period;
7. Record all comments received; update the draft amendment report to a final amendment report as required in response to comments
8. Submit part 2 amendment application to the DEDEAT
9. Submit final part 2 amendment report and EMPr to the DEDEAT for decision making

An amendment assessment report has been compiled to assess the impact of the proposed amendments; The report provides an overview of baseline conditions and potential direct, indirect and cumulative impacts that are likely to occur as a result of the proposed amendments. An EMPr has been compiled which includes all the mitigation measures contained within the scoping report (Appendix 5) and conditions of the EA (Appendix 6); and includes any amendments / additional mitigation measures as required. The EMPr is provided in Appendix 2.

The part 2 amendment application form, draft amendment assessment report and the draft EMPr was submitted to the register of interested and affected parties for a 30-day review and comment period (20 November 2025 – 12 January 2026).

The application was submitted to the DEDEAT and accepted on 10 April 2026.

# EAP Services

The draft reports have been updated (this report and appendices 1-6); all comments received up until May 2026 have been recorded; the final amendment report and comments and responses report have been updated as required in response to comments.

The final part 2 amendment report and accompanying appendices is hereby submitted to the DEDEAT for decision making: 25 May 2026

Appendix 1 – Public participation and comments and response report, May 2026

Appendix 2 – Final Draft environmental management programme report

Appendix 3 – Screening tool Report

Appendix 4 – Impact Assessment rating methodology

Appendix 5 – Scoping report and vegetation assessment

Appendix 6 – Record of decision

The final part 2 amendment report is made available to all IAPs: <https://eapservices.co.za/khoa-part-2-amendment/>  
Any further comments are requested to be submitted directly to the DEDEAT within 30 days (25 June 2026).

## 2. Property description and location

Kingsway Resort is located within the Kouga Municipal area, approximately 50 km west of Port Elizabeth and approximately 2.5 km south of the N2 Bridge which crosses the Gamtoos River estuary. The resort is located on the eastern bank of the Gamtoos River estuary, on a slightly elevated section of the Gamtoos River floodplain, approximately 3.5 km from the estuary mouth.

According to Cape Farm Mapper, 2024, the Kingsway Resort is located on RE/209 of Mauritzkraal 501 (6.35 ha in extent) and Portion 35 of Mauritzkraal 501 (12.2 ha in extent) (Figure 2) (previous Ptn 34 and Ptn 1 of Farm Mauritzkraal (2008) (Figure 1). The site is owned by Kingsway Caravan Park (Pty) Ltd.



Figure 1: Locality Map (Scoping Report, 2008)



Figure 2: Ptn 35/501 and RE/209/501 (Cape Farm mapper)

30 sites (erven) of approximately 120m<sup>2</sup> in size (0.360 ha) were authorised to be developed in the northern section of the resort: A total of 136 erven occur within the resort with total development area of approximately 2.622 ha.

# EAP Services

Of these erven, the following are developed:

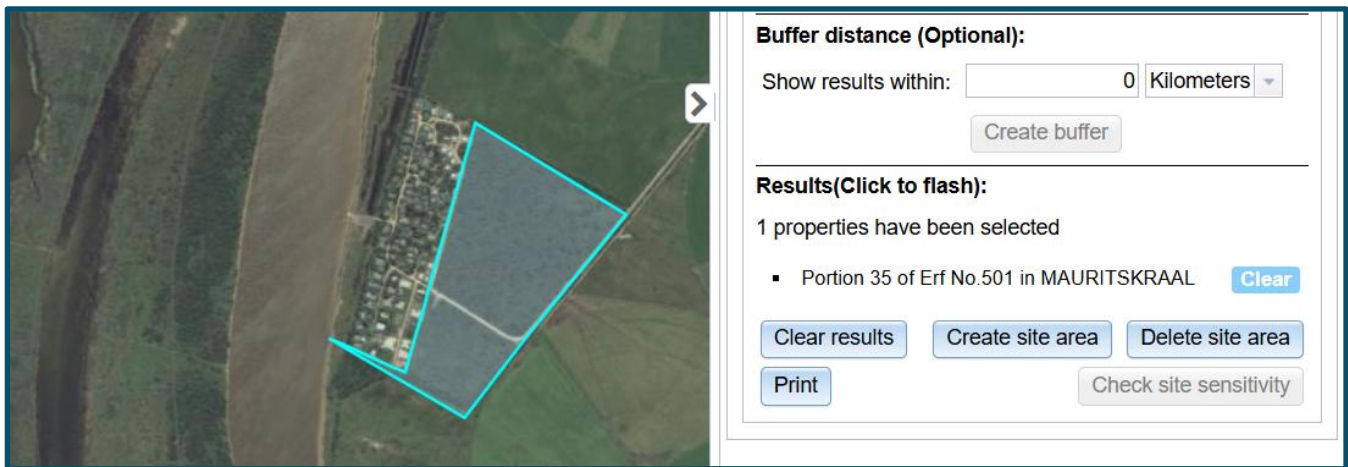
<i>New erven in northern area</i>	<i>26 / 30 developed</i>
<i>Existing caravan sites</i>	<i>72 / 75 developed</i>
<i>Existing mobile home sites</i>	<i>28 / 31 developed</i>

Bulk service installation has been completed by KV3 engineers; Electrical infrastructure is in place; overhead powerlines are in place, and all new lines are underground. Electricity is presently sourced from the Nelson Mandela Bay Municipality (NMBM). A combination of septic tanks (older erven) and conservancy tanks (new erven are in place). A formal stormwater drainage system has not been provided in the existing residential area. The soil is very porous, and stormwater drains relatively quickly. The roads in the new area have been provided with a cross fall to drain water off the road surface. A formal water drainage system for the new sites was not deemed necessary (engineering feasibility report, 2007).

### 3. Land Portions and Zoning

As per current designation by Kouga LM according to SPLUMA defined land uses:

- Portion 34 is now zoned RESORT ZONE
- Ptn 179 / 501 is zoned as resort 2
- Portion 35/501 is zoned open space 2 (***should be open space 3***)
- Portion 209 / 501 is zoned open space 2 (***proposed open space 3***)
- Portion 172/501 is zoned open space 2



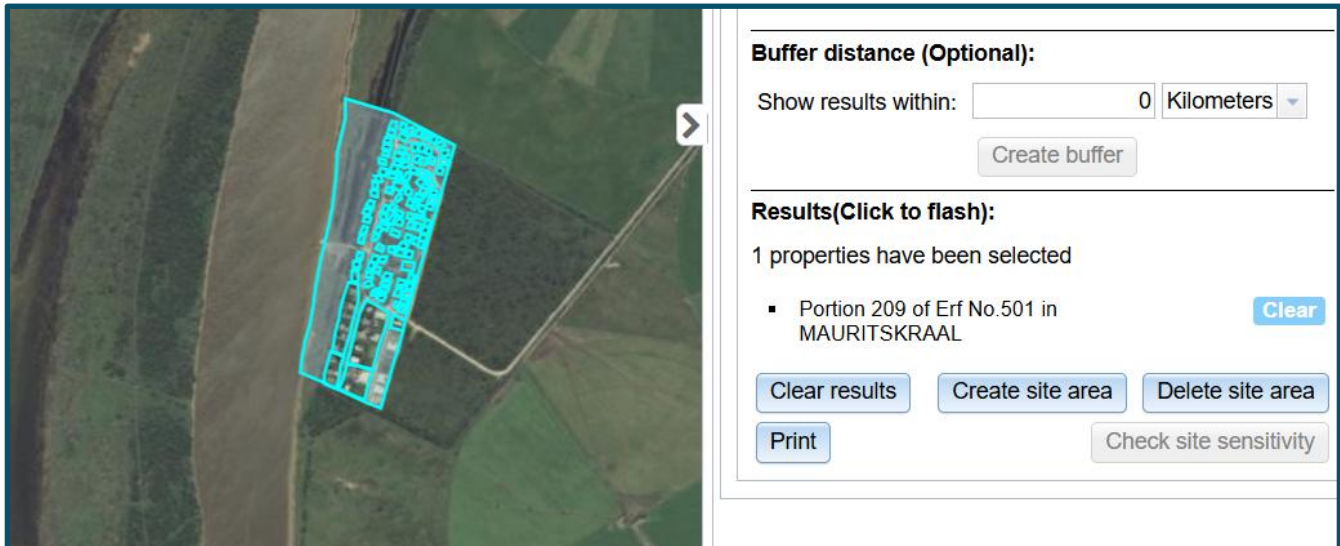


Figure 3: Ptn 35/501 and RE/209/501 (Cape Farm mapper, 2025) zoned as public open space 2; Portion 34 (dwellings) RESORT ZONE

40. Resort Zone

<b>LAND USE CATEGORY</b>		Resorts	
<b>ZONING</b>		Resort Zone	
<b>PURPOSE</b>		Resort	
<b>Objectives</b>			
<ul style="list-style-type: none"> <li>The use of land for the purpose of short term tourism accommodation, including caravan parks, chalets, mobile dwellings etc.</li> <li>The use of land for purposes and purposes aligned towards utilising the aesthetic and bio-physical qualities of the area.</li> </ul>			
<b>USE OF THE PROPERTY</b>			
<b>Primary Use</b>	<b>Definition</b>	<b>Consent Use</b>	
Holiday Accommodation	means a place of rest, holiday place, tenting or camping ground, caravan park, game park, pleasure resort or picnic spot intended for public recreation with the view to profit or gain and includes a place of refreshment and other buildings normally related and appurtenant to such a resort, as approved by the Local Authority, provided that no facility within the resort shall be occupied by any person for a period exceeded three(3) months within a period of twelve (12) months, except with the consent of the Local Authority	<ul style="list-style-type: none"> <li>Licensed Hotel</li> <li>Resort Shop</li> <li>Social Facility</li> <li>Tourist Facility</li> </ul>	
<b>DEVELOPMENT PARAMETERS</b>			
<b>Building Lines</b>		<b>Height</b>	<b>Coverage</b>
<b>Street</b>	<b>Lateral &amp; Rear</b>		
5m	5m	11m	20%

## 35. Open Space Zone 2

<b>LAND USE CATEGORY</b>		Open Space	
<b>ZONING</b>		Open Space Zone 2	
<b>PURPOSE</b>		Private Open Space	
<b>Objectives</b>			
<ul style="list-style-type: none"> <li>Land for the provision of active and passive recreational areas on private owned land.</li> <li>Generally to promote private recreation, enhance aesthetical appearance and promote the maintenance of a functional open space system.</li> </ul>			
<b>USE OF THE PROPERTY</b>			
<b>Primary Use</b>	<b>Definition</b>	<b>Consent Use</b>	
Private Open Space	means land which is for private use, and is used as an open area, park, garden, playground, recreation ground or square and can form part of a residential development	<ul style="list-style-type: none"> <li>Cemetery</li> <li>Camping Site</li> <li>Sport Facility</li> <li>Tourist Facility</li> </ul>	
<b>DEVELOPMENT PARAMETERS</b>			
<b>Building Lines</b>		<b>Height</b>	<b>Coverage</b>
<b>Street</b>	<b>Lateral &amp; Rear</b>		
Site and Development Specific as imposed by Municipality			
<b>Parking</b>			
Not applicable			

### General Provisions

- No building or structure shall be erected or use practiced, except if same is compatible with "private open space", as defined.
- The Municipality shall in each case, depending on unique circumstances, stipulate land use restrictions and additional conditions.

## 36. Open Space Zone 3

<b>LAND USE CATEGORY</b>		Open Space	
<b>ZONING</b>		Open Space Zone 3	
<b>PURPOSE</b>		Conservation	
<b>Objectives</b>			
<ul style="list-style-type: none"> <li>The use of land for conservation and natural areas.</li> <li>Include statutory and non-statutory conservation areas and provision for these land uses.</li> <li>Protection of the natural environment and for conservation and biodiversity purposes for areas which is regarded as conservation worthy.</li> </ul>			
<b>USE OF THE PROPERTY</b>			
<b>Primary Use</b>	<b>Definition</b>	<b>Consent Use</b>	
Conservation Area	means land used or declared for the conservation, biodiversity, archaeological preservation and protection of natural areas, whether publicly or privately owned, or which has been declared a nature park or reserve and includes a game park, reserve for fauna and flora and includes buildings and facilities directly related to management of the conservation area or nature reserve, inclusive of facilities for day visitors, but does not include overnight accommodation and tourist facilities	<ul style="list-style-type: none"> <li>Holiday Accommodation</li> <li>Landing Pad</li> <li>Tourist Facility</li> </ul>	
<b>DEVELOPMENT PARAMETERS</b>			
<b>Building Lines</b>		<b>Height</b>	<b>Coverage</b>
<i>Street</i>	<i>Lateral &amp; Rear</i>		
Site and Development Specific as imposed by Municipality			
<b>Parking</b>			
Not applicable			

The zoning is proposed to be amended as follows:

- Resort Zone**  
(Sectional title erven making up Kingsway Resort)
- Open space 2**  
(common areas between sectional title erven to allow management of, for example, playground area, paths, tree trimming, landscaping with indigenous plants – note, only fencing around erven permitted to allow for pets – no fencing between dwellings permitted; refer to operational mitigation measures – Appendix 2: Draft EMPR )
- Open Space 3**  
(Western area and eastern area of resort / open space 2 – to be managed as naturally as possible and keep free of alien invasive species on ongoing bases; refer to operational mitigation measures – Appendix 2: Draft EMPR )

The zoning required is provided in Figure 4; the area was surveyed by Mr Allen Nicholson on behalf of KHOA and recommended by the DEDEAT.

Note: if the part 2 amendment is authorised the zoning application submitted to the Kouga Local Municipality will need to align to the relevant land uses indicated in the Spatial Planning and Land Use Management Act 16 of 2013 (SPLUMA) i.e. Open space 2 (open spaces in resort) **and open space 3** in natural areas on east and west.

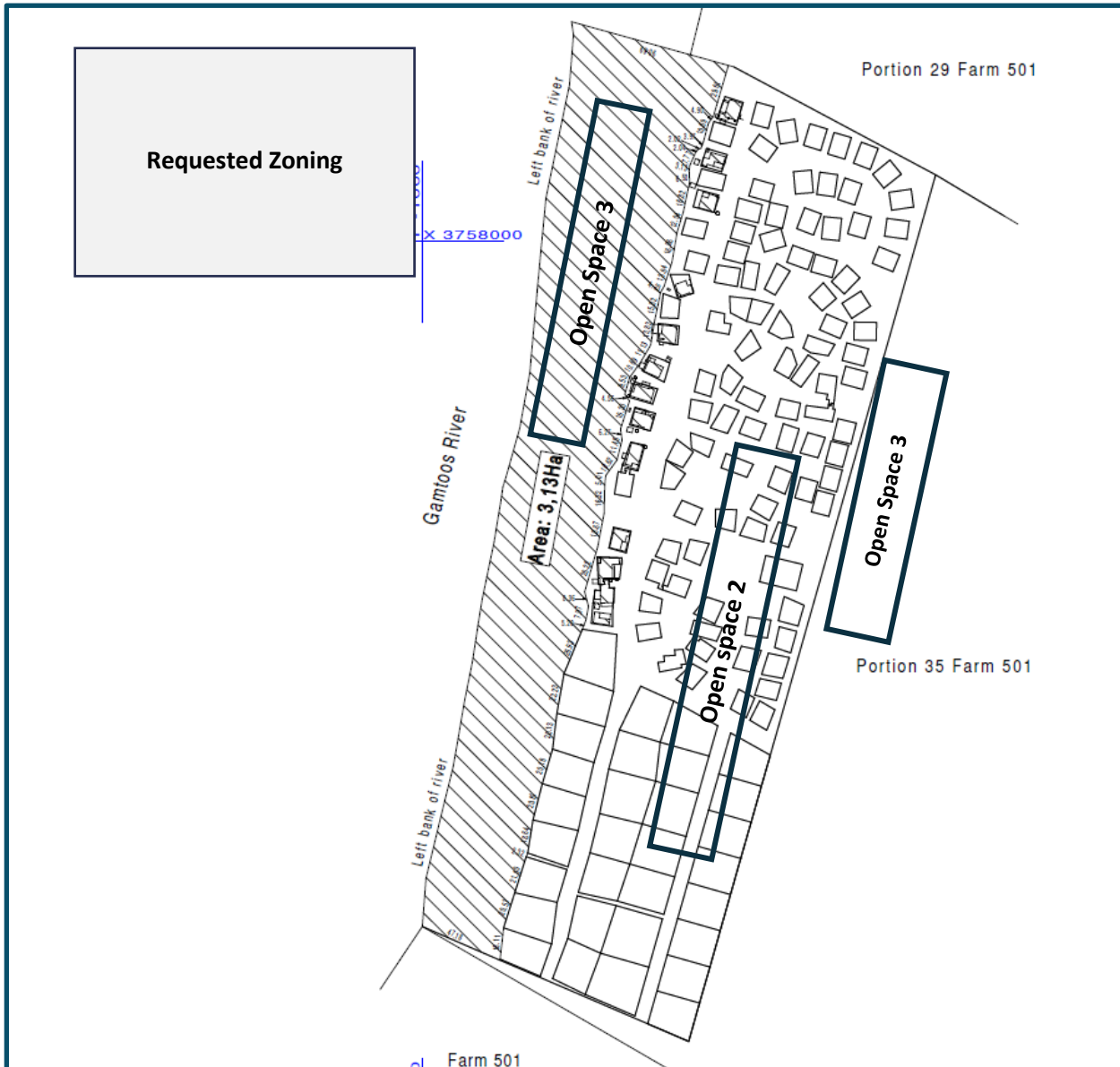


Figure 4: Rezoning request (Surveyed by Allen Nicholson on behalf of KHOA and recommended by the DEDEAT)



Figure 5: Ptn 35 / 501 and section highlighted in green on RE 209 / 501 is proposed and recommended to be to be Open Space zone 3 (conservation use)  
Remaining open areas on RE / 209 / 501 is proposed and recommended to be rezoned and managed as private open space 2

## 4. EA Amendment Requests

A compliance audit was submitted in 2024. The majority of conditions of the ROD were found to be non-compliant as information relating to an appointment of ECO, audit reports, CEMP, OEMP and layout plans required to be submitted to DEDEAT (then DEDEA) for approval, were not on record / had not yet been compiled. In addition, it was found that amendments were required for the following contained within the EA (EC08/1M/74-98) :

*All undeveloped land within portions 1 and 34 to be zoned as Open Space III, regarded as common property and to be managed as a protected natural area or Nature Reserve by the Kingsway Homeowners Association.*

### 3. Contact details of applicant

Name: Mr EGB Dawson

Address: PO box 1729 Jeffreys Bay, 6330

Telephone: 0423961475

Cell: 0826808324

### 7. Duration of authorisation

7.1 *The change land use of Portions 1 and 34 of the Farm Mauritzkraal No 501, to be affected within 12 months of the date of signature of this authorization, by means of a rezoning in terms of the Land Use Planning Ordinance, Ordinance 15 of 1985.*

7.3 *Construction of housing infrastructure to commence within 12 months of completion of the construction of bulk service infrastructure and to be completed within 60 months of commencement.*

8.2 *Conditions specific to establishment (inclusive of layout and design} of the Kingsway Caravan Resort expansion*

8.2.1 *Portion 34 of the farm Mauritzkraal 501 within the Kouga Municipal area to be rezoned from Resort I to Resort II and Private Open Space III In terms of the Land Use Planning Ordinance, Ordinance 15 of 1985 and Portion 1 of the farm Mauritzkraal 501 to be rezoned from Agriculture to Resort II and Private Open Space III to facilitate the upgrading/ expansion of the existing Kingsway Resort*

8.2.4.2 *Allocation of all land other than Individual Resort II portions as Open Space III*

8.2.13 *Individual dwelling units and all other buildings to be restricted to single story.*

8.3.12 *The development footprint of each Individual unit as well as the area to be used for the installation of services and the Individual approach road to each site to be clearly demarcated with pegs. All areas outside the demarcated areas are to be Indicated as "no-go" areas for construction workers, machinery and vehicles and access to these areas are to be prohibited*

8.4.1 *The land unit that is the subject of this Authorization and Record of Decision to be managed for conservation purposes.*

8.4.13.2 *Limited landscaping can be allowed as part of site rehabilitation on Individual portions, but such landscaping must be restricted to the use of indigenous plant species and must be In keeping with the natural vegetation found on the property. Established, non-Invasive alien species may be retained but the area Is to be kept clear of all invasive alien plant species.*

Measures identified in scoping report which require amendment:

*The common land (Erf 172) registered in the name of Kingsway Caravan Park (Pty) Ltd; all this common land be transferred to the Kingsway HOA on completion of the development and that it be managed as Public Open Space Zone III (i.e. as a protected natural area).*

*The proposed land use restriction that should be registered against the title deed of Portion 1 (in perpetuity) and its management as Public Open Space III and its proposed incorporation into the Caravan Resort as a Protected Area or Nature Reserve*

This draft amendment assessment report has been compiled to assess the impact of the proposed amendments; The report provides an overview of baseline conditions and potential direct, indirect and cumulative impacts that are likely to occur as a result of the proposed amendments. An EMPr has been compiled which includes all the mitigation measures contained within the scoping report and conditions of the EA; and includes any amendments / additional mitigation measures as required.

The draft part 2 amendment application form, amendment assessment report (this report) and the draft EMPr will be submitted to the register of interested and affected parties for a 30-day review and comment period.

The application and draft reports will be updated to a final and submitted to the DEDEAT for approval.

## 5. Overview of the area

The study area is situated in a coastal area; close proximity to the coast ensures moderate temperatures and a rainfall of about 600 to 700 mm per annum, with rain associated with east-moving frontal systems, falling throughout the year (Cowling 1985). January and February are usually the driest months. The resort is situated between the east bank of the Gamtoos River estuary. The area is comprised of two elevated terraces, 20 to 30 m wide, gently sloping flood terrace located between the high-water mark of the estuary and a vegetated ridge running parallel to the river bank on the eastern side; the dwellings and resort area and the untransformed thicket area are situated on the second, elevated terrace lying to the east of the vegetated ridge parallel to the river bank. According to the Engineering Feasibility report (2008), the residential area of the Kingsway Caravan Resort is approximately 5m above the average water level in the adjacent Gamtoos River estuary. In terms of the Eastern Cape Biodiversity conservation Plan (2019), the site is situated in an aquatic critical biodiversity area (CBA) 1. In terms of the national Vegetation Map (2019) vegetation mapped on site includes Albany Alluvial (residential erven) and Sundays Valley thicket (open space area); the area is adjacent to the Gamtoos estuarine functional zone. Albany alluvial vegetation has a conservation status of endangered; Sundays Valley Thicket has a conservation status of least concern. In terms of the Eastern Cape Biodiversity conservation Plan (2022), the site is situated in a terrestrial critical biodiversity area (CBA) 2.

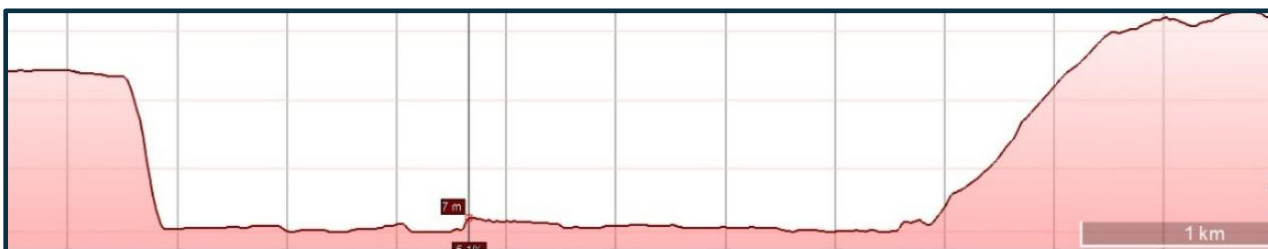


Figure 6: Cross section showing resort development at approximately 5 - 7masl

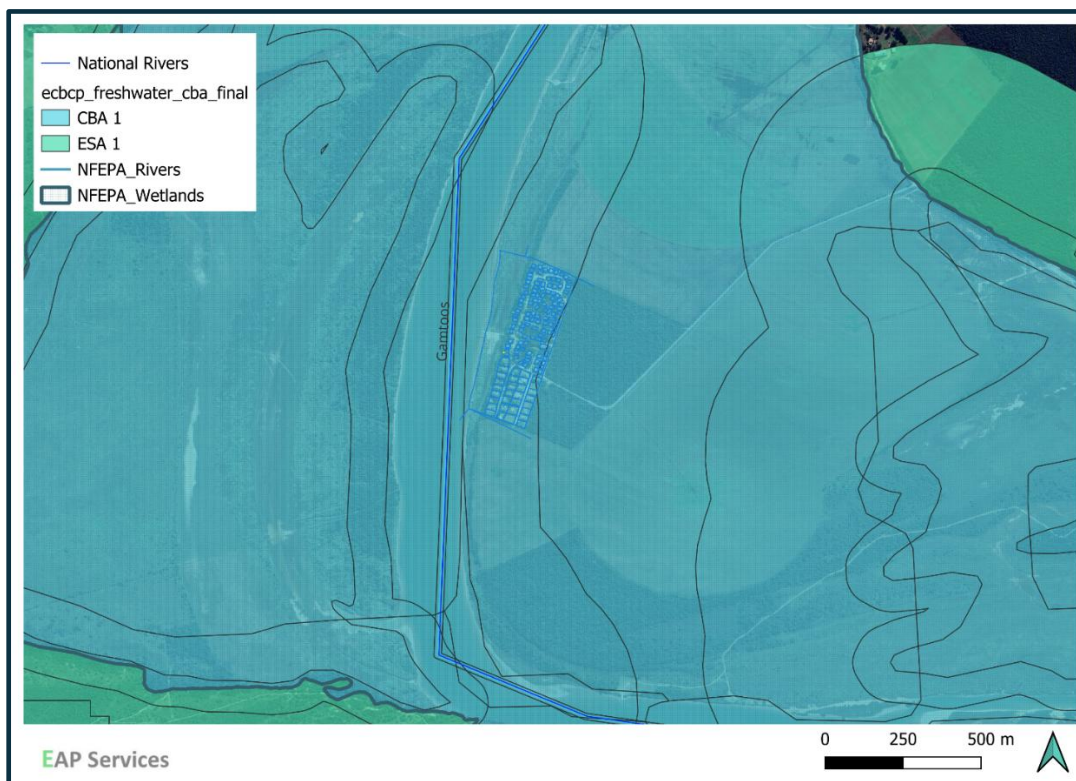


Figure 7: Study area located within aquatic CBA1



Figure 8: Vegetation types in study area (NatVEG Map, 2019)



Figure 9: Kingsway resort located in terrestrial CBA2 (ECBCP, 2019)

**Title**

SAPAD Protected Areas

**Description**

The South African Protected Areas Database (SAPAD) contains spatial data for the conservation estate of South Africa. It includes spatial and attribute information for both formally protected areas and areas that have less formal protection. Data is collected by parcels which are aggregated to protected area level. Only outer boundaries are defined in this public release. SAPAD is updated on a continuous basis. It forms the basis for the Register of Protected Areas which is a legislative requirement under the National Environmental Management: Protected Areas Act, Act 57 of 2003.

**Source**

Department of Forestry, Fisheries and the Environment (DFFE)

No protected area is currently mapped at Kingsway resort or the surrounding thicket and estuarine areas.

**Title**

SANBI Red List of Ecosystems: Remnants

**Description**

Red List of Ecosystems (RLE) for terrestrial realm for South Africa. This datasets contains the historical / potential extent (circa 1750) of each of the 458 ecosystem types assessed. This means that those portions of ecosystems that have been lost to anthropogenic activities such as mining or croplands are part of the dataset. A separate dataset (RLE\_Terr\_2021\_June2021\_Remnants\_ddw.shp) is also available and contains only the natural remaining remnants of each ecosystem type. This represents a revision of the “List of terrestrial ecosystem that threatened or in need of protection” published in the government gazette in December 2011. The revision is based on the best available data

and used the IUCN RLE risk assessment framework version 1.1 (Bland et al. 2017). Ecosystem are categorised into one of four classes representing their risk of collapse; in descending order of risk: Critically Endangered, Endangered, Vulnerable, Least Concern. The national vegetation map, 2018 version (Mucina and Rutherford 2006; Dayaram et al., 2019) provided the units of assessment for the RLE (Vegetation Unit / Type level).

## SANBI Red List of Ecosystems, 2022: Remnants

Name: Sundays Valley Thicket  
Bioregion: Albany Thicket  
Biome: Albany Thicket  
Threat Status 2021: LC  
Map Code 18: AT51  
Global vs National: Global & National status  
Endemism: Endemic

## SANBI Red List of Ecosystems: Remnants

Name: Albany Alluvial Vegetation  
Bioregion: Alluvial Vegetation  
Biome: Azonal Vegetation  
Threat Status 2021: EN

Sundays Valley Thicket (Lc) remnant vegetation is not mapped at Kingsway or surrounding open space area Albany Alluvial Vegetation (EN) remnant vegetation is mapped between the resort area and estuarine area. (CFM; SANBI Red List of Ecosystems, 2022).

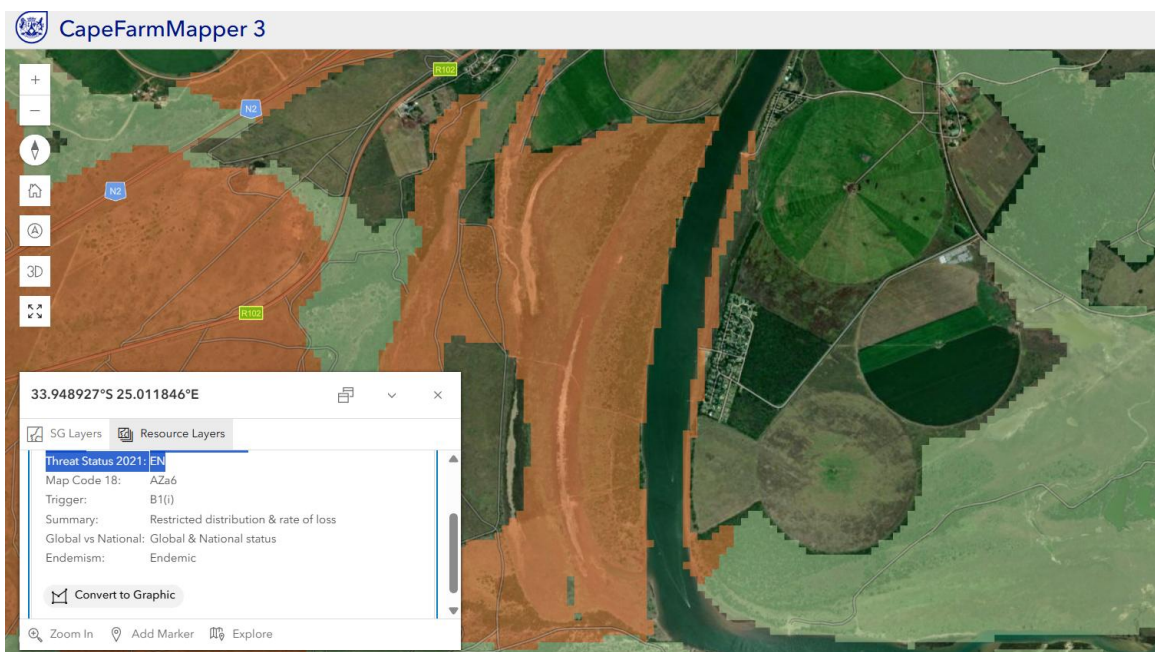


Figure 10: SANBI Red List of Ecosystems: Remnants showing Albany alluvial (orange) and Albany thicket (green) (<https://gis.elsenburg.com/apps/cfm/>)

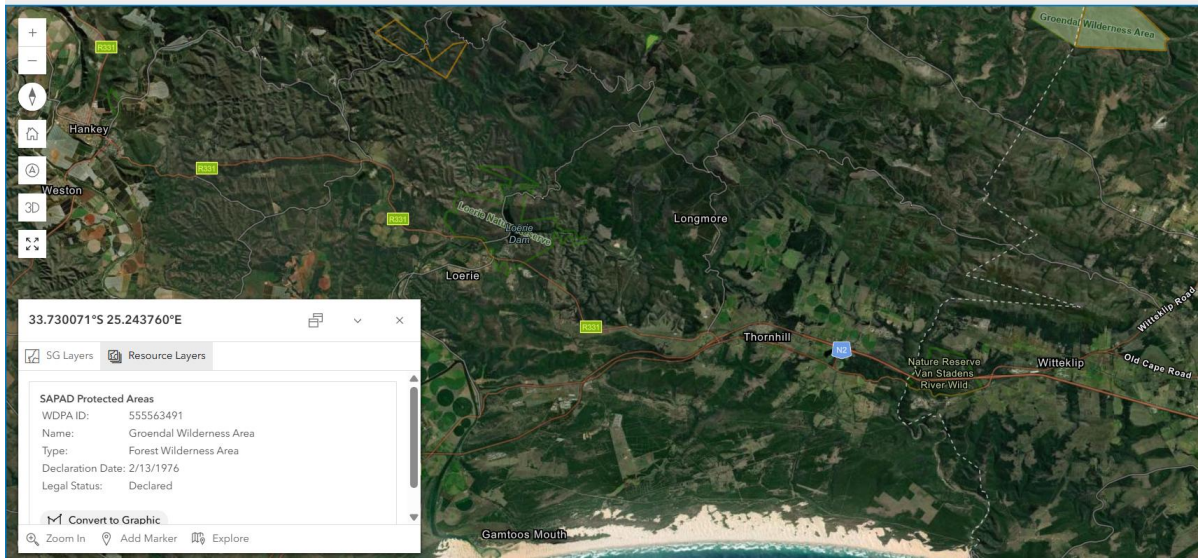


Figure 11: No protected areas mapped / declared at or surrounding the development

### DFFE Screening Tool - Environmental Sensitivities

A screening tool has been developed by the Department of Forestry, Fisheries and Environmental Affairs (DFFE). The Screening Tool identifies related exclusions and/or specific requirements including specialist studies applicable to the proposed site and/or development, based on the national sector classification and the environmental sensitivity of the site. A screening report was generated for the Kingsway Resort (Appendix 3); the sensitivities identified and verified are provided below.

Table 2: Verification of environmental sensitivity identified in DFFE screening tool report

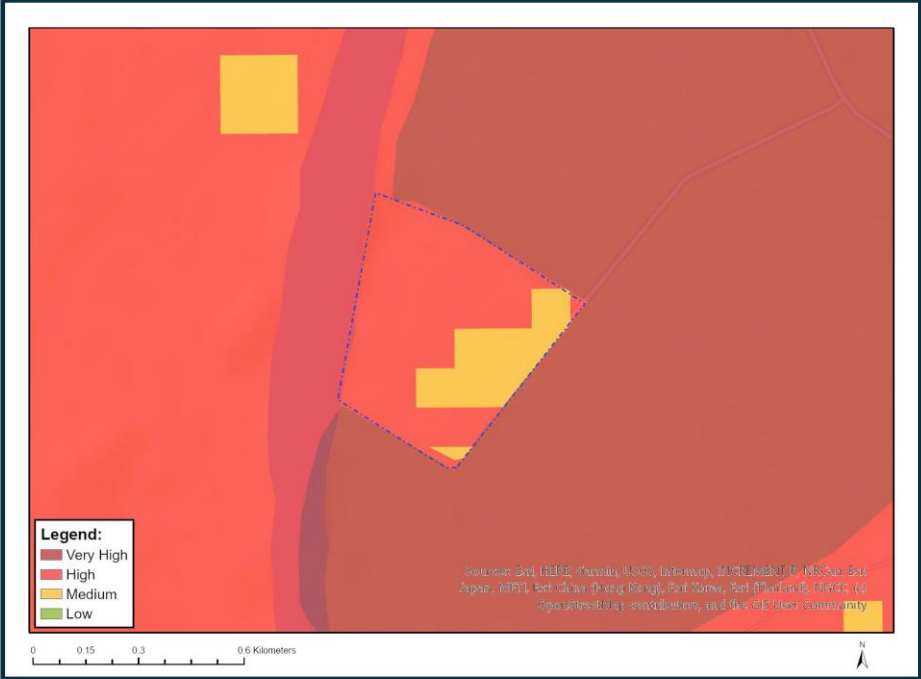
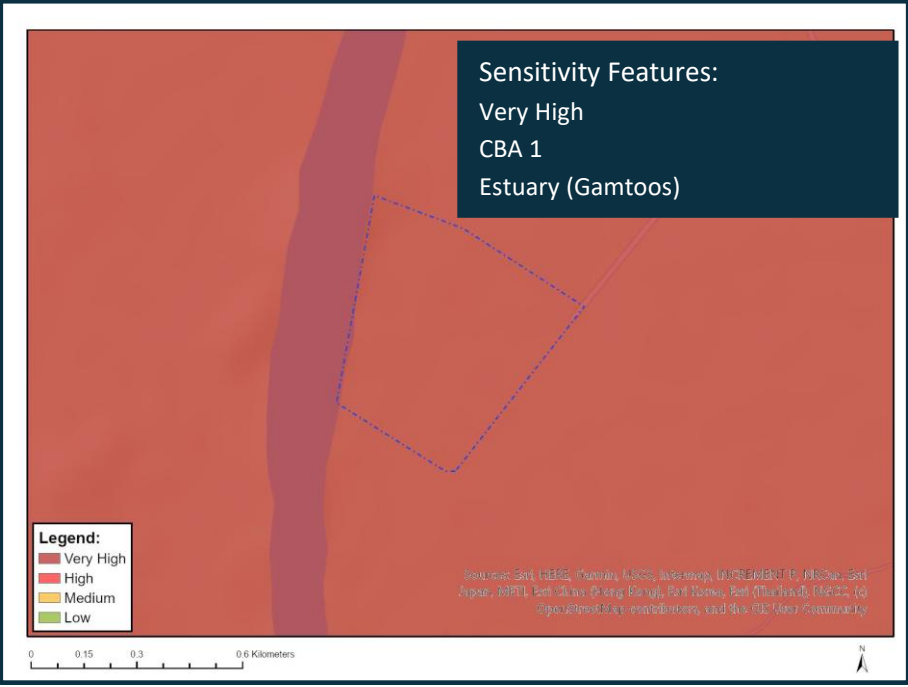

Specialist Study as per Screening Tool Report	Environmental sensitivity STR	Verification of environmental sensitivity	
<p><b>Agriculture Assessment</b></p>	<p><b>High</b></p>	<p><b>Low</b></p>	<p>The site has been used as resort 1 for many years. The area originally designated as agriculture and which will be designated as open space 3 is intact thicket vegetation providing habitat and forage areas for natural wildlife and therefore deemed more suitable as conservation use.</p>
 <p>The map displays various sensitivity levels across a geographic area. A legend in the bottom-left corner identifies four categories: Very High (dark red), High (red), Medium (yellow), and Low (light green). The map shows a large area of 'Very High' sensitivity, with several smaller patches of 'High' and 'Medium' sensitivity. A scale bar at the bottom indicates distances up to 0.6 kilometers. A north arrow is located in the bottom-right corner. Text at the bottom of the map reads: 'Source: SAH, HERE, Garmin, OpenStreetMap contributors, Swatch Housing, Mapbox, Mapbox Data, Mapbox, OpenStreetMap contributors, and the GIS User Community'.</p>			

Figure 12: Map of relative agricultural theme sensitivity



Specialist Study as per Screening Tool Report	Environmental sensitivity STR	Verification of environmental sensitivity	
Aquatic Biodiversity Impact Assessment	Very High	Very High	<p>Site is situated between the east bank of the Gamtoos River estuary. The area comprises two elevated terraces on the Gamtoos River floodplain. A 20 to 30 m wide, gently sloping flood terrace is located between the high water mark of the estuary and a vegetated ridge running parallel to the river bank on the eastern side. This terrace is prone to inundation during floods and, together with the elevated ridge on its eastern boundary, protects the resort site from river floods. The dwellings and Resort area and the untransformed Portion 1 are situated on the second, elevated terrace lying to the east of the vegetated ridge parallel to the river bank. According to the Engineering Feasibility report (2008), the residential area of the Kingsway Caravan Resort is approximately 5m above the average water level in the adjacent Gamtoos River. The area is very flat, with no streams or defined drainage lines present. The Gamtoos River estuary in the vicinity of Kingsway Caravan Resort flows through a broad alluvial floodplain bounded by soft Enon Conglomerates which are composed of finer gravels and sands. The soils at the site are deep and mostly well-drained and consist of typically sandy clay loams. There are no rock outcrops within the area. Soil erosion is not expected to be a problem on this property provided standard stormwater and erosion control measures are in place. Flooding due to heavy rain falling over one to three days, associated with frontal systems coinciding with a cut-off low pressure over the interior, is a common feature in these coastal areas. This has implications relating to soil erosion and stormwater management. It also implies the need for large storage tanks when capturing rainwater from roofs for domestic use. With reference to stormwater management within the Resort, run-off from hardened surfaces will need to be catered for in terms of adequate stormwater drainage.</p>
			
<p>Figure 14: Map of relative aquatic biodiversity theme sensitivity</p>			

Specialist Study as per Screening Tool Report	Environmental sensitivity STR	Verification of environmental sensitivity	
Archaeological and Cultural Heritage Impact Assessment	Low	Low	<p>This area is known for its rich record of archaeological sites. However, no artifacts or evidence of pre-historic human habitation or any palaeontological material have been found. Valuable material may be exposed during the clearing and construction activities and therefore appropriate attention should be given to conserving any archaeological artifacts or palaeontological material found.</p> <p>No further assessment is deemed necessary; construction is near completion.</p>
			
<p>Figure 15: Map of relative archaeological and cultural heritage theme sensitivity</p>			

Specialist Study as per Screening Tool Report	Environmental sensitivity STR	Verification of environmental sensitivity	
Paleontological Impact Assessment	Medium	Medium	No paleontology assessment is deemed to be necessary; construction is near completion. Draft EMPr outlines mitigation measures to prevent relevant impacts.
 <p data-bbox="147 879 248 986"> <b>Legend:</b>  <span style="color: red;">■</span> Very High  <span style="color: orange;">■</span> High  <span style="color: yellow;">■</span> Medium  <span style="color: green;">■</span> Low         </p> <p data-bbox="577 922 994 975"> <small>Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community</small> </p> <p data-bbox="147 1002 412 1023"> <small>0 0.15 0.3 0.6 Kilometers</small> </p>			
<p data-bbox="107 1054 792 1082">Figure 16: Map of relative paleontology theme sensitivity</p>			


Specialist Study as per Screening Tool Report	Environmental sensitivity STR	Verification of environmental sensitivity	
Plant Species Assessment	Low / Medium	Low / Medium	
	<p>Sensitivity Features: Medium</p> <p><i>Sensitive species 1252</i> <i>Trichodiadema aureum</i> <i>Apodolirion macowanii</i> <i>Marsilea schelpeana</i> <i>Syncarpha recurvata</i> <i>Agathosma gonaquensis</i> <i>Justicia orchioides subsp. orchioides</i> <i>Sensitive species 315</i> <i>Asparagus spinescens</i> <i>Zostera capensis</i> <i>Sensitive species 19</i></p>		<p>The vegetation can be described as a mosaic of Mesic Succulent Thicket clumps with some elements of South and South-West Coast Renosterveld (Rebello 1996). This open, flat area (20 to 30 m wide) located between the HWM of the estuary and a vegetated ridge is water-logged in places and covered with typical estuarine salt marsh vegetation such as <i>Sarcocornia</i> spp. and salt tolerant grasses, forming dense, low groundcover.</p> <p>Species of low sensitivity occur within resort area; species of medium sensitivity occur in areas proposed as open space 3 in thicket area on east and Gamtoos estuary area on west of resort dwellings.</p>
Terrestrial Biodiversity Impact Assessment	Very High		

Figure 17: Medium / low sensitivity (flora theme) in terms of the DFFE STR



## EAP Services

Specialist Study as per Screening Tool Report	Environmental sensitivity STR	Verification of environmental sensitivity	
Socio-Economic Impact Assessment	NA	NA	Aspects related to socio-economic impacts are addressed and mitigation measures required as necessary. EA is in place and construction of all dwellings is near completion. No specific specialist study is deemed to be required.
Visual Assessment	NA	NA	Aspects related to visual impacts are addressed and mitigation measures required as necessary. EA is in place and construction of all dwellings is near completion. No specific specialist study is deemed to be required.
Civil Aviation Assessment	High sensitivity		No impact
Defence theme	Low sensitivity		No impact

## 6. Conditions of ROD and mitigation measures

Conditions of ROD are provided in:

- Table 3: Description of activity in EA
- Table 4: Conditions of EA - duration and planning
- Table 5: Conditions of EA- construction phase
- Table 6: Conditions of EA- operational phase

Mitigation measures from the scoping report and accompanying specialist study are provided in:

- Table 7: Mitigation measures, scoping report
- Table 8: Operational Management Plan, scoping report
- Table 9: Plant species list showing indigenous and AIS plant within area (adapted from botanical survey, 2005)

An indication is provided on whether a condition / measure requires an amendment or if there is no change required. The assessment of proposed amendments and identification of any new mitigation measures / amended mitigation measures / conditions is provided in Section 7 - Impact Assessment of proposed change. The impacts are assessed with *no mitigation in place* and *with mitigation in place*; *with mitigation* refers to relevant measures contained within Tables 2 – 8 and any new / amended mitigation / conditions provided in Section 7. All measures are provided in a draft EMPr (Appendix 2).

Table 3: Description of activity in EA

Description of Activity	Comment
The proposed project entails the upgrading of the existing Kingsway Resort located on Portion 34 of the Farm Mauritzkraal 501 on the bank of the Gamtoos River within the Kouga Municipal area. Furthermore Portion 1 of the Farm Mauritzkraal 501 will be Incorporated into the existing Kingsway Resort.	No change
The proposed upgrading of the existing Kingsway Resort will therefore entail the following:	
A change in land use of Portion 1 from Agriculture to another use in order to facilitate its Incorporation Into the existing Kingsway Resort;	no change
<i>Provision of an additional 30 erven of approximately 120m2 each in size to be located on the northern section of Portion 34 and selected sites on Portion 1;</i>	<i>no change</i>
Provision for Individual erven (existing as well as new) to be zoned as Resort Zone II in order to facilitate the subdivision thereof into separate sectional title units;	No change
All undeveloped land within Portions 1 and 34 to be zoned as Open Space III, regarded as common property and to be managed as a protected natural area or as a Nature Reserve by the Kingsway Homeowners Association; and	Amendment requested
Upgrading of the water supply by means of the construction of a 200 Kt water storage reservoir In the old quarry on Portion 29 of the Farm Mauritzkraal 501 adjacent to the existing pipeline servitude (Site A on Drawing 21991/02 In Annexure 6 of the Final Scoping Report).	No change
Sewage will be disposed of by means of conservancy tanks.	No change
Electricity will be sourced from the existing electrical supply to the resort,	No change
Water is currently piped from the Churchill Pipeline to the Caravan Resort via a 2-meter-wide servitude across the Remainder or Portion 29 of the Farm Mauritskraal 501 to Portion 34 of the same. The current water supply system to be upgraded by the addition of a storage reservoir as detailed above.	No change
Access to the Resort will remain via the existing 5-meter-wide access road while the internal road network Will be upgraded to provide <i>tor</i> a 4-meter-wide internal road network.	No change
The upgrading of the existing Kingsway Resort is a listed activity in terms of Item 1(m) of Schedule 1 to GN R1182 of 5 September 1997 for which an authorization needs to be issued in terms of Section 22 of the Environment Conservation Act, Act 73 of '1989 (ECA). Other listed activities that are triggered by the proposed development that requires authorization in terms of Section 22 of ECA include:	No change

Description of Activity	Comment
1(k) The construction or upgrading of reservoirs for public water supply. 2(c) The change in land use from agriculture to any other use.	

Table 4: Conditions of EA - duration and planning

No.	Condition of EA	Comment
	<b>Conditions of authorisation – duration of authorisation</b>	
7.1	The change land use of Portions 1 and 34 of the Farm Mauritzkraal No 501, to be affected within 12 months of the date of signature of this authorization, by means of a rezoning in terms of the Land Use Planning Ordinance, Ordinance 15 of 1985.	Amendment requested
7.2	Construction of bulk service infrastructure to commence within 12 months of the rezoning being affected and to be completed within 24 months of commencement.	No change
7.3	Construction of housing infrastructure to commence within 12 months of completion of the construction of bulk service infrastructure and to be completed within 60 months of commencement.	Amendment requested
7.4	Conditions relating to the operational phase of the project are valid for the lifetime of the project.	No change
	<b>Conditions of authorisation – General conditions</b>	
8.1.1	This authorization is subject to all other statutory requirements being met, notably the requirements of the Land Use Planning Ordinance, Ordinance 15 of 1985, the National Forest Act, Act 84 of 1998 and the National Water Act, Act 36 of 1998.	No change Note: Land Use Planning Ordinance, Ordinance 15 of 1985 been replaced by Spatial Planning and Land Use Management Act 16 of 2013 (SPLUMA)
8.1.2	This authorization pertains only to the activities as described in Section 1 of this Record of Decision. Any other listed activities would be subject to authorization in terms of Section 24 of the National Environmental Management Act, Act 108 of 1998.	No change Note: amendment of project description required.
8.1.3	Any changes in the project that could have significant environmental impacts and that would differ from that which was authorized by this Department, is to be submitted to this Department for approval prior to such changes being effected.	No change
8.1.4	The conditions of this authorisation shall form part of any contract entered into between the applicant and any contractor and / or subcontractor.	No change

No.	Condition of EA	Comment
8.1.5	Should any environmental damage be detected, that in the opinion of this Department, is the result of the development, than the applicant shall be required to make good that damage to the satisfaction of the said authority at his/her own expense.	No change
8.1.6	In the event of any dispute as to what constitutes environmental damage, this Department's opinion will prevail.	No change
8.1.7	This Department must be notified, within 30 days of any changes of ownership/project developer. Conditions established in this Record of Decision must be made known to and are binding on the new owner/project developer.	No change
8.1.8	This Department must be notified of any change of address of the owner/project developer.	No change
8.1.9	This Record of Decision must be made available to any interested and affected party who has registered their interest in the proposed development, as well as all relevant organs of state. The applicant is responsible for ensuring that a copy of this Record of Decision is given to any such Interested and affected party within a week of receiving this Record of Decision.	No change
8.1.10	The listed activity as described in Section 1 of this Record of Decision and hereby authorized may not commence prior to the lapsing of the appeal period as provided for in Section 10 of this Record of Decision.	No change
	<b>Conditions of authorisation – Conditions specific to establishment (inclusive of layout and design) of the Kingsway Caravan Resort expansion</b>	
8.2.1	Portion 34 of the farm Mauritzkraal 501 within the Kouga Municipal area to be rezoned from Resort I to Resort II and Private Open Space III In terms of the Land Use Planning Ordinance, Ordinance 15 of 1985 and Portion 1 of the farm Mauritzkraal 501 to be rezoned from Agriculture to Resort II and Private Open Space III to facilitate the upgrading/expansion of the existing Kingsway Resort	Amendment requested
8.2.2	Portions 1 and 34 of the farm Mauritzkraal 501 within the Kouga Municipal area to be consolidated into one land unit.	No change To be zoned as resort, open space 2 and open space 3
8.2.3	Upgrading/ expansion of the existing Kingsway Resort to be limited to the provision of 30 additional erven and associated service infrastructure as described in Section 1 of this Record of Decision.	No change Section 1 requested to be amended
8.2.4	A detailed surveyed layout plan to be submitted to this Department for approval prior to any construction commencing on site. The layout plan to include amongst others	No change
8.2.4.1	Provision for a maximum of 30 additional erven on the northern part of Portion 34 and selected sites on Portion 1:	No change

No.	Condition of EA	Comment
8.2.4.2	Allocation of all land other than Individual Resort II portions as Open Space III;	Amendment requested To be zoned as resort, open space 2 and open space 3
8.2.4.3	The exact location of Individual components of the development, Inclusive of service Infrastructure:	No change
8.2.4.4	The exact location of the entrance gate facility as well as the access road and Internal roads; and	No change
8.2.4.5	The exact location of Individual components of the development, Inclusive of service Infrastructure:	No change
8.2.4	A detailed surveyed layout plan to be submitted to this Department for approval prior to any construction commencing on site. The layout plan to include amongst others	No change
8.2.5	The position of the 30 additional erven as provided for in Condition 8.2.4.1, to be determined In conjunction with an ecologist / vegetation specialist in order to ensure that minimal Indigenous vegetation needs to be removed to facilitate construction of individual dwellings.	No change
8.2.6	Detailed plans regarding the design and specification of the internal water reticulation and sewage infrastructure to be submitted to DEDEA for approval prior to the commencement of any construction activity on the site. Such detailed design and specification to include the provision of fire hydrants at 120m intervals along Its length.	No change
8.2.7	Each owner of all individual erven to be bound as a condition of title to be a member of the Kingsway Homeowners Association.	No change
8.2.8	All land contained In Portions 1 and 34, other than the existing individual dwellings within Portion 34 and the new proposed dwellings on Portion 34 and selected sites on Portion 1, is to be registered in the name of Kingsway Homeowners Association. Furthermore, such land Is to be regarded as communal property and to be maintained in Its natural state.	No change
8.2.9	Concomitant to Condition 8.2.8, a land use restriction to be registered against the Private Open Space III component of the Kingsway Resort to ensure management thereof as a protected natural area or a Nature Reserve by the Kingsway Homeowners Association In perpetuity	No change <i>Amendment to area designated as open space 3 requested</i> Remove open areas between erven from protected natural area and zone as private open space 2.
8.2.10	A service agreement between the Kingsway Resort and the Kouga Municipality, which specifically addresses, inter alia, the removal of sewage effluent and waste to be submitted to this DEDEA prior to the commencement of the authorized activity.	No change

No.	Condition of EA	Comment
8.2.11	Placement and design of dwelling units on individual erven is to be carried out in accordance with the Kingsway Homeowners Association General Building Regulations and must maximize visual shielding from surrounding areas.	No change
8.2.12	Individual dwelling units and associated structures, inclusive of any gardening, must be confined to within the individual erven and may not encroach onto common property adjacent to erven,	No change
8.2.13	<i>Individual dwelling units and all other buildings to be restricted to single story.</i>	No change
8.2.14	Construction and / or placement of new dwelling units and associated Infrastructure may not commence prior to the completion of the installation of associated bulk services. These include amongst others:	No change
8.2.14.1	Integration of electricity supply into the existing municipal supply chain	No change
8.2.14.2	Installation of bulk water supply including Internal reticulation and the construction of the reservoir and associated infrastructure on the neighbouring Portion 29 of the Farm Mauritzkraal No. 501; and	No change
8.2.14.3	Provision of sanitation facilities for undeveloped erven in the form of conservancy tanks to be installed in accordance with the relevant SASS standards and any requirements that the Department of Water Affairs and Forestry {DW AF) may have.	No change
8.2.15	Road width of the main access road to be restricted to 5m and of any internal roads to 4m. The length of any new roads to be restricted to the minimum required for adequate, reasonable access to Individual dwellings.	No change
8.2.16	The provision of water, sewage and electrical Infrastructure to be accommodated within the internal road system and the individual access roads. No overhead power lines to be allowed.	No change

Table 5: Conditions of EA- construction phase

No.	Conditions of EA	Comment
	<b>Conditions of authorisation - specific to construction phase</b>	
8.3.1	A comprehensive Environmental Management Plan (EMP) to be compiled and submitted to this Department for approval and implemented in the construction phase of the project. The EMP to include amongst others:	No change
8.3.1.1	Applicable conditions as contained in this record of decision;	
8.3.1.2	General principles of environmental management as applicable to construction activities including environmental best practice. erosion control, protection of indigenous vegetation, etc.;	
8.3.1.3	Mitigatory measures and recommendations contained in the Scoping Report by Anton Bok Aquatic Consultants being "EIA Scoping Report for Kingsway Caravan Park Pty (Ltd)- Subdivision and Rezoning of Portion 34 of Farm Mauritzkraal Na. 501, Uitenhage District from Resort 1 to Resort 2 for expansion of the Kingsway Caravan Resort" dated June 2007:	

No.	Conditions of EA	Comment
8.3.1.4	A waste management programme to address waste management during the construction phase	
8.3.1.5	A storm water management plan to manage storm water during the construction phase;	
8.3.1.6	Clear stipulations as to who is responsible and accountable for what actions; and	
<b>8.3.1.7</b>	A general code of conduct for any contractor that might be carrying out any work on the development site.	
8.3.2	General principles of environmental management as provided for in Condition 8.3.1.2. to provide for amongst others, the following:	No change
3.3.2.1	Generators and fuel supply needed during construction to be placed on trays, which rest on clean sand. Once construction has been completed, this sand must be removed from site and disposed of at an appropriately registered waste disposal site.	No change
8.3.2.2	Management of topsoil, including the separate stockpiling and reinstatement thereof	No change
8.3.2.3	Management of dust that may be generated during construction from the access road and soil stockpiles. Excavated material must be dampened to minimize dust until such time that use of the road by heavy vehicles ceases, the stockpiled material has been utilized during the rehabilitation process, or that it can be removed and disposed of.	No change
8.3.2.4	No cement/ concrete mixing to take place on the soil surface. Cement mixers to be placed on large trays to prevent accidental spills from coming into contact with the soil surface.	No change
8.3.2.5	No fill material to be brought on site. Excess material remaining after construction, to be removed from the site and disposed of at a registered waste disposal site.	No change
8.3.2.6	Any substrate contaminated by the spillage of hydrocarbons or other pollutants to be removed from site and disposed of at a registered waste disposal site.	No change
8.3.3	The waste management programme as provided for in Condition 8.3.1.4 to provide for amongst others:	No change
8.3.3.1	All contaminated soil must be removed from the site and disposed of at an appropriately registered waste disposal site;	No change
8.3.3.2	Any substrate contaminated by the spillage of hydrocarbons or other pollutants is to be removed from the site and disposed of at an appropriately registered waste disposal facility;	No change
8.3.3.3	An adequate number of bins, with securely fitted lids to prevent access by scavengers, must be placed at strategic points on the construction site and must be emptied every second day, or more often if required. Waste must be disposed of in a secure manner, at a registered waste disposal site;	No change
8.3.3.4	A litter control program must be implemented on site; and	No change
8.3.3.5	Chemical toilets must be provided for the construction workers. These toilets must be emptied and cleaned as per the manufacturer's instructions.	No change

No.	Conditions of EA	Comment
8.3.4	The stormwater management plan provided for in condition to provide for amongst others;	No change
8.3.4.1	Accommodation of stormwater generated by the proposed development on site	No change
8.3.4.2	Surface run-off across the site must be controlled where necessary, with berms or temporary drainage ditches;	No change
8.3.4.3	Construction activities on exposed soils must be halted during events of high intensity rainfall;	No change
8.3.4.4	Measures to reduce stormwater runoff from hardened surfaces, as far as possible including permeable paving to enhance infiltration, as appropriate;	No change
8.3.4.5	Roadside swales to be sloped at less than 1:3: and	No change
8.3.4.6	Dissipation measures to be implemented at discharge points for run-off water from the road to prevent erosion	No change
8.3.5	An Environmental Control Officer (ECO) to be appointed for the duration of the construction period. The ECO to ensure implementation of and compliance with the conditions of this Record of Decision and the stipulations of the EMP.	No change
8.3.6	Concomitant to Condition 8.3.5, compliance with and adherence to the conditions of this Record of Decision and the stipulations of the EMP to be audited on a monthly basis for the duration of the construction phase and such audit reports to be submitted to DEDEA.	No change
8.3.7	This Department reserves the right to impose corrective measures as it sees fit on the applicant in the event that it is not satisfied with the applicant's performance in relation to the EMP referred to in Condition 8.3.1 or with the auditing process <i>per se</i> .	No change
8.3.8	Contractors and sub-contractors to ensure that their staff is made aware of the conditions of this Record of Decision and the stipulations of the EMP. Furthermore, all relevant environmental controls and requirements in this Record of Decision and the stipulations of the EMP to be included in the specification documents for contractors.	No change
8.3.9	A performance-based requirement with regard to environmental impact management must be included in all contracts related to any activity of this authorization.	No change
8.3.10	The developer will be held liable in the event of non-compliance by any contractor associated with this activity.	No change
8.3.11	Construction to be restricted to normal working hours being 07:00 to 17:00 on weekdays.	No change
8.3.12	The development footprint of each individual unit as well as the area to be used for the installation of services and the individual approach road to each site to be clearly demarcated with pegs. All areas outside the demarcated areas are to be indicated as "no-go" areas for construction workers, machinery and vehicles and access to these areas are to be prohibited.	Amendment required

No.	Conditions of EA	Comment
8.3.13	Prior to project implementation a once over botanical survey must be carried out by a botanical specialist, to establish whether any species which are of special concern or protected in terms of the Nature and Environmental Conservation Ordinance, Ordinance 19 of 1974, or in terms of the National Forests Act, Act 84 of 1998 occur on the areas of the site earmarked for development.	No change
8.3.14	In the event of any species of special concern <i>or</i> species protected in terms of the Nature & Environmental Conservation Ordinance, Ordinance 19 of 1974 being present, a permit in terms of the Ordinance to be obtained DEDEA for the removal and/or translocation of such species	No change
8.3.15	A permit to be obtained from the Department of Water Affairs and Forestry for the removal of any trees that may be protected in terms of the National Forest Act. Act 84 of 1998 prior to vegetation clearing commencing on site.	No change
8.3.16	Any species identified in terms of Condition 8.3.13 and to be removed in terms of Conditions 8.3.i 4 and 8.3.15 as well as any other plant species suitable for rehabilitation and landscaping of disturbed areas, to be rescued in consultation with the botanical specialist referred to in Condition 8.3.13 before vegetation clearing takes place. Such species to be used for the rehabilitation of disturbed areas on the development site and in areas where the natural vegetation has been impacted on by human influence	No change
8.3.17	No blanket clearing of vegetation to take place on the site. Vegetation only to be cleared to facilitate construction/Installation of Infrastructure and the building of individual houses and such clearing to be restricted to the areas that has been pegged out in accordance with Condition 8.3.12. All vegetation on areas that are not developed immediately, to remain intact until such areas are developed.	No change
8.3.18	All construction activities on the site, inclusive of stockpiling of material and storing of equipment/machinery, must be limited to the area demarcated in accordance with Conditions 8.3.12 and 8.3.17.	No change
8.3.19	Concomitant to Condition 8.3.18, areas for the stockpiling of material and the storing / parking of machinery and equipment to be designated in conjunction with the ECO.	No change
8.3.20	The use of earth moving equipment to facilitate provision of services and other construction activities to be restricted to within the approved roadways as provided for in the layout plan to be submitted to this Department for approval in terms of Condition 8.2.4.	No change
8.3.21	Concomitant to 8.3.20, all other trenches and/ or earthmoving activities necessary for the installation of services and construction, to be done by hand and rehabilitated after installation.	No change
8.3.22	No earthmoving equipment to be used for the clearing of vegetation and any clearing that might be necessary to be done by hand held tools (including chain saws and hand-held brush cutters).	No change
8.3.23	No servicing of vehicles/ machinery, inclusive of refuelling, is to be allowed on site.	No change
8.3.24	Topsoil within the footprint of the development must be removed and stockpiled separately for use in on-site re-vegetation programme. Stockpiles must be no higher than 1m and must be protected from erosion. If the soil is to be	No change

No.	Conditions of EA	Comment
	stockpiled for more than a year, it must be seeded with an indigenous grass mix and covered with a mulch layer to help retain the viability of the seed bank. Topsoil may not be sold or used off-site.	
8.3.25	Any areas disturbed on individual sites due to construction activities, must be rehabilitated with indigenous vegetation immediately after construction on the Individual site has been completed.	No change
8.3.26	Adequate preventive measures to be undertaken to avoid danger or destruction of any archaeological sites and other resources during development of the site. In the event of any potential archaeological site being encountered, all work on site will cease and a qualified archaeologist be deployed on site for investigation. Any such area to be cordoned off subject to the outcome of such investigation and subsequent consultation with the South African Heritage Resources Agency (SAHRA).	No change
8.3.27	A post-construction environmental audit is to be conducted after completion construction phase of the development and submitted to this Department.	No change
8.3.28	Notwithstanding the provisions of any of these conditions, all mitigation measures and recommendations contained in the Final Scoping Report, being "EIA Scoping Report for the subdivision and rezoning of Portion 34 of Farm Mauritzkraal No. 501, Uitenhage District, from Resort 1 to Resort 2 for expansion of the Kingsway Caravan Resort" by Anton Bok Aquatic Consultants dated June 2007. submitted in support of the application. and any other documents to be read in conjunction with such report are deemed to be conditions In terms of this Record of Decision.	No change

Table 6: Conditions of EA- operational phase

No.	Conditions of authorisation	Comment
8.4.1	The land unit that is the subject of this Authorization and Record of Decision to be managed for conservation purposes.	Amendment requested To be managed as applicable for resort, private open space and open space 3.
8.4.2	A comprehensive operational management plan to be compiled by a suitably qualified and experienced professional and submitted to this office for approval/ endorsement within 12 months of the date of signature of this authorization. Such management plan to include amongst others:	No change
8.4.2.1	An alien vegetation control program for the removal of alien vegetation in a controlled and phased manner, including rehabilitation of areas that have been degraded through invasion by exotic plant material;	
8.4.2.2	A rehabilitation plan for all disturbed areas on the property;	
8.4.2.3	A comprehensive vegetation management program: and	

No.	Conditions of authorisation	Comment
8.4.2.4	A comprehensive fauna management program; and	
8.4.2.5	Landscaping guidelines for Individual owners as well as for the Kingsway Homeowners Association in general.	
8.4.3	The rehabilitation plan contemplated In Condition 8.4.2.2 to provide for amongst others:	No change
8.4.3.1	The restoration / rehabilitation of transformed areas that will remain undeveloped; and	
8.4.3.2	Establishment of Indigenous thicket plant species appropriate to the region as listed in section 5.1 of the Botanical Survey contained in the Scoping Report.	
8.4.4	The fauna management plan contemplated in Condition 8.4.2.4 to include a stipulation that no fauna which does not occur naturally on the property, or in all likelihood did not historically occur on the property, shall be Introduced onto the property.	No change
8.4.5	The subject property to be managed in accordance with the management plan required In Condition 8.4.2.	No change
8.4.6	Concomitant to Condition 8.4.7, the to-be established Home Owners Association to be responsible for the effective management of the subject property in accordance with the management plan contemplated in Condition 8.4.2. In this regard a dedicated person to be designated / appointed to oversee the implementation of and ongoing adherence to the management plan.	No change
8.4.7	Compliance with the management plan to be audited on an annual basis and the results of such audits to be made available to DEDEA upon request.	No change
8.4.8	A code of conduct incorporating general as well as environmental management rules to be drawn up for the operational phase of the project and submitted to DEDEA for approval.	No change
8.4.9	The code of conduct to address amongst others:	
8.4.9.1	Appropriate mechanisms to ensure that all owners of individual erven formally endorse environmental conservation as the primary point of departure on the site as well as adherence to norms and standards set by such a code of conduct and the management plan referred to in Condition 8.4.2;	
8.4.9.2	Appropriate mechanisms to ensure that the conduct of any contractors, service providers, staff as well as any other visitors to the site conduct themselves In a manner which Is in keeping with the norms and standards set by the code of conduct and the management plan referred to in Condition 8.4.2; and	

No.	Conditions of authorisation	Comment
8.4.9.3	Mechanisms to ensure the ongoing overseeing of adherence to the norms and standards set by the code of conduct and reserve management plan	
8.4.10	Such a code of conduct to be included as a section in the management plan to be complied in accordance with Condition 8.4.2.	
8.4.11	A waste management plan to be designed and implemented for the operational phase of the development.	No change
8.4.12	The waste management plan to address amongst others:	No change
8.4.12.1	The minimization and sorting of waste at source:	
8.4.12.2	Consideration of the compacting of non-recoverable solid waste prior to It being transported to a registered waste disposal site;	
8.4.12.3	Appropriate use and rehabilitation of the existing refuse dumps on Portion 1 (use thereof to be limited to organic waste); and	
8.4.12.4	Recycling of recoverable waste.	
8.4.13	The landscaping guidelines provided for in Condition 8.4.2.5 to provide for amongst others:	No change
8.4.13.1	No private gardening, whether for ornamental, consumptive or any other purpose may take place on the-Private Open Space III component of the property;	No change No gardening on open space 3
8.4.13.2	Limited landscaping can be allowed as part of site rehabilitation on Individual portions, but such landscaping must be restricted to the use of indigenous plant species and must be In keeping with the natural vegetation found on the property. Established, non-Invasive alien species may be retained but the area Is to be kept clear of all invasive alien plant species.	Amendment required Open space 2 to be included for rehabilitation after maintenance activities carried out.
8.4.14	No domesticated animals, whether of household, agricultural or any other variety may be kept on the Private Open Space III component of the property.	No change
8.4.15	Any fencing of the property boundaries to be such that it would allow the passage of fauna up to the size of bushbuck, <i>Tragelaphus scriptus</i> , through it.	No change
8.4.16	No internal fences/boundary walls may be constructed on the property other than to delineate the extent of Individual portions.	No change
8.4.17	Vehicular traffic to be confined to the approved roadways and no vehicles are allowed to travel off such approved roadways.	No change

No.	Conditions of authorisation	Comment
8.4.18	No fires are allowed on the property for any reason whatsoever, except in purpose-built fireplaces and/ or as part of the vegetation management program contained in the management plan. Contemplated In Condition 8.4.2.	No change
8.4.19	No herbicides to be used for the control of vegetation except if such Is used as prescribed for the control of invasive alien vegetation.	No change
8.4.20	No servicing of vehicles and other machinery to take place on site.	No change
8.4.21	No fuel or other hazardous material other than for domestic use, to be stored on site	No change

Table 7: Mitigation measures, scoping report

	Mitigation measure (construction / maintenance)	Comment
1	General mitigation measures – Scoping report	
1.1	Portion 1 be transferred in the Kingsway HOA’s name on completion of the development to facilitate the effective management of this proposed Nature Reserve.	No change
1.2	The common land (Erf 172) registered in the name of Kingsway Caravan Park (Pty) Ltd; all this common land be transferred to the Kingsway HOA on completion of the development and that it be managed as Public Open Space Zone III (i.e. as a protected natural area).	Amendment required as per zoning amendment
1.3	Kingsway Environmental Action Panel has been formed to provide guidance on environmental issues impacting on or of relevance to the Resort. The first meeting of this action group was held on 14 September 2004, and members include staff from DED&EA	No change
1.4	The proposed land use restriction that should be registered against the title deed of Portion 1 (in perpetuity) and its management as Public Open Space III and its proposed incorporation into the Caravan Resort as a Protected Area or Nature Reserve	Amendment required as per zoning amendment
3	Aesthetics mitigation measures – scoping report	
3.1	The colour of the materials used for construction should blend into the natural background (for example, shades of brown or green); and natural materials such as wood be considered – as stipulated in the HOA building guidelines.	No change

	Mitigation measure (construction / maintenance)	Comment
3.2	Ample use should be made of appropriate thicket vegetation on Portion 34 to screen the structures, rehabilitate disturbed areas and increase the naturalness of the surroundings.	No change
<b>4</b>	<b>Bulk services mitigation measures – scoping report</b>	
4.1	Once approval has been given by DED&EA in terms of NEMA for the proposed development, further details regarding the provision of associated Bulk and Internal Services (electricity, roads, water and sewage), should be drawn up and submitted to the relevant authority (Kouga Municipality) for final approval prior to construction commencing.	No change
2.1	Clearing of indigenous vegetation to be kept to a minimum. Only areas required for infrastructure such as dwellings and roads to be cleared, with the remaining areas left undisturbed.	No change
2.2	PROTOCOL FOR CONTRACTORS should be strictly adhered to.	No change
2.3	<i>Archaeological and paleontological material:</i> Any stone artifacts, pottery, etc. or fossil material found during construction activities should be left undamaged and the find immediately reported to the developer via the contractor, who should in turn report the find to DEAET. There is a legal requirement to report any archaeological site of cultural significance to the National Monuments Council, according to the National Heritage Act (Act No. 25 of 1999).	No change
2.4	Use of vehicles should be strictly controlled to ensure all vehicular activity is confined as far as possible to the planned roads to avoid unnecessary damage to the thicket vegetation.	No change
	During all excavations (e.g. for the water reticulation system pipelines, sewage facilities and electric cables, etc.,) the topsoil should be separated and stored for later use in placing on the trench scar or around the dwellings to facilitate the rehabilitation of all disturbed areas resulting from construction operations.	No change
	All “surplus” soil excavated for the construction of the dwellings, sewage system, water pipes or electric cables, etc., should be either used to repair damage or upgrade the road as necessary or removed from the site i.e. not dumped within the property or on adjacent land.	No change
	No concrete to be mixed on the soil surface, all concrete mixers to be placed on trays, and precautions to be taken against contamination of the soil through spillage of pre-mixed concrete.	No change
	Precautions to be taken against oil spillage from heavy equipment such as compressors and generators, e.g. through the use of sand or sawdust filled drip trays. All contaminated material (including soil) to be disposed of at a registered waste site.	No change
	Adequate toilet facilities (e.g. chemical toilet) to be provided for workers on site, and all ablutions to take place in these facilities.	No change
	Adequate precautions to be taken to prevent the spread of fires, if and when open fires are used by the construction workers.	No change

Mitigation measure (construction / maintenance)	Comment
Scavenger-proof litter containers to be provided on site and strict control over littering enforced.	No change
All waste material, including excess construction material, litter and sewerage, to be regularly removed from site and disposed of at a registered waste facility.	No change
Construction staff should have access to the site only via the roads designated by the Kingsway HOA and not be allowed onto sensitive thicket vegetation.	No change
Strict control over unnecessary damage to indigenous vegetation by construction staff or by careless use of machinery and vehicles should be strictly enforced.	No change
No wild animals (birds, snakes, lizards, insects, mammals, etc.) are to be disturbed unnecessarily in any way.	No change

Table 8: Operational Management Plan, scoping report



Management Measure (operational)	Comment
Landscaping guidelines	
No private gardening and lawns permitted outside individual erven; i	No change
No alien invasive / exotic plants permitted in gardens	No change
Indigenous landscaping on common areas between erven	No change
Only indigenous thicket plant species found in the region should be used for rehabilitation of disturbed areas and planting around houses – a list of species recommended is given in the Plant Species Report	No change
<i>Vinca roseus</i> , <i>Melia azedarach</i> and <i>Plectranthus comosus</i> be removed from the Kingsway Caravan Park grounds and gardens to prevent escape to the surrounding natural vegetation.	No change
Potentially invasive species in home gardens ( <i>Vinca roseus</i> , <i>Melia azedarach</i> and <i>Plectranthus comosus</i> ) should be removed and perhaps replaced with indigenous plants such as <i>Aloe africana</i> and <i>Glottiphyllum longum</i> .	No change
All indigenous plants required to be removed for development of houses / infrastructure, to be transplanted in gardens, common grounds or in open space areas. Do not throw away indigenous vegetation.	No change
Alien invasive, rehabilitation and vegetation management	

Management Measure (operational)	Comment
<p>Vegetation specialist to monitor the reserve area every 6 months and then annually and then as required - to advise on actions with regards to encroaching species (<i>Acacia karroo</i>) / alien invasive species / dense monospecific stands of <i>Senecio linifolius</i>. KHOA to action recommendations.</p> <p>Removal of encroaching <i>Acacia Karroo</i> and AIS in open space area will increase diversity of thicket diversity and limit encroachment.</p> <p>Establish of Indigenous thicket plant species in areas identified as disturbed by AIS / encroachment once the problem plants / trees are removed. Clearing of AIS / encroaching species and planting of indigenous plants must take place in phases.</p>	No change
<p>Train landscaping team on AIS identification and monitor boundaries and disturbed areas for alien invasive plants on ongoing basis; report to internal ECO as soon as detected; action immediate removal; aim to hand remove as soon as detected when plant is young. Common aliens in the area include - <i>Plectranthus comosus</i>, <i>Datura stramonium</i>, <i>Opuntia aurantiaca</i>, <i>Opuntia ficus-indica</i>, <i>Arundo donax</i></p> <p>Monitor open area on a monthly basis</p>	No change
<p>If garden refuse dumping site at 33°57'10"S 25°00'52"E is used, the garden refuse dump site should be contained and strict monitoring of AIS at site will be required; it was the source of several alien species</p>	No change
<p>All alien weeds and invader plants be removed throughout, and the property be monitored in the long term for further possible infestation, particularly at the garden refuse site and along the boundaries of the property.</p>	No change
<p>Plant species recommended for the rehabilitation of disturbed areas: <i>Aloe africana</i>, <i>Aspalathus cinerascens</i>, <i>Asparagus africanus</i>, <i>Azima tetraacantha</i>, <i>Chrysanthemoides monilifera</i>, <i>Dovyalis rotundifolia</i>, <i>Felicia muricata</i>, <i>Hypoestes aristata</i>, <i>Maytenus heterophylla</i>, <i>Plumbago auriculata</i>, <i>Rhus lucida</i>, <i>Rhus pterota</i>, <i>Scutia myrtina</i>.</p>	No change
<p>No herbicides to be used for the control of vegetation except if such is used as prescribed for the control of invasive alien vegetation.</p>	No change
<p>Fauna</p>	
<p>Pets only allowed if private erven is fenced. Dogs on leads outside private erven. Place signages and include in KHOA rules and regulations.</p>	No change
<p>No boundary fences between plots or clearing of natural vegetation to demarcate boundaries should be allowed – this will also avoid fragmentation, reduce any visual impact and allow animal movement.</p>	No change
<p>fauna which does not occur naturally on the property, or in all likelihood did not historically occur on the property, shall be Introduced onto the property.</p>	No change



Management Measure (operational)	Comment
Fencing of the property boundary to allow the passage of fauna up to the size of bushbuck, <i>Tragelaphus scriptus</i>	No change
No domesticated animals, whether of household, agricultural or any other variety may be kept on the Private Open Space III component of the property.	No change
Waste Management	
No dumping / burning waste permitted.	No change
The minimization and sorting of waste at source:	No change
Separate waste as follows Glass separated for recycling Vegetation / organic waste separated for composting Determine waste stream that can be recycled and actioned accordingly	No change
Provision of waste receptacles: Non scavenger general waste bins provided; receptacle for glass recycling provided; provide additional receptacles for recycling as required – paper, tins	No change
Compacting of non-recoverable solid waste prior to it being transported to a registered waste disposal site;	No change
Appropriate use and rehabilitation of the old refuse dumps on Portion 1 (use thereof to be limited to organic waste) Garden waste can be composted in a contained composting area If food waste is to be separated use anaerobic composting (effective microorganism / bokashi) in combination with anaerobic vermicomposting (red wriggler) in contained area	No change
Keep waste disposal / recycling records in EM file.	No change
Hazardous substances	
No fuel or other hazardous material other than for domestic use, to be stored on site	No change
Ensure spill kits and hazardous waste bin is provided for any emergency leaks / spills that could occur.	No change
Vehicles	
No off-road driving permitted; no additional roads / access tracks may be created prior to permission from DEDEAT. Allow / encourage rehabilitation of any tracks not required.	No change
No servicing of vehicles and other machinery to take place on site.	No change



Management Measure (operational)	Comment
Fire prevention and response	No change
Compile fire management plan to include measures to prevent and respond to fires – include fire break, indigenous thicket as fire proof hedges, placement of fire hydrants, emergency numbers on hand, fire response plan, any fire wate required, removal of cleared AIS and ongoing clearing of AIS	No change



Table 9: Plant species list showing indigenous and AIS plant within area (adapted from botanical survey, 2005)


FAMILY	Taxon	Status	Picture of alien / weed / encroaching plant provide for easy reference
FABACEAE	<i>Acacia karroo</i> Hayne		 <p><b><i>Acacia karroo</i> (sweet thorn) encroaches and displaces thicket species.</b></p>
ACANTHACEAE	<i>Hypoestes aristata</i> (Vahl) Soland. ex Roem. & Schult		
AIZOACEAE	<i>Aizoon glinoides</i> L. f.		
ANACARDIACEAE	<i>Rhus lucida</i> L.		
ANACARDIACEAE	<i>Rhus pterota</i> Presl		
APOCYNACEAE	<i>Vinca roseus</i> (L.) G. Don	Special effect weed–competitive, poisonous (Henderson 2001)	 <p><b><i>Vinca roseus</i> (Madagascar periwinkle); AIS</b></p>



FAMILY	Taxon	Status	Picture of alien / weed / encroaching plant provide for easy reference
ASCLEPIADACEAE	<i>Cynanchum ellipticum</i> (Harv.) R.A.Dyer.	Schedule 5 protected flora (Eastern Cape Environmental Conservation Bill, 2003)	
ASCLEPIADACEAE	<i>Sarcostemma viminale</i> (L.) R. Br.	Schedule 5 protected flora (Eastern Cape Environmental Conservation Bill, 2003)	
ASPARAGACEAE	<i>Asparagus africanus</i> Lam.		
ASPHODELACEAE	<i>Aloe africana</i> Mill.	Schedule 5 protected flora (Eastern Cape Environmental Conservation Bill, 2003)	
ASTERACEAE	<i>Arctotis arctotoides</i> (L. f.) O. Hoffm.		
ASTERACEAE	<i>Chrysanthemoides monilifera</i> (L.) T. Norl.		
ASTERACEAE	<i>Felicia muricata</i> (Thunb.) Nees		
ASTERACEAE	<i>Helichrysum rosum</i> (Berg.) Less.		
ASTERACEAE	<i>Senecio deltoideus</i> Less.		

FAMILY	Taxon	Status	Picture of alien / weed / encroaching plant provide for easy reference
ASTERACEAE	<i>Senecio linifolius</i> L.		 <p data-bbox="1335 719 2134 783"><i>Senecio linifolius</i>; indigenous however removal will enhance thicket diversity</p>
CACTACEAE	<i>Opuntia aurantiaca</i> Lindl.	Category 1 Declared weed (Henderson 2001)	 <p data-bbox="1335 1038 2063 1066"><i>Opuntia aurantiaca</i> (<i>jointed cactus</i>); Alien invasive species (AIS)</p>

FAMILY	Taxon	Status	Picture of alien / weed / encroaching plant provide for easy reference
CACTACEAE	<i>Opuntia ficus-indica</i> (L.) Mill.	Category 1 Declared weed (Henderson 2001)	 <p data-bbox="1335 660 2132 724"><i>Opuntia ficus-indica</i> (<i>prickly pear</i>); <i>naturalised Alien invasive species (AIS)</i></p>
CELASTRACEAE	<i>Maytenus heterophylla</i> (Eckl. & Zeyh.) N.K.B. Robson		
CHENOPODIACEAE	<i>Atriplex lindleyi</i> Moq. subsp. <i>inflata</i> (F. Muell.) P.G	Category 3 Declared Invader (Henderson 2001)	 <p data-bbox="1335 1190 1783 1219"><i>Atriplex lindleyi</i> (<i>Lindley's saltbush</i>) (AIS)</p>
CHENOPODIACEAE	<i>Atriplex semibaccata</i> R. Br.		
CHENOPODIACEAE	<i>Salsola kali</i> L.	Ruderal – Potential transformer (Henderson 2001)	
CRASSULACEAE	<i>Crassula capitella</i> Thunb.		

FAMILY	Taxon	Status	Picture of alien / weed / encroaching plant provide for easy reference
CRASSULACEAE	<i>Kalanchoe rotundifolia</i> (Haw.) Haw.		
FABACEAE	<i>Aspalathus cinerascens</i> E. Mey.		
FLACOURTIACEAE	<i>Dovyalis rotundifolia</i> (Thunb.) Thunb. & Harv.		
HYACINTHACEAE	<i>Dipcadi viride</i> (L.) Moench		
LAMIACEAE	<i>Plectranthus comosus</i> Sims	Category 3 Declared Invader (Henderson 2001)	 <p><i>Plectranthus comosus</i>; Alien invasive species (AIS)</p>
MALVACEAE	<i>Abutilon sonneratianum</i> (Cav.) Sweet		
MELIACEAE	<i>Melia azedarach</i> L.	Category 3 Declared Invader (Henderson 2001)	 <p><i>Melia azedarach</i> (Syringa); AIS</p>

FAMILY	Taxon	Status	Picture of alien / weed / encroaching plant provide for easy reference
MESEMBRYANTHEMACEAE	<i>Delosperma</i> sp. indet	Schedule 5 protected flora (Eastern Cape Environmental Conservation Bill, 2003)	
MESEMBRYANTHEMACEAE	<i>Drosanthemum hispidum</i> (L.) Schwant.	Schedule 5 protected flora (Eastern Cape Environmental Conservation Bill, 2003)	
MESEMBRYANTHEMACEAE	<i>Glottiphyllum longum</i> (Haw.) N.E. Br.	Schedule 5 protected flora (Eastern Cape Environmental Conservation Bill, 2003)	
MESEMBRYANTHEMACEAE	<i>Disphyma crassifolium</i> (L.) Bol.	Schedule 5 protected flora (Eastern Cape Environmental Conservation Bill, 2003)	
PLUMBAGINACEAE	<i>Plumbago auriculata</i> Lam.		
POACEAE	<i>Arundo donax</i> L.		 <p><b><i>Arundo donax</i> (giant reed); AIS</b></p>
POACEAE	<i>Setaria sphacelata</i> (Schumach.) Moss		
POLYGONACEAE	<i>Rumex angiocarpus</i> Murb.		
RHAMNACEAE	<i>Scutia myrtina</i> (Burm. f.) Kurz		
SALVADORACEAE	<i>Azima tetraantha</i> Lam.		
SANTALACEAE	<i>Thesium</i> sp. indet		

FAMILY	Taxon	Status	Picture of alien / weed / encroaching plant provide for easy reference
SOLANACEAE	<i>Datura stramonium</i> L.	Category 1 Declared Weed (Henderson 2001)	 <p data-bbox="1335 576 2040 603"><i>Datura stramonium</i> (pom pom weed); Alien invasive species (AIS)</p>
SOLANACEAE	<i>Lycium</i> sp. indet		
SOLANACEAE	<i>Solanum sisymbriifolium</i> Lam.	Category 1 Declared Weed (Henderson 2001)	 <p data-bbox="1335 995 1827 1023"><i>Solanum sisymbriifolium</i> (Litchi tomato); weed</p>
SOLANACEAE	<i>Solanum sodomaeodes</i> Kuntze		
STERCULIACEAE	<i>Hermannia althaeoides</i> Link		
VISCACEAE	<i>Viscum obscurum</i> Thunb.		

**Note: Highlighted in Red – AIS and must be removed / not planted in gardens; Note: Highlighted in Green – SCC – require permits prior to removal; permits must be kept on record**

### 7. Impact Assessment of proposed changes

This section provides an overview of baseline conditions and potential direct, indirect and cumulative impacts that are likely to occur as a result of the proposed amendments. The impacts are rated as *with mitigation measures* where the mitigation measures referred to are those contained within tables 2 – 8 of the previous section. Any additional mitigation measures identified as required are included. Any changes to conditions / mitigation measures in tables 2 - 8 are included.

All conditions and mitigation measures are contained within the draft EMPr provided as Appendix 2.

Amendment request
<p>3. <i>Contact details of applicant (No impact)</i></p> <p>Name: Mr EGB Dawson</p> <p>Address: PO box 1729 Jeffreys Bay, 6330</p> <p>Telephone: 0423961475</p> <p>Cell: 0826808324</p> <p><b>Amendment of condition 3 to:</b></p> <p><b>Name: Kingsway Homeowners Association (KHOA) represented by Chairperson</b></p> <p><b>Email: chairperson@kingswayresort.co.za</b></p>
<b>No impact</b>

Amendment request						
<p>7.1 <i>The change land use of Portions 1 and 34 of the Farm Mauritzkraal No 501, to be affected <u>within 12 months</u> of the date of signature of this authorization, by means of a rezoning in terms of the <u>Land Use Planning Ordinance, Ordinance 15 of 1985.</u></i></p> <p><b>Amendment of condition 7.1 to:</b> The change land use of Portions 1 and 34 of the Farm Mauritzkraal No 501, to be affected <b>within 24 months</b> of the date of signature of this authorization, by means of a rezoning in terms of the <b>Spatial Planning and Land Use Management Act 16 of 2013</b></p>						
<b>Impact 1:</b>	<b>Economic</b>					
Nature of impact:	Direct.					
Description of impact	Inadequate planning can lead to noncompliance with EA or lapsing of EA which will have financial implications on the KHOA					
Impact Status	Negative		Negative		Positive	
Impact Criteria	No go alternative		Without mitigation		With mitigation	
Spatial	Site	2	Site	2	Site	2
Duration	Short to medium	3	Short to medium	3	Medium to long	4
Frequency	rare	1	rare	1	rare	1
Intensity	Low	1	Low	1	Low	1
Severity	Low	5	Low	5	Negligible	6
Consequence	Low	7	Low	7	Negligible	8
Probability	Expected	5	Expected	5	Probable	4
<b>Impact Significance</b>	<b>medium</b>	<b>12</b>	<b>medium</b>	<b>12</b>	<b>medium</b>	<b>12</b>
Mitigation	Possible					
Confidence	High					
<b>Impact 2:</b>	<b>Conservation use</b>					
Nature of impact:	Direct.					

Description of impact	Change in land use (rezoning) has not been carried out as per scoping report and EA; the area designated for open space 3 was originally designated as agricultural use. Rezoning as open space 3, open space 2 and resort as per Figure 4 in this report is recommended to ensure intact area and estuarine area is designated conservation use area.					
Impact Status	Negative		Negative		Positive	
Impact Criteria	No go alternative		Without mitigation		With mitigation	
Spatial	Local	3	Local	3	Local	3
Duration	Medium to long	4	Medium to long	4	Long	5
Frequency	rare	1	rare	1	rare	1
Intensity	Low	1	Low	1	Low	1
Severity	Low	6	Low	6	Low	7
Consequence	Low	9	Low	9	Low	10
Probability	Expected	5	Expected	5	Probable	4
<b>Impact Significance</b>	<b>medium</b>	<b>14</b>	<b>medium</b>	<b>14</b>	<b>medium</b>	<b>14</b>
Mitigation	Possible					
Confidence	High					
Additional Mitigation Measures amended condition	<ul style="list-style-type: none"> <li>Rezoning to be affected within 12 months of date of signature of EA amendment</li> <li>Ensure required budget is in place for rezoning application</li> <li>Ensure steps are taken to ensure rezoning is carried out within stated timeframe</li> <li>Rezoning as open space 3, open space 2 and resort as per Figure 4 in this report is recommended to ensure intact area is designated conservation use area.</li> </ul>					

Amendment request						
7.3 Construction of housing infrastructure to commence <u>within 12 months</u> of completion of the construction of bulk service infrastructure and to be completed within 60 months of commencement.						
<b>Amendment of condition 7.3 to:</b> Construction of individual dwelling to commence <b>after</b> completion of the construction of bulk service infrastructure and to be completed within <b>12 months from date of commencement of construction.</b>						
<b>Impact 1:</b>	<b>Economic</b>					
Nature of impact:	Direct.					
Description of impact	Not all dwellings were developed within five years of bulk service infrastructure being installed. Inadequate planning can lead to noncompliance with EA or lapsing of EA which will have financial implications on the KHOA. It is recommended the condition be amended to avoid impact.					
Impact Status	Negative		Negative		Positive	
Impact Criteria	No go alternative		Without mitigation		With mitigation	
Spatial	Site	2	Site	2	Site	2
Duration	Short to medium	3	Short to medium	3	Medium to long	4
Frequency	rare	1	rare	1	rare	1
Intensity	Low	1	Low	1	Low	1
Severity	Low	5	Low	5	Negligible	6
Consequence	Low	7	Low	7	Negligible	8
Probability	Expected	5	Expected	5	Probable	4
<b>Impact Significance</b>	<b>medium</b>	<b>12</b>	<b>medium</b>	<b>12</b>	<b>medium</b>	<b>12</b>
Mitigation	Possible					
Confidence	High					
<b>Impact 2:</b>	<b>Noise</b>					
Nature of impact:	Direct.					
Description of impact	Sources of noise during construction phase include construction personnel, vehicles and machinery. Any noise generated is likely to be experienced by those residents in close proximity to the construction activity. With mitigation measures in place, the noise impacts will be short-lived and considered to be negative and of low significance.					

Impact Status	Negative		Negative		Negative	
Impact Criteria	No go alternative		Without mitigation		With mitigation	
Spatial	-	-	Activity	1	Activity	1
Duration	-	-	Very short	1	Very short	1
Frequency	-	-	Seldom	2	Seldom	2
Intensity	-	-	Low	2	Low	1
Severity	-	-	Low	5	Negligible	4
Consequence	-	-	Low	6	Negligible	5
Probability	-	-	Plausible	3	Slight	2
<b>Impact Significance</b>	-	-	<b>Low</b>	<b>9</b>	<b>Low</b>	<b>7</b>
Mitigation	Possible					
Confidence	High					
<b>Impact 3:</b>	<b>Visual</b>					
Nature of impact:	Direct.					
Description of impact	Construction of individual dwelling should take a maximum of 12 months to complete. Receptors of visual impacts during construction includes the neighbouring residents in the resort area. The impact is negative of low significance with mitigation. Dwelling design to adhere to relevant mitigation measures and conditions of EA and be approved by KHOA prior to construction.					
Impact Status	Negative		Negative		Negative	
Impact Criteria	No go alternative		Without mitigation		With mitigation	
Spatial	-	-	Activity specific	1	Activity specific	1
Duration	-	-	Very short	1	Very short	1
Frequency	-	-	Often	5	Often	5
Intensity	-	-	Low	1	Low	1
Severity	-	-	Low	7	Low	6
Consequence	-	-	Low	8	Low	7
Probability	-	-	Plausible	3	Slight	2
<b>Impact Significance</b>	-	-	<b>Medium</b>	<b>11</b>	<b>Low</b>	<b>9</b>
Mitigation	Possible					
Confidence	High					
Additional Mitigation Measures / amended condition	<ul style="list-style-type: none"> <li>It is recommended the condition be amended to avoid economic impact.</li> <li>Each of the dwellings remaining to be constructed, are to each be constructed in shortest timeframe possible and within a maximum of 12 month.</li> <li>Ensure strict waste management and hazardous materials management is in place</li> <li>Low solar lighting is recommended to mitigate visual night time operational impacts on receptors; the lighting should face away from the natural area as far as possible and illuminate only the necessary facilities, keeping lighting indoors and permitting only soft lighting outside along pathways etc. Designs of dwellings to blend in with the surrounding natural area as far as possible.</li> </ul>					
<b>Impact 4:</b>	<b>Indigenous vegetation</b>					
Nature of impact:	Direct.					
Description of impact	The DFFE screening tool reports indicates medium sensitivity for flora species with the majority of the resort falling within a low sensitivity flora area. The site has been used for recreational / resort purposes for many years and agricultural activities surrounding the area has been in place for many years. New vegetation has likely grown on the undeveloped erven over the years since the ROD was issued, however the majority of the vegetation is thicket and succulents and can be transplanted into the open space 3 area east of the resort or used as landscaping within the open space 2 area, or in landscaping within the boundaries of the erf. No additional mitigation measures are deemed necessary; it is only emphasised that AIS clearing must be carried out on an ongoing basis to reduce displacement of indigenous vegetation and that search and rescue should be carried out on individual erven prior to clearance of erf, any required permits applied for and kept on record, and as many plants as possible be kept in an approved area by the KHOA ECO / external ECO until they can be planted back after construction / planted in open space area, as required.					
Impact Status	-		Negative		Negative	
Impact Criteria	No go alternative		Without mitigation		With mitigation	

Spatial	-	-	Site	2	Activity	1
Duration	-	-	Very short	1	Very short	1
Frequency	-	-	Seldom	2	Rare	1
Intensity	-	-	Low	1	Low	1
Severity	-	-	Low	4	Negligible	3
Consequence	-	-	Low	6	Negligible	4
Probability	-	-	Plausible	3	Slight	2
<b>Impact Significance</b>	-	-	<b>Low</b>	<b>9</b>	<b>Low</b>	<b>6</b>
Mitigation	Possible					
Confidence	High					
Additional Mitigation Measures / amended condition	<ul style="list-style-type: none"> <li>Search and rescue should be carried out by KHOA and ECO with specialist guidance as necessary, on individual erven prior to clearance of erf,</li> <li>Any required permits are to be applied for and kept on record</li> <li>Rescue as many plants as possible; keep in an approved area by the KHOA ECO / external ECO if they are to be used for rehabilitation of disturbed site after construction / plant in open space areas, as required.</li> </ul>					

**Amendment request**

*8.3.12 The development footprint of each Individual unit as well as the area to be used for the installation of services and the Individual approach road to each site to be clearly demarcated with pegs. All areas outside the demarcated areas are to be Indicated as "no-go" areas for construction workers, machinery and vehicles and access to these areas are to be prohibited*

Amendment of condition to: 8.3.12: The development footprint of each Individual unit as well as the area to be used for the installation of services and the Individual approach road to each site to be clearly demarcated with pegs. **Permission from KHOA to be granted for required laydown areas that may encroach onto open space 2; these must be clearly demarcated with pegs. All open space 3 areas and** areas outside the demarcated area to be designated as "no-go" areas for construction workers, machinery and vehicles and access to these areas are to be prohibited.

*8.4.13.2 Limited landscaping can be allowed as part of site rehabilitation on Individual portions, but such landscaping must be restricted to the use of indigenous plant species and must be In keeping with the natural vegetation found on the property. Established, non-Invasive alien species may be retained but the area Is to be kept clear of all invasive alien plant species.*

Amendment of condition to 8.4.13.2: Limited landscaping can be allowed as part of site rehabilitation on Individual portions **and open space 2**, but such landscaping must be restricted to the use of indigenous plant species and must be In keeping with the natural vegetation found on the property. Established, non-Invasive alien species may be retained but the area Is to be kept clear of all invasive alien plant species.

The site has been used for recreational / resort purposes for many years. An additional 30 erven are authorised for development of additional dwellings. The majority of new dwellings have been developed however some still need to be constructed. The erven are very small and, in some cases, is it not practically possible to restrict all construction activities to the erf boundary. Maintenance activities will also be required by KHOA during operational phase. It is therefore requested that permission from KHOA by contractors to be sort for required laydown, ablution, waste management areas which may needed to be within open space 2. This is preferred to contractors using random areas, or disturbing neighbouring erven and residents, for laydown of materials and machinery. This area should be kept as small as possible, be placed on an existing developed area if possible, and rehabilitated as required by ECO.

Rehabilitation with indigenous vegetation may be required on open space 2 areas following construction / maintenance work.

<b>Impact 1:</b>	<b>Noise</b>					
Nature of impact:	Direct.					
Description of impact	Sources of noise during construction phase include construction personnel, vehicles and machinery. Any noise generated is likely to be experienced by those residents in close proximity to the construction activity. With mitigation measures in place, the noise impacts will be short-lived and considered to be negative and of low significance.					
Impact Status	Negative		Negative		Negative	
Impact Criteria	No go alternative		Without mitigation		With mitigation	
Spatial	-	-	Activity	1	Activity	1
Duration	-	-	Very short	1	Very short	1
Frequency	-	-	Seldom	2	Seldom	2
Intensity	-	-	Low	2	Low	1
Severity	-	-	Low	5	Negligible	4
Consequence	-	-	Low	6	Negligible	5
Probability	-	-	Plausible	3	Slight	2
<b>Impact Significance</b>	-	-	<b>Low</b>	<b>9</b>	<b>Low</b>	<b>7</b>
Mitigation	Possible					
Confidence	High					

<b>Impact 2:</b>	<b>Visual</b>					
Nature of impact:	Direct.					
Description of impact	Additional disturbance to receptors could occur if space within erf is not adequate and areas close to receptors are mistakenly used for laydown.					
Impact Status	Negative		Negative		Negative	
Impact Criteria	No go alternative		Without mitigation		With mitigation	
Spatial	-	-	Activity specific	1	Activity specific	1
Duration	-	-	Very short	1	Very short	1
Frequency	-	-	Often	5	Often	5
Intensity	-	-	Low	1	Low	1
Severity	-	-	Low	7	Low	6
Consequence	-	-	Low	8	Low	7
Probability	-	-	Plausible	3	Slight	2
<b>Impact Significance</b>	-	-	<b>Medium</b>	<b>11</b>	<b>Low</b>	<b>9</b>
Mitigation	Possible					
Confidence	High					

<b>Impact 3:</b>	<b>Indigenous vegetation</b>					
Nature of impact:	Direct.					
Description of impact	Additional disturbance to vegetation could occur by contractors if space within erf is not adequate and intact vegetation areas are mistakenly used for laydown.					
Impact Status	-		Negative		Negative	
Impact Criteria	No go alternative		Without mitigation		With mitigation	
Spatial	-	-	Site	2	Activity	1
Duration	-	-	Very short	1	Very short	1
Frequency	-	-	Seldom	2	Rare	1
Intensity	-	-	Low	1	Low	1
Severity	-	-	Low	4	Negligible	3
Consequence	-	-	Low	6	Negligible	4
Probability	-	-	Plausible	3	Slight	2
<b>Impact Significance</b>	-	-	<b>Low</b>	<b>9</b>	<b>Low</b>	<b>6</b>
Mitigation	Possible					
Confidence	High					

<b>Impact 4:</b>	<b>Waste generation</b>					
Nature of impact:	Direct					

Description of impact	Additional disturbance could occur if space within erf is not adequate and unsuitable areas close to receptors are mistakenly used for waste management areas. Stockpiles placed incorrectly can smother vegetation					
Impact Status	-		Negative		Negative	
Impact Criteria	No go alternative		Without mitigation		With mitigation	
Spatial	-	-	Site	2	Activity	1
Duration	-	-	Very short	1	Very short	1
Frequency	-	-	Seldom	2	Rare	1
Intensity	-	-	Low	1	Low	1
Severity	-	-	Low	4	Negligible	3
Consequence	-	-	Low	6	Negligible	4
Probability	-	-	Plausible	3	Slight	2
<b>Impact Significance</b>	-	-	<b>Low</b>	<b>9</b>	<b>Low</b>	<b>6</b>
Mitigation	Possible					
Confidence	High					

<b>Impact 5:</b>	<b>Hazardous materials</b>					
Nature of impact:	Direct					
Description of impact	Additional disturbance could occur if space within erf is not adequate and unsuitable areas close to receptors are mistakenly used for storage of hazardous materials (e.g., generator / compactor).					
Impact Status	-		Negative		Negative	
Impact Criteria	No go alternative		Without mitigation		With mitigation	
Spatial	-	-	Site	2	Activity	1
Duration	-	-	Very short	1	Very short	1
Frequency	-	-	Seldom	2	Rare	1
Intensity	-	-	Low	1	Low	1
Severity	-	-	Low	4	Negligible	3
Consequence	-	-	Low	6	Negligible	4
Probability	-	-	Plausible	3	Slight	2
<b>Impact Significance</b>	-	-	<b>Low</b>	<b>9</b>	<b>Low</b>	<b>6</b>
Mitigation	Possible					
Confidence	High					

Additional Mitigation Measures / amended condition	<ul style="list-style-type: none"> <li>• It is recommended the condition be amended to avoid impact.</li> <li>• Additional laydown area required to be indicated by internal KHOA ECO / external eco; this area should:             <ul style="list-style-type: none"> <li>○ be kept as small as possible,</li> <li>○ be placed on an existing developed area if possible and</li> <li>○ avoid areas with intact vegetation in place</li> <li>○ avoid areas close to other residents</li> </ul> </li> <li>• A designated area must be established by KHOA on the site for hazardous materials (eg, Paint, oil, turpentine etc;) that may be used during operational phase. This area is to include drip trays, spill kits, suitable waste receptacles as required, for use during maintenance and / or construction if contractor is not suitably equipped.</li> <li>• Rehabilitation with indigenous vegetation as may be required following construction / maintenance work on individual erf / open space 2 area as applicable.</li> <li>• Open Space 3 designated as no-go for all construction / maintenance related activities</li> </ul>
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**Amendment request**

*All undeveloped land within portions 1 and 34 to be zoned as Open Space III, regarded as common property and to be managed as a protected natural area or Nature Reserve by the Kingsway Homeowners Association.*

Amendment of description to: All undeveloped land within portions 1 and 34 ( currently Ptn 35 / 501 and RE 209 / 501) outside Individual Resort II portions and open space 2 area between these portions, to be zoned as Open Space zone 3 and managed as a as a protected natural area or Nature Reserve by the Kingsway Homeowners Association.

*8.2.1 Portion 34 of the farm Mauritzkraal 501 within the Kouga Municipal area to be rezoned from Resort I to Resort II and Private Open Space III In terms of the Land Use Planning Ordinance, Ordinance 15 of 1985 and Portion 1 of the farm Mauritzkraal 501 to be rezoned from Agriculture to Resort II and Private Open Space III to facilitate the upgrading/ expansion of the existing Kingsway Resort*

Amendment of condition to 8.2.1: Portion 34 of the farm Mauritzkraal 501 (currently RE 209 / 501) within the Kouga Municipal area to be rezoned from Resort I to Resort II **and open space 2** and open Space 3 In terms of the Land Use Planning Ordinance, Ordinance 15 of 1985 (currently SPLUMA) and Portion 1 (currently Ptn 35 / 501 and RE 209 / 501) of the farm Mauritzkraal 501 to be rezoned from Agriculture to Resort II **and open space 2** and open space 3 to facilitate the upgrading/ expansion of the existing Kingsway Resort

*8.2.4.2 Allocation of all land other than Individual Resort II portions as Open Space III*

Amendment of condition 8.2.4.2 to: Allocation of all land other than Individual Resort II portions **to open space 2 and Open Space 3**

*The common land (Erf 172) registered in the name of Kingsway Caravan Park (Pty) Ltd; all this common land be transferred to the Kingsway HOA on completion of the development and that it be managed as Public Open Space Zone III (i.e. as a protected natural area).*

Amendment of mitigation measure: *The common land (Erf 172) (currently RE 209 / 501) registered in the name of Kingsway Caravan Park (Pty) Ltd; all this common land be transferred to the Kingsway HOA on completion of the development and that it be managed as open space 2 (i.e. private use) and Open Space 3 (i.e. as a protected natural area) as per Figure 4 provided in amendment report.*

*The proposed land use restriction that should be registered against the title deed of Portion 1 (in perpetuity) (and its management as Public Open Space III and its proposed incorporation into the Caravan Resort as a Protected Area or Nature Reserve*

Amendment of mitigation measure : *The proposed land use restriction that should be registered against the title deed of Portion 1 ((currently Ptn 35 / 501 and RE 209 / 501) (in perpetuity) (and its management as Public Open Space III and its proposed incorporation into the Caravan Resort as a Protected Area or Nature Reserve*

The current zoning is not correct as the western section of resort area (estuary area) should be zoned as open space 3 and not resort 2 / open space 2; the eastern section of the resort area should be zoned as open space 3 and not open space 2. The area between the requested open space 3 areas is approximately 7.3 ha and the majority of the area is used for the placement of dwellings and internal roads. The open spaces between dwellings is very small; these communal areas should be zoned as open space 2 to facilitate management of the resort. This will not remove any of the mitigation measures relating to indigenous landscaping, AIS clearing and provision of throughway for fauna, through the resort / private open space 2 to the open space 3 areas.

<b>Impact 1:</b>	<b>Terrestrial and aquatic biodiversity – Conservation use and loss of some area as designated open space 3</b>
Nature of impact:	Direct
Description of impact	The current zoning is not correct; the western and eastern areas of the resort should be open space 3 as provided in Figure 4. This is considered a negative impact of low significance on conservation use as the areas are currently managed as open space area. The communal areas between the resort 2 dwellings should be open space 2 to facilitate management of the resort. This zoning will not remove any of the mitigation measures relating to indigenous landscaping, AIS clearing and provision of throughway for fauna, through the resort / private open space 2 to the

open space 3 areas. The open space area in the west and the east will be correctly rezoned to open space 3. The impact on terrestrial biodiversity and aquatic biodiversity as a result of the rezoning request (resort 2, private open space 2, public open space 3) is considered to remain positive as the area was previously zoned for resort 1 and agricultural use. The open space 3 area **will include ptn 35/501 (estimated 12.2ha) and an estimated area of 3.1 ha of RE/209/501; this** provides some forage and habitat for fauna in an area, where the majority of surrounding land uses is agriculture. The sensitive estuarine environment should be managed as open space 3. No additional mitigation measures other than those already included in the draft EMPr are deemed necessary for this change.

Impact Status	Negative		Positive		Positive	
Impact Criteria	No go alternative (zoning is incorrect)		Without mitigation		With mitigation	
Spatial	Local	3	Local	3	Local	3
Duration	Medium	3	Long term	5	Long term	5
Frequency	rare	1	Seldom	3	Often	5
Intensity	low	1	Low	1	Low – medium	2
Severity / Degree	Low	5	Medium	9	Medium	12
Consequence	Medium high	8	Medium	12	Medium	15
Probability	Slim	1	Slight	2	Probable	4
<b>Impact Significance</b>	Low	<b>9</b>	Medium low	<b>14</b>	Medium	<b>19</b>
Mitigation	Possible					
Confidence	High					

<b>Impact 2:</b>	<b>Social impact</b>
Nature of impact:	Direct.
Description of impact	The eastern and western areas will be correctly zoned as open space 3 areas / conservation use. The area between the resort dwellings and outside open space 3 areas will be open space 2 allowing for practical management within the resort area in a way which facilitates connectivity between open space 3 areas. This change is expected to result in a positive impact for landowners within the Kingsway Resort. No additional mitigation measures other than those already included in the draft EMPr are deemed necessary.

Impact Status	Negative		Negative		Positive	
Impact Criteria	No go alternative (no amendment / rezoning)		Without mitigation		With mitigation	
Spatial	Site	2	Site	2	Site	2
Duration	Medium	3	Medium to long	5	Medium to long	5
Frequency	Seldom	3	Seldom	3	Seldom	3
Intensity	Low	1	Low	1	Low	1
Severity / Degree	Low	7	medium	9	medium	9
Consequence	Low	9	Low	11	Low	11
Probability	Probable	4	Plausible	3	Plausible	3
<b>Impact Significance</b>	<b>medium</b>	<b>13</b>	<b>Medium low</b>	<b>14</b>	<b>Medium low</b>	<b>14</b>
Mitigation	Possible					
Confidence	High					

Additional Mitigation Measures amended condition	<ul style="list-style-type: none"> <li>Amendment change and allow rezoning to be affected within 24 months of date of signature of EA amendment</li> <li>Ensure required budget is in place for rezoning application</li> <li>Ensure steps are taken to ensure rezoning is carried out within stated timeframe</li> <li>Rezoning as open space 3, open space 2 and resort as per Figure 4 is recommended to ensure intact area and estuarine area is designated as conservation use area.</li> </ul>
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## 8. Conclusion

No negative impacts of high significance were identified as a result of the proposed amendments to the EA. Some construction related impacts are identified as construction of some dwellings remains to take place; additional measures are recommended to mitigate related construction / maintenance / operational impacts; all impact are expected to be of low significance with measures in place. The original change in land use from agriculture to conservation use, and the corrected land use zoning, is considered a positive impact of medium significance for biodiversity in the area. A low positive impact on residents of the resort may result if the proposed amendments are approved. A summary of impacts is provided below in Table 1. The draft EMPR is provided in Appendix 2.

The final part 2 amendment report and accompanying appendices is hereby submitted to the DEDEAT for decision making: 25 May 2026

Appendix 1 – Public participation and comments and response report, May 2026

Appendix 2 – Final Draft environmental management programme report

Appendix 3 – Screening tool Report

Appendix 4 – Impact Assessment rating methodology

Appendix 5 – Scoping report and vegetation assessment

Appendix 6 – Record of decision

The final part 2 amendment report is made available to all IAPs: <https://eapervices.co.za/khoa-part-2-amendment/>

Any further comments are requested to be submitted directly to the DEDEAT within 30 days (25 June 2026).