



## GEORGE

TEL: +27 (0) 44 873 4923 FAX: +27 (0) 44 874 5953  
EMAIL: info@sesc.net WEBSITE: www.sesc.net  
ADDRESS: 102 Merriman Street, George, 6530  
PO BOX: 9087, George, 6530

## CAPE TOWN

TEL: +27 (0) 21 554 5195 FAX: +27 (0) 86 575 2869  
EMAIL: james@sesc.net WEBSITE: www.sesc.net  
ADDRESS: Office 3, Now Space East, 01 Westlake Drive, Westlake,  
7945  
PO BOX: 443, Milnerton, 7435

# TERMS OF REFERENCE FOR TERRESTRIAL ECOLOGY ASSESSMENT

## THE PROPOSED DEVELOPMENT OF HEROLD'S BAY COUNTRY ESTATE

### 1. INTRODUCTION

Sharples Environmental Services cc (SES) has been appointed as the independent Environmental Assessment Practitioner (EAP) to conduct the Environmental Authorisation process for this Proposed Development of the Herold's Bay Country Estate and requires specialist terrestrial ecological input.

#### 1.1 Location of the proposal

The proposed site is located upon undeveloped land on a Portion of Portion 7 of Farm Buffelsfontein No. 204 situated in Herold's Bay, Western Cape (see attached **Locality Map**). The site is positioned approximately 10km south-west of George and 30 km north-west of Mossel Bay. The site lies directly adjacent to the Dutton's Cove residential area and the Oubaai Golf and Residential Estates.

The total extent of Portion 7 of the Farm Buffelsfontein No. 204 is 65.4Ha, however the portion to be developed is only approximately 25,755Ha (see attached **Proposed Layouts**).

### 2. SPECIALIST INVOLVEMENT

A Biodiversity Sensitivity Analysis of the study area was conducted by Ken Coetzee in August 2007. It found that the majority of the area was transformed due to pastures and alien vegetation infestation, however, a small area along the eastern portion of the site contained indigenous forest (see attached **Vegetation Description Extract**).

The purpose of this study is to conduct a botanical and ecological survey of the site to ascertain the **current** status of the vegetation cover and assess the potential impact of the proposed development on the biophysical environment.

The specialist conducting this study must:

- Be independent and have expertise in conducting similar assessments;
- Have a suitable academic qualification in the botanical / ecological field;
- Be familiar with the assessment criteria commonly used in the EIA Process to assess and evaluate impacts;
- Have good knowledge relating to assessment techniques and to relevant legislation, policies and guidelines;
- Perform the work in an objective manner, even if this results in views and findings that are not favourable to the applicant; and



- Consider the DEA&DP's Guideline on Involving biodiversity specialists in the EIA process.

## 2.1 Terms of Reference

The assessment of the proposal will necessitate specialist input which will need to be undertaken with the Terms of Reference listed below and relevant specialist guidelines. In addition to meeting the requirements of the relevant legislation, ecological reports should also meet those of the Guideline for Involving Biodiversity Specialists in EIA Processes. The Fynbos Forum Ecosystem Guidelines for Environmental Assessment in the Western Cape, published by the Fynbos Forum and Botanical Society of South Africa, as well as national, provincial and municipal biodiversity and development planning documents must be consulted where available.

The ecologist or biodiversity specialist must have no financial or other vested interest in the proposed development and must be professionally registered.

### **Status quo and Impact Assessment)**

- ✓ Contextualization of the study area in terms of important biophysical characteristics and the latest available conservation planning information (including but not limited to vegetation, CBAs, Threatened ecosystems, any Red data book information, sensitive and protected areas).
- ✓ Undertake a site visit and ground-truth biodiversity information. Where required, undertake baseline surveys and/or studies to supplement the information base and inform the assessment.
- ✓ Describe and map important biodiversity (both vegetation and fauna) on the site and in the wider landscape, from both pattern and ecological process perspectives. Additionally, describe areas or features off site that could be indirectly impacted by the proposed land use.
- ✓ Note the condition of affected ecosystems and levels of degradation, including infestation by invasive alien species.
- ✓ Estimate the trajectory of change in the context of the 'No-Go' Alternative due to existing impacts.
- ✓ Record inconsistencies between the biodiversity plans/CBA maps/ FEPA maps and the 'on the ground' situation.
- ✓ Produce a sensitivity map of the vegetation of the site and any critical faunal habitat.
- ✓ Identification, prediction and description of potential impacts on terrestrial ecology during the construction and operational phases of the project. Impacts are described in terms of their extent, intensity, and duration. The other aspects that must be included in the evaluation are probability, reversibility, irreplaceability, mitigation potential, and confidence in the evaluation.
- ✓ This must be undertaken for all of the alternatives and must be rated with and without mitigation to determine the significance of the impacts.
- ✓ Recommend actions that should be taken to avoid impacts on sensitive ecology, in alignment with the mitigation hierarchy, and any measures necessary to restore disturbed areas or ecological processes.
- ✓ Identify areas of high importance or sensitivity on which impacts should *preferably* be avoided or *prevented* or, where they cannot altogether be avoided, should at least be *minimized* (e.g. through buffers or setbacks).
- ✓ Identify areas that are known to be important for biodiversity but are degraded or invaded by alien species and require rehabilitation/restoration, including areas that could improve connectivity and reduce fragmentation in the landscape.
- ✓ Identify areas that would be worthy of protection (for example, through biodiversity stewardship).
- ✓ Evaluate whether or not the likely impacts would compromise the desired management objectives for the specific biodiversity areas or features (CBA, ESA, FEPA, protected area, etc).
- ✓ An accurate description and map of the areas and features of importance to biodiversity and their sensitivity to the proposed development. Possibly recommend alternatives.



- ✓ Rehabilitation guidelines for disturbed areas associated with the proposed project.
- ✓ Any monitoring protocol that is deemed necessary

### General

- ✓ Reference all sources of information and/or data used.
- ✓ Indicate limitations and assumptions, particularly in relation to seasonality.
- ✓ Description of the methodology adopted in preparing the report
- ✓ Provide a reasoned opinion as to whether the proposed activity should be authorised
- ✓ The specialist and the report must comply with the following guidelines and legislation:
  - Fynbos forum. 2016. *Ecosystem guidelines for environmental assessment in the Western Cape*. Cape town.
  - Appendix 6 of the Amended EIA Regulations, GN No. R. 326 (April 2017).
  - Brownlie, S. 2005. *Guideline for involving biodiversity specialists in EIA processes: Edition 1*. CSIR Report No ENV-S-C 2005 053 C. Republic of South Africa, Provincial Government of the Western Cape, Department of Environmental Affairs & Development Planning, Cape Town.
  - Any national, provincial and municipal biodiversity and development planning documents must be consulted where available.
- ✓ The report should be prepared in a suitable font and submitted to SES in draft form. If accepted by SES and the client, one (1) final electronic copy will be required by SES.

### 2.2 Quotation Details

Please provide a written quote for the assessment including a break-down of costs and indicate your availability to commence the study.

## 3. EXPECTED DELIVERABLES

An initial draft report covering the above requirements must be submitted to SES four weeks after the notice to proceed with above scope of work. Your pricing must take into account the fact that there will probably be further minor amendments to the layout which means you may have to review the layout but will not require an extra site visit. The final report (which shall include any reasonable amendments in response to the EAP's comments on the initial draft, if necessary) shall be delivered **two weeks** after the draft report, assuming the EAP shall have provided comments within a week after receiving the initial draft report. One final electronic copy and four hard copy's must be submitted to the Client/EAP.





**LOCALITY MAP FOR THE PROPOSED DEVELOPMENT OF HEROLDS BAY COUNTRY ESTATE ON A PORTION OF PORTION 7 FARM BUFFELSFONTEIN NO. 204, HEROLDS BAY, WESTERN CAPE**

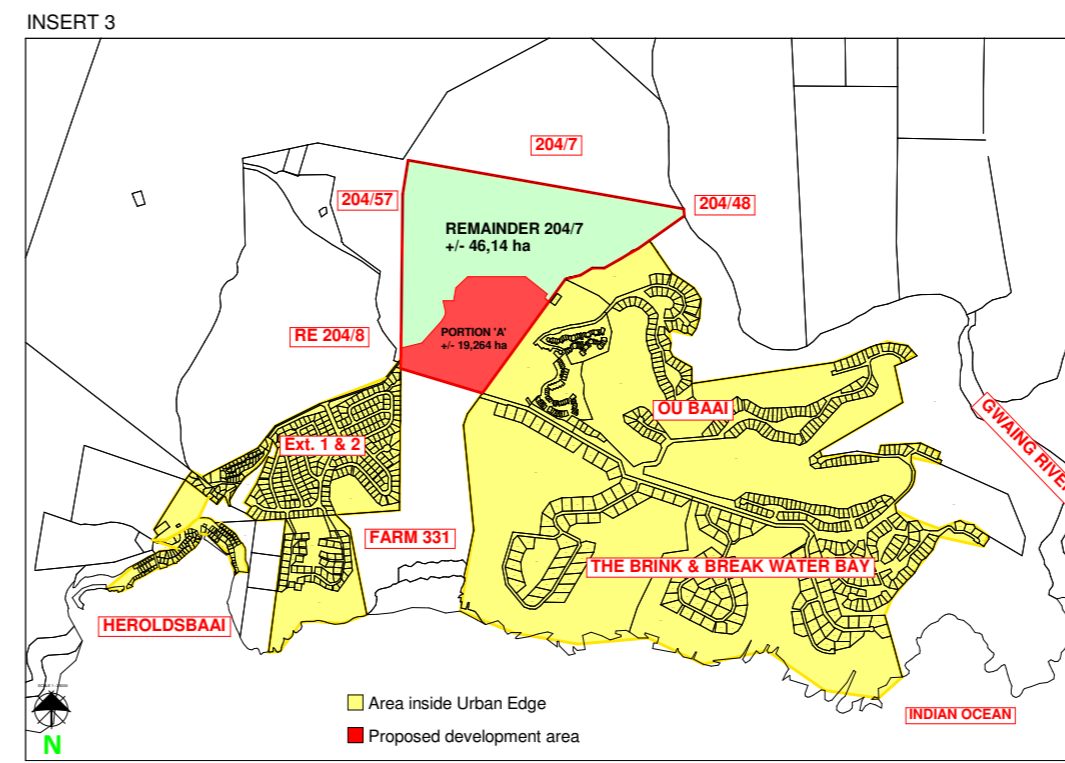
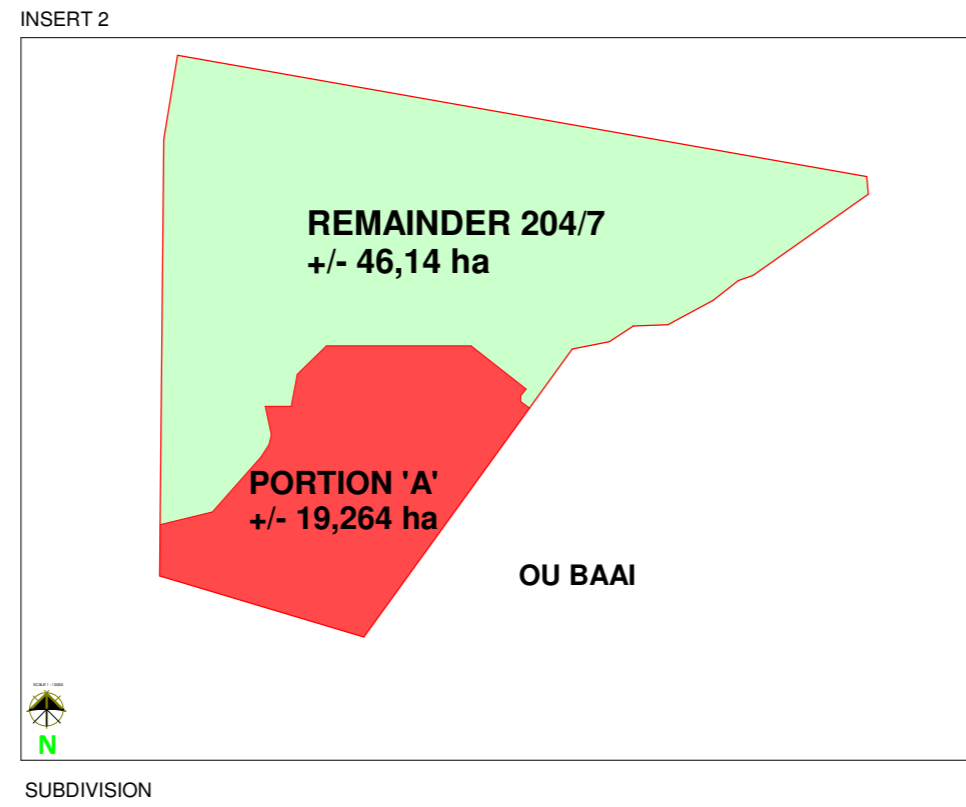
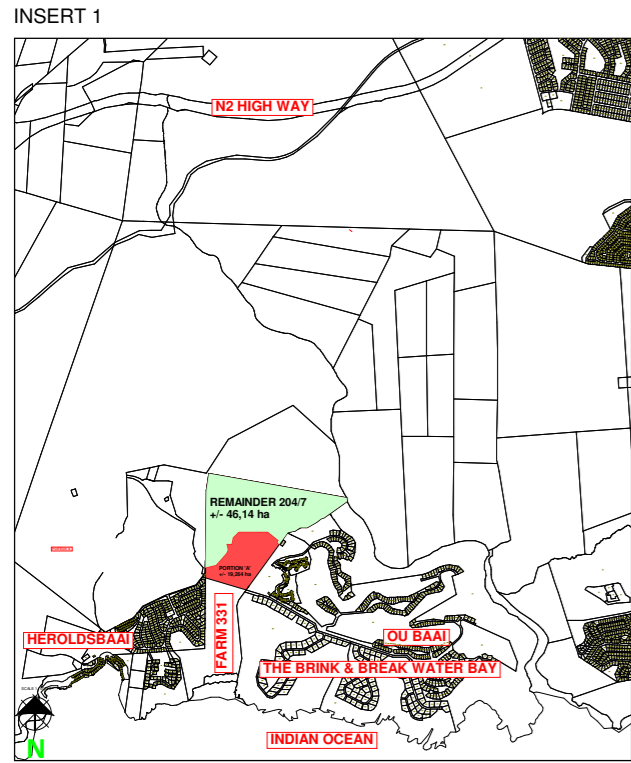


Project:  
 PROPOSED DEVELOPMENT OF HEROLDS BAY COUNTRY ESTATE ON A PORTION OF PORTION 7 FARM BUFFELSFONTEIN NO. 204, HEROLDS BAY, WESTERN CAPE

**PREPARED FOR:**  
 GFA Holdings

**DATE:**  
 18 January 2019





**APPLICATION FOR THE CANCELLATION AND REGISTRATON OF SERVITUDES, SUBDIVISIONS, REZONING, AND CONSENT USES IN TERMS OF THE RELEVANT SECTIONS OF THE BY-LAWS ON LAND USE PLANNING FOR THE MUNICIPALITY OF GEORGE, 2015.**

- APPLICATION IS BEING MADE FOR :
- Cancellation in terms of Section 15.2 (f) of the following title conditions applicable to servitudes as per Deed of Transfer T038436/2017 (as shown on Insert 4):
    - Par. B: A servitude right of way, 5.87m wide, marked XYZ, on SG Diagram 2223/45;
    - Par. C: Right-of-way, 5.67m wide, marked WXYA on SG Diagram 1827/52;
    - Par. D: Servitude, 9.45m wide, marked XY & Y'B on SG Diagram 916/65; and
    - Par. E: Right-of-way, 9.45m wide, marked XY and line Y'B on SG Diagram 5727/58.
  - Subdivision in terms of Section 15.2 (d) of Portion 7 of Farm Buffelsfontein No 204 as follows: (INSERT 2):
    - Portion A = ±19,26 ha; and
    - Remainder Buffelsfontein 204/7 = ±46,14 ha.
  - Rezoning in terms of Section 15.2 (a) of the above mentioned PTN. A from Agriculture Zone 1 to Subdivisional Area;
  - Subdivision of the above mentioned Subdivisional Area in terms of Section 15.2 (d) as shown on plan and Table A.
  - Consent use in terms of Section 15.2 (o) for Restaurant/Supermarket/Service Station on Portion 106.
  - Business Zone IV on Portion 106 as Spot Zoning for 300 m<sup>2</sup> office space - exact position to be shown on Site Development Plan.
  - Registration of the following servitudes in terms of Section 15.2 (d)
    - Services servitude area, marked Figure a b c d e including servitude right-of-way for access to servitude area marked Figure f g c b on Remainder 204/7;
    - Services servitude area 3m wide marked Figure h j k d on proposed Portion 103;
    - Services servitude area 3m wide marked Figure l m n o on Ptn.6;
    - 3 m Wide r-o-w. and services servitude - marked Figure pqrstuv to be registered on Portion 106.
    - Right-of-way and services servitude - to be registered on Portion 110 in favour of Remainder 204/7.
    - A servitude for pipeline from treatment works to retention pond on Ptn. 106 via private road and Pr. O.S. (Ptn 109) will be registered when route is finalised.
    - Notarial Deed to be registered on Ptn. 107 in favour of Rem. Farm Buffelsfontein 204/7

**SITUATED AT HEROLDS BAY IN THE MUNICIPALITY AND ADMINISTRATIVE DISTRICT OF GEORGE.**

**Table A**

Zoning	Ptn No's	Land Use	Number	Area (ha)	%
Residential Zone I	1-102	Single Dwelling *	102	± 9,019 *	47
General Residential Zone II	103, 104 & 105	Group Housing **	3	± 3,613	19
Business Zone II	106	Shop ***	1	± 0,958	5
Business Zone IV ****	106	Office (300 m <sup>2</sup> floor space) ****	1	± 0,958	5
Open Space II	107, 108 & 109	Private Open Space	3	± 1,334	7
Transport Zone III	110	Private Road	1	± 3,209	16
Transport Zone II	111	Public Street	1	± 1,283	6
<b>Total</b>			<b>111</b>	<b>± 19,264</b>	<b>100</b>

\* Average erf size = 882 m<sup>2</sup> (min. ± 733 m<sup>2</sup> and max. = 1020 m<sup>2</sup> - excl. Ptn. 65 with exist. dwelling)  
 \*\* Average density :  
 Ptn 103 = 16 units @ 25,8 / ha. (a1 - a16)  
 Ptn 104 = 32 units @ 18,4 / ha. (b1 - b32)  
 Ptn 105 = 20 units @ 16,1 / ha. (c1 - c20)  
 \*\*\* SHOP (Restaurant / Super market / Service station - Consent Use)  
 \*\*\*\* OFFICE (Spot Zoning for 300 m<sup>2</sup> floor space - Position to be shown on S.D.P.)

- REMARKS:
- Land concerned situated outside 'Urban Edge' in terms of 2015 L.S.D.P.
  - The emergency 11kV powerline connecting the 66kV and 11kV Sub-station on the abutting Ou baai will be accommodated within a 3m wide servitude to be registered along the south-eastern boundary of Portion 103. The 66kV and 11kV Municipal connecting powerlines from the 66kV Sub-station to Herolds Bay and the rural area will be accommodated in the proposed 15m wide road reserves as well as a 3m wide service servitude along the western boundary of Ptn. 6.
  - The Ou baai/The Brink/Breakwater Bay access road was surveyed, but diagram was not registered and therefore still forms part of Rem. 204/7.
  - Development will be implemented in phases.

- NOTES:
- Contour and Cadastral information by Azur Aerial Services.
  - Contour intervals: 1.0m



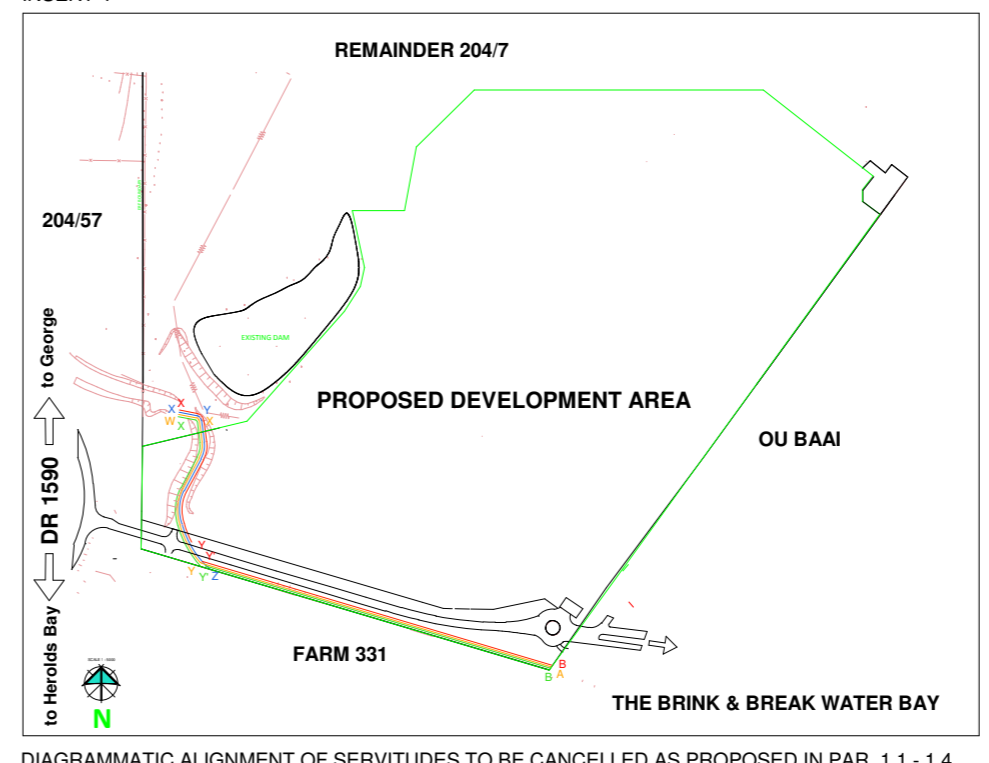
**PTN. 7 A PORTION OF PORTION 7 FARM BUFFELSFONTEIN No. 204 SITUATED IN MUNICIPALITY AND ADMIN. DIST. OF GEORGE**

SKAAL 1 : 1500 (A1) 1 : 2000 (A2) 1 : 3000 (A3) SCALE

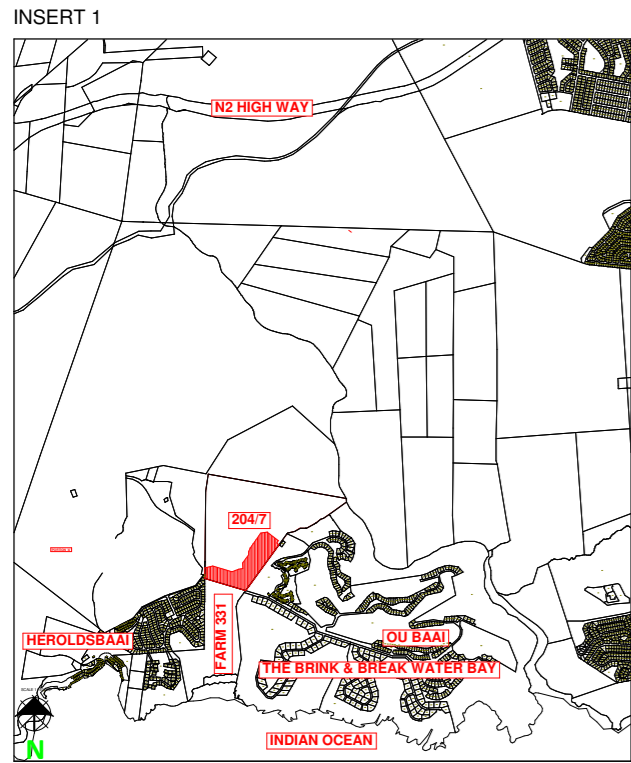
**neldek & kock**  
 Town and Regional Planners  
 Stads -en Streekbeplanners  
 Yorkstraat 56 York Street  
 Posbus 1186 / P.O. Box 1186  
 George 6530  
 Tel: (044) 874 5207  
 Fax: (044) 873 6354  
 E-pos / E-mail: neldek@mweb.co.za

Beplan Planned	D.N.	Plan No	<b>HDB/C/204-1</b>
Geteken Drawn	REL		
Datum Date	16 NOVEMBER 2018		

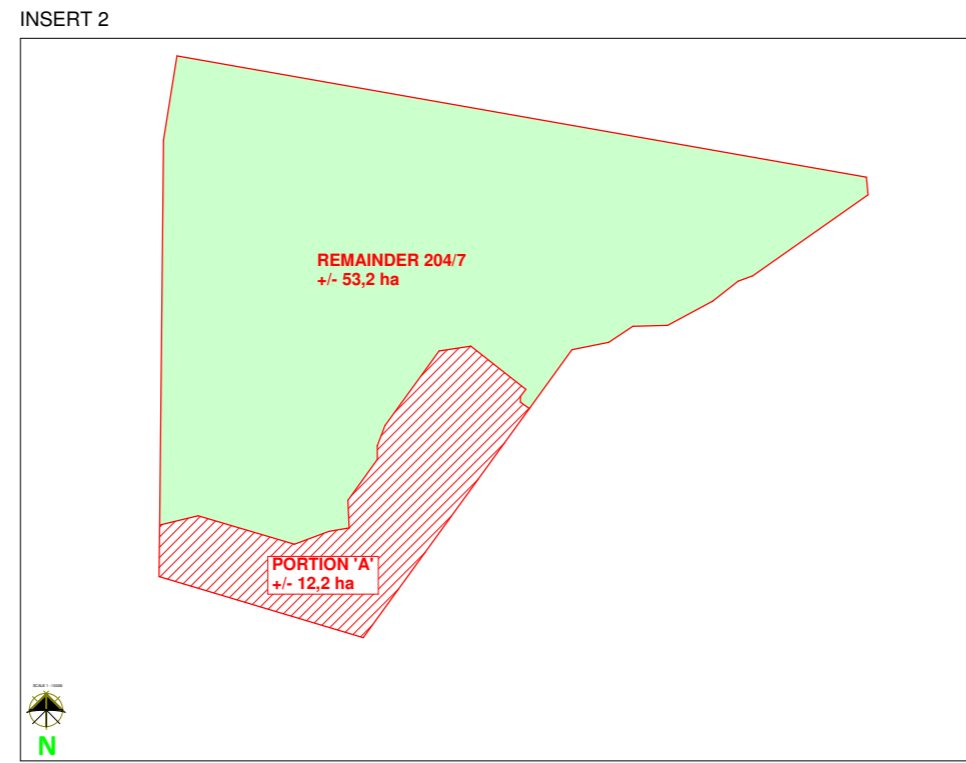
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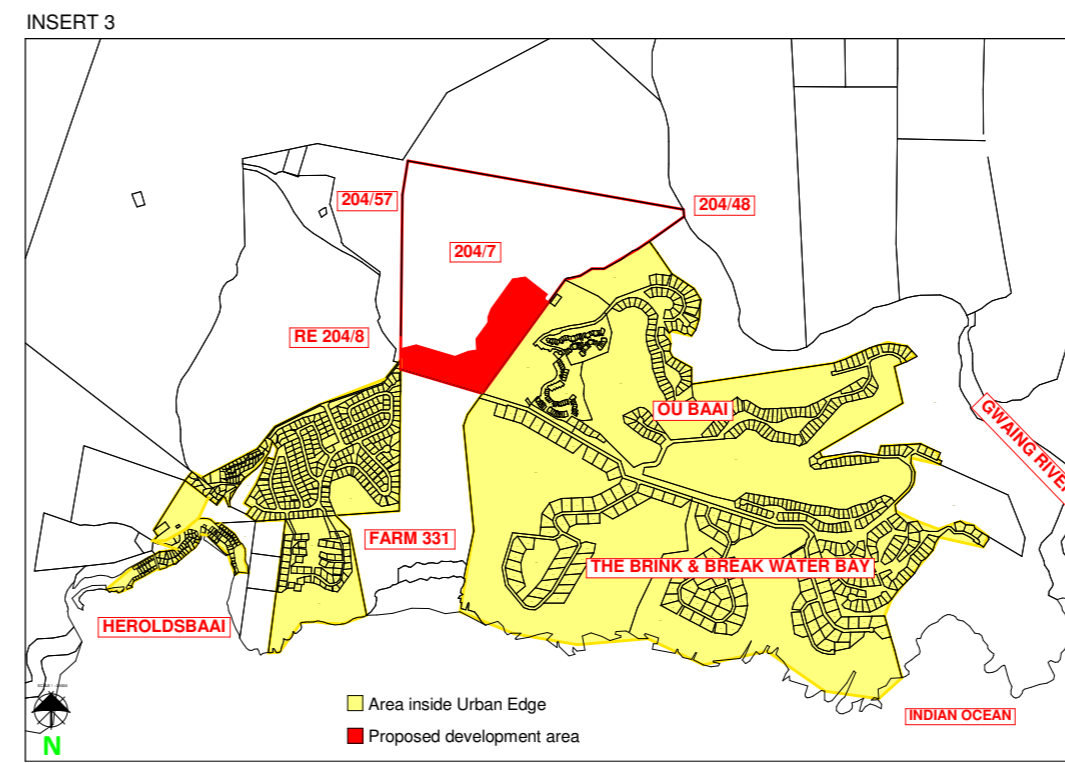




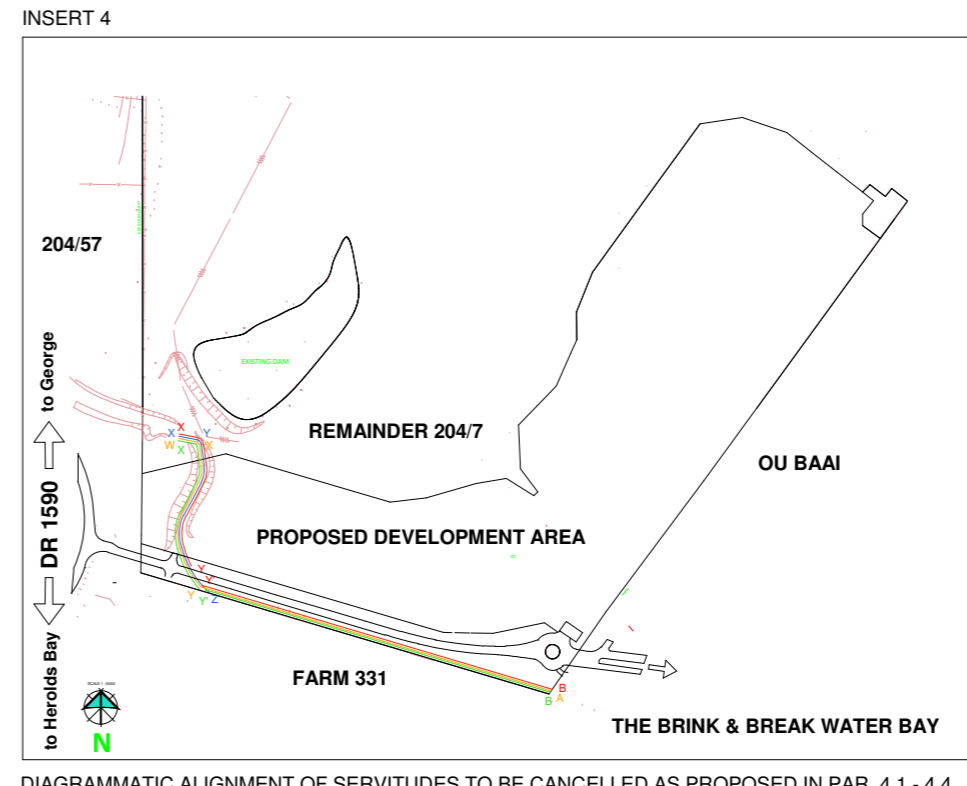
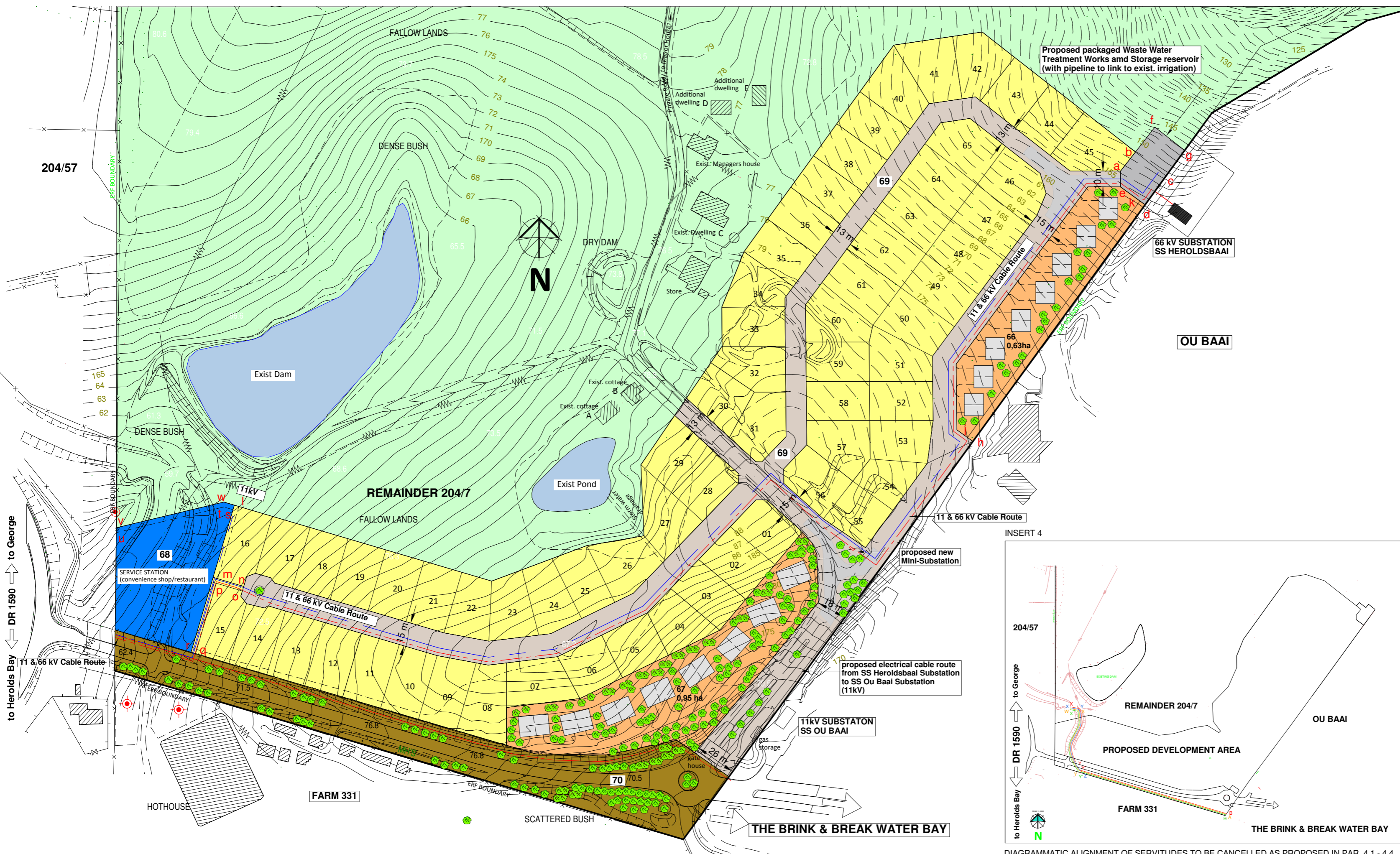
LOCALITY PLAN  
TRUE TO SCALE



SUBDIVISION  
TRUE TO SCALE



SUBDIVISION  
TRUE TO SCALE



DIAGRAMMATIC ALIGNMENT OF SERVITUDES TO BE CANCELLED AS PROPOSED IN PAR. 4.1 - 4.4

**ALTERNATIVE A**

APPLICATION FOR THE CANCELLATION AND REGISTRATION OF SERVITUDES, SUBDIVISIONS, REZONING, AND CONSENT USES IN TERMS OF THE RELEVANT SECTIONS OF THE BY-LAWS ON LAND USE PLANNING FOR THE MUNICIPALITY OF GEORGE, 2015.

SITUATED AT HEROLDS BAY IN THE MUNICIPALITY AND ADMINISTRATIVE DISTRICT OF GEORGE.

**Table A**

Zoning	Ptn No's	Land Use	Area (Ha)	%
Residential I	1 - 65	Single Dwelling	± 6,9 *	56,55
General Residential Zone II	66 ** & 67 ***	Group Housing	± 1,58	12,95
Business Zone VI	68	Service station (Convenience shop / Restaurant)	± 0,495	3,93
Transport Zone III	69	Private Road	± 2,06	16,88
Transport Zone II	70	Public Street	± 1,18	9,67
<b>Total</b>			± 12,2	100

\* Average erf size = 1,036 m<sup>2</sup>  
 \*\* Average density 16 grouphousing / ha j/j1-q/q1 = 25,8 / ha  
 \*\*\* Average density 16 grouphousing / ha a/a1-v/h1 = 16,5 / ha



**PORTION 7**  
**A PORTION OF PORTION 7**  
**FARM BUFFELSFONTEIN No. 204**  
**SITUATED IN MUNICIPALITY AND**  
**ADMIN. DIST. OF GEORGE**

SKAAL 1 : 1500 (A1) 1 : 2000 (A2) 1 : 3000 (A3) SCALE

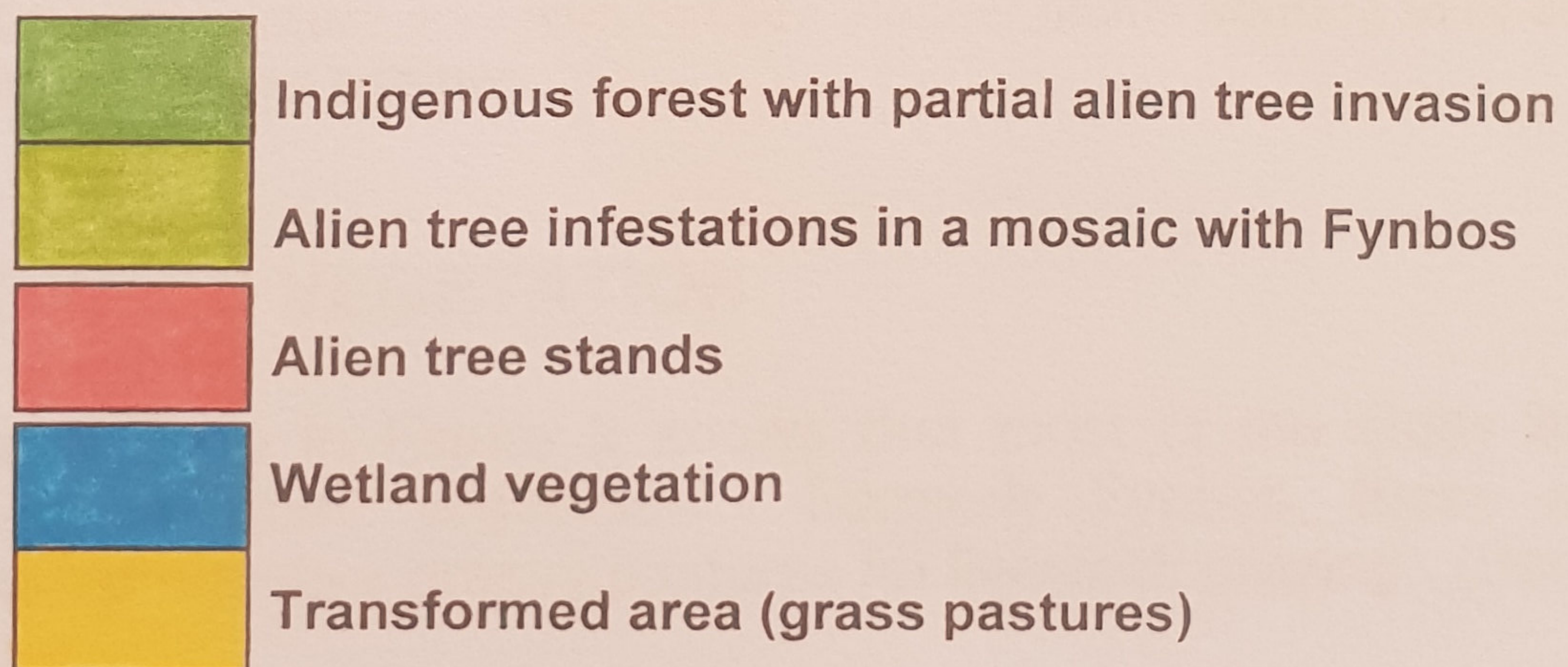
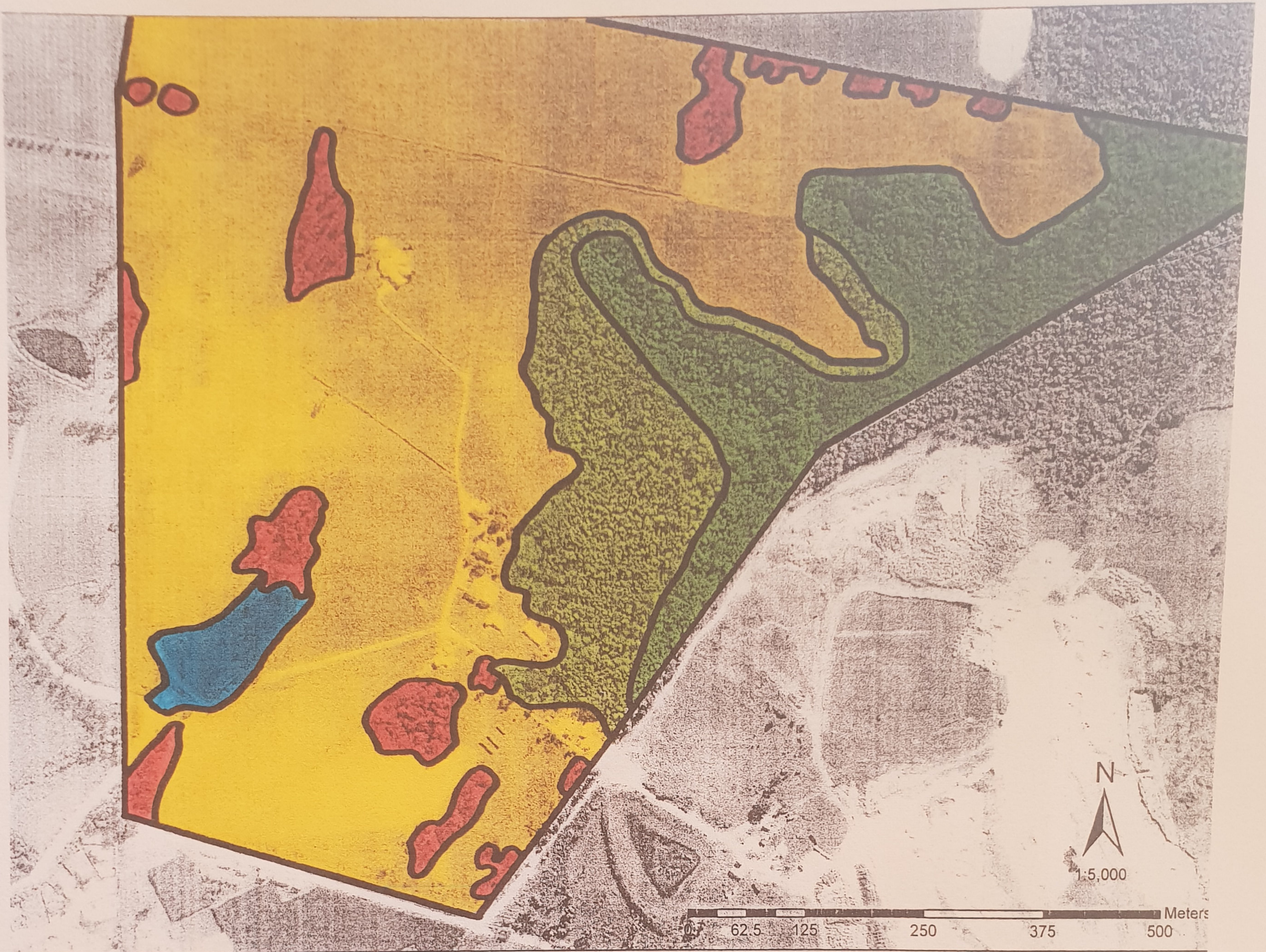
**neldek & kock** Town and Regional Planners  
 Stads -en Streekbeplanners

Yorkstraat 56 York Street  
 Posbus 1186 / P.O. Box 1186  
 George 6530

Tel: (044) 874 5207  
 Fax: (044) 873 6354  
 E-pos / E-mail: neldek@mweb.co.za

Beplan Planned	D.N.	Plan No	<b>ALTERNATIVE A</b>
Geteken Drawn	REL		
Datum Date	AUGUST 2018		





**DUTTON'S COVE**  
**FIGURE 2: VEGETATION DESCRIPTION**