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# Kenrock Country Estate

Hout Bay, Cape Town

## Operational Environmental Plan External Audit

June 2023

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**PREPARED FOR:**

Kenrock Homeowners Association

**DATED:**

June 2023

**PREPARED BY:**

NCC Environmental Services (Pty) Ltd

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## DECLARATION OF INDEPENDENCE

I, Julia Booysen, as duly authorised representative of **NCC Environmental Services (Pty) Ltd ("NCC")**, hereby confirm my independence (as well as that of NCC) as an auditor and declare that neither I nor NCC have any interest, be it business, financial, personal or other, in any proposed activity, application or appeal in respect of which Kenrock Homeowners Association has appointed as External Auditor, other than fair remuneration for work performed. I further declare that I am confident in the results of the report undertaken and the findings as a result of it – as is described in my attached report.

Signed:

A handwritten signature in black ink, appearing to read 'Julia Booysen'.

**Julia Booysen**

Environmental Coordinator: SHERQ Consulting

NCC Environmental Services (Pty) Ltd

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Observations and recommendations are the result of practices and conditions observed and information made available to us in various forms at the time of our visit. They do not purport to refer to or guarantee compliance with local or government regulations which may be applicable to such practices and conditions. This report should not be considered a definitive listing of all existing hazards nor an absolute solution to all indicated hazards, or hazards present from time to time in the Client Organisation. The report should always be considered in its entirety; individual sentences, paragraphs or sections of the report should not be used in isolation.

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## 1. TERMS AND ACRONYMS

|              |   |
|--------------|---|
| <b>CARA</b>  | Conservation of Agricultural Resources Act                      |
| <b>CoCT</b>  | City of Cape Town   |
| <b>CPNP</b>  | Cape Peninsula National Park (now Table Mountain National Park) |
| <b>DEADP</b> | Department of Environmental Affairs and Development Planning    |
| <b>DECAS</b> | Department of Environmental and Cultural Affairs and Sport      |
| <b>EA</b>    | Environmental Authorisation                                     |
| <b>ECO</b>   | Environmental Control Officer                                   |
| <b>EO</b>    | Environmental Officer   |
| <b>ESO</b>   | Environmental Site Officer                                      |
| <b>KHOA</b>  | Kenrock Homeowners Association                                  |
| <b>NCC</b>   | NCC Environmental Services (Pty) Ltd                            |
| <b>NEMA</b>  | National Environmental Management Act                           |
| <b>OEMPr</b> | Operational Environmental Management Plan                       |
| <b>RoD</b>   | Record of Decision (now called an EA)                           |
| <b>TMNP</b>  | Table Mountain National Park                                    |

# 1 INTRODUCTION

**NCC Environmental Services (Pty) Ltd (hereafter referred to as the “NCC”)** were appointed by **Kenrock Homeowners Association (hereafter referred to as “KHOA”)**, as an independent party to conduct an external audit on their compliance with specific conditions stipulated in the **Operational Environmental Management Programme (“OEMPr”)**, in Hout Bay, Cape Town, Western Cape.

This report serves to document the external audit proceedings, and is a record of all observations, and recommendations made during the engagement.

## 1.1 Audit Scope and Purpose

In accordance with Regulation 34 of the **National Environmental management Act (“NEMA”)**, Act 107 of 1998: **Environmental Impact Assessment (“EIA”)** Regulations, 2017, as amended, the holder of an authorisation must, for the period during which the **environmental authorisation (“EA”)** and OEMPr, and where applicable the closure plan, remain valid —

*34(1) The holder of an environmental authorisation must, for the period during which the environmental authorisation, EMPr, and the closure plan in the case of a closure activity, remain valid—*

- (a) ensure that the compliance with the conditions of the environmental authorisation, the EMPr, and the closure plan in the case of a closure activity, is audited; and*
- (b) submit an environmental audit report to the relevant competent authority.*

As such, the scope of this environmental audit report will be based on assessing the conditions of the OEMPr as requested by the KHOA and as approved by the Western Cape **Department of Environmental and Cultural Affairs and Sport. (“DECAS”)**<sup>1</sup>.

The purpose of the environmental audit is to address the legal requirements to report on the level of compliance with above mentioned conditions, report on the objectives and outcomes of OEMPr and the extent to which it was achieved. In addition, any new impacts or risks will be assessed, the

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<sup>1</sup> The environmental department for the Western Cape is currently known as the Western Cape Government: **Department of Environmental Affairs and Development Planning (“DEADP”)**.

effectiveness of the OEMPr will be evaluated, and shortcomings or any changes in the OEMPr identified.



## 2 BACKGROUND

### 2.1 Project Background

This report serves as the **first** audit report conducted for the OEMPr that is dated 20<sup>th</sup> December 2002.

The audit was conducted against the mitigation measures/requirements as prescribed in the OEMP.

Sequence of events:

- i. Environmental Authorisation granted in 2001 by DECAS.
- ii. Authorisation by the City of Cape Town was granted for the development of the property on 5<sup>th</sup> February 2002.
- iii. The Kenrock OEMPr (Document 1: Draft 5) dated 20<sup>th</sup> December 2002, was compiled and implemented.
- iv. The first audit of the OEMPr took place in June 2023.

### 2.2 Auditor Background

Julia Booysen has been working in the Environmental Management Sector for 5 years. She has undergone auditing training and is more than accustomed to the auditing process. Over the years she has gained experience across the various sectors from Mining, Construction, Energy, etc. either being part of an auditing team and more recently as lead auditor on a number of projects. Clients include Municipalities, Private Companies and Individuals, State Owned Enterprises, etc. and range between the auditing of Landfills, Renewable Energy Projects, and others against Environmental Authorisations, Environmental Management Plans and Water Use Licences.

### 2.3 Reviewer Background

Nicholas Gates has been working in the Environmental Management Sector for 15 years during which time auditing has been one of his core functions. He has undergone various training courses such as *Lead Auditing* and *SHEQ IMS Auditors* through institutions such as DQS and ISTECS Safety. Over the years he has gained extensive experience across the various sectors from Mining, Construction, Energy, etc. either being part of an auditing team and as lead auditor on a number of projects. Clients include Municipalities, Private Companies and Individuals, State Owned Enterprises, etc. and range between the auditing of Landfills, Renewable Energy Projects, and others against Environmental Authorisations, Environmental Management Plans and Water Use Licences.

### 3 METHODOLOGY

This section provides a high-level breakdown of the methods employed by NCC in providing observations, recommendations and conclusions derived from audit procedures conducted.

#### 3.1 Audit Process

The site visit, data reviews and report drafting were conducted by NCC's environmental compliance audit team. The site audit included the following procedures:

**A. Site Inspection (held on 20<sup>th</sup> June 2023), which included:**

- (i) Briefing with the trustee of the KHOA.
- (ii) Site visit of the estate.

**B. Review of Site Specification Reports and Documents**

- (i) The Kenrock OEMPr (Document 1: Draft 5) dated 20<sup>th</sup> December 2002 was compiled and implemented.
- (ii) Kenrock Estate file located on site.
- (iii) The **Record of Decision ("RoD")** issued by DECAS.

**C. Compilation of Audit Report which includes key findings and recommendations.**

- (i) A comprehensive report is compiled after site inspection and review of all data, relevant reports, and interviews.

The audit report, if required, will provide recommendations on non-compliance identified during the compliance audit.

#### 3.2 Observation and Recommendation Determination

All recommendations were made according to what was observed through evidence provided whether documentation or photographic within a reasonable time period.

Observations were based on, and limited to, the following information sources:

- i. Available documentation and records received prior, subsequent, or during the audit.
- ii. Observations and photographic evidence submitted from physical site inspections.
- iii. Information received through both direct and cross-referenced interviews conducted with staff.

### 3.3 Findings

Key observations as conveyed in Section 6 of this report, highlight areas of non-compliance as well as aspects that require prioritised attention. Each point under this section identifies the observation which it is pertinent to.

The purpose of these summarised commentaries is to allow KHOA and the **City of Cape Town ("CoCT")** to identify common management challenges that are affecting compliance with the conditions of the permit audited.

Where observations and recommendations pertaining to the site are deemed significant through compliance status or performance, they are documented as specific issues in the report.

All site-specific observations and recommendations are correspondingly recorded in an audit table (See Annexures B and C).

As per Section 34(4) of the EIA Regulations:

*'Where the findings of the environmental audit report indicate:*

- (a) Insufficient mitigation of environmental impacts associated with the undertaking of the activity;*  
*or*
- (b) Insufficient levels of compliance with the environmental authorisation or EMPr and, where applicable the closure plan.*

*the holder must, when submitting the environmental audit report to the competent authority include recommendations for consideration to amend the EMPr or closure plan in order to rectify the shortcomings identified in the environmental audit report.*

Any recommendations to amend must be subjected to a public participation process prior to submitting to the competent authority. The requirements are set out in Section 5 of this report.

Within seven (7) days of the date of submission of an environmental audit report to the competent authority, the holder of an environmental authorisation must notify all potential and registered interested and affected parties of the submission of that report, and make such report immediately available—

- (a) To anyone on request; and
- (b) On a publicly accessible website, where the holder has such a website.

### 3.4 Audit Tables and Compliance Ratings

The audit tables in Annexure B and C captures all observations and recommendations made in relation to conditions stipulated in the OEMPr. They provide the reader with more detailed information in terms of what the stipulated requirements are in relation to the properties assessed current compliance status, according to the observations recorded by the auditor during the site visit.

Ratings are calculated based on a scoring system whereby each auditable condition is provided with a score as highlight in the table below.

**Table 1:** Compliance Scoring

| Description            | Status Indicator | Compliance Rating | Scoring  | Action  |
|------------------------|------------------|-------------------|----------|---|
| Compliant              | C                | 2                 | 85%-100% | Minor Improvements Required                               |
| Partially Compliant    | PC               | 1                 | 65%-84%  | Improvement Required                                      |
| Non-Compliant          | NC               | 0                 | 0-64%    | Major Improvements Required                               |
| Not Applicable/Audited | NA               | -                 | -        | No Improvements Required or not relevant at time of audit |

Each condition has been ascribed a priority indicator of Compliant (Green), Partially Compliant (Yellow), Non-Compliant (Red), and Not Auditable (Grey) to assist the reader in determining areas that require attention to ensure compliance is achieved.

Areas that have been shaded indicate that they are sub-condition requirements, they are necessary in order for the condition to be compliant, non-compliant or not applicable. They have been broken down to indicate which areas of the condition need to be rectified.

An overall rating is calculated to provide the reader with the overview of the facilities compliance to the licence however each condition should be view and dealt with on their own merits as the rating does not provide for, or calculate, the severity or impact which might be presented.

For example, a site may have an overall rating of 97% which is perceived as good however the 3% worth of non-compliant condition/s may pose a significant impact or risk.

## 4 ASSUMPTIONS AND LIMITATIONS

The compliance audit and report are based upon the assumptions that:

- i. Documentation provided to the auditor by KHOA was factual and true.
- ii. Evidence provided through interviews was factual and true.
- iii. The audit is based purely on the conditions as stipulated in the project specific OEMPr.
- iv. No independent physical or chemical testing, or verification of any description was conducted by the auditor or NCC as part of the compliance review.
- v. Reports were randomly sampled in order to accommodate time constraints.
- vi. Where visual observations of equipment were not possible either due to the location or complexity to access, the auditor has used other means to determine compliance, either through written evidence from service providers which utilise the instruments or through interviews with KHOA employees who work with the equipment.

## 5 CONSULTATION PROCESS

Consultation is an integral part of the auditing process, and the processes are highlighted as such in the EIA Regulations.

### 5.1 Regulation 34(5)

Regulation 34(5) refers to the public participation process involved with an Environmental Audit and indicates:

*'When submitting recommendations in terms of sub regulation (4), such recommendations must have been subjected to a public participation process, which process has been agreed to by the competent authority and was appropriate to bring the proposed amendment of the EMPr and, where applicable the closure plan, 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, for approval by the competent authority.'*

### 5.2 Regulation 34(6)

Regulation 34 (6) goes on further to highlight:

*'Within 7 days of the date of submission of an environmental audit report to the competent authority, the holder of an environmental authorisation must notify all potential and registered interested and affected parties of the submission of that report, and make such report immediately available—*

*(a) To anyone on request; and*

*(b) On a publicly accessible website, where the holder has such a website.'*

## 6 FINDINGS

Based on the audit conducted, it was established that the ability of the OEMPr was achieved in terms of:

- i. *The ability of the OEMPr to provide for the avoidance, management and mitigation of environmental impacts associated with the undertaking of the activity on an ongoing basis was achieved; and*
- ii. *The level of compliance with the provisions of OEMPr for this estate was achieved and represented a medium level of compliance.*

A breakdown of the compliance levels for the OEMPr are further highlighted below.

### 6.1 Operational Environmental Management Programme

There was a total of one hundred and forty-six (146) conditions stipulated in the OEMPr compiled by the KHOA.

Of the one hundred and forty-six (146) there were:

- thirty-three (33) **Compliant;**
- eight (8) **Non-Compliant;**
- six (6) **Partially Compliant;** and
- ninety nine (99) **Not Audited**<sup>2</sup>.

These conditions were audited, and the final percentage rating was measured against these conditions, which excluded not applicable conditions.

The section below will highlight any of the short comings of any conditions which were not deemed fully compliant.

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<sup>2</sup> The conditions which were noted as Not-Audited were either not auditable or were not relevant at the time the audit was conducted therefore were excluded from the overall rating calculations.

With regards to the NA rating, this either relate to statements (informative) contained in the OEMPr, or conditions that were either not auditable (such as the construction works) or were not relevant at the time the audit was conducted. Therefore, these were excluded from the overall rating calculations.

Recommendations to improve the OEMPr and compliance is detailed in section 8 below.



## 6.1.1 Non-Compliance

| Condition No | Aspect  | Impact                              | Mitigation Measure:   | Performance Indicator                                    | Findings  | Recommendations   | Timeframe                              |
|--------------|---|-------------------------------------|---|--|---|---|--|
| 7.1          | Implementation of the OEMPr                   | Non-compliant with OEMPr condition. | <b>A year after the effective date of the implementation of the OEMPr, an audit is to be undertaken by the Environmental Officer ("EO"), in association with the Environmental Control Officer ("ECO"), to identify any problems or potential problems with the environmental management procedures on the Property, identify additional issues requiring attention and amendments required to the terms and conditions of the OEMPr.</b> | Audit undertaken one year after implementation with ECO. | No audit took place one year after implementation.  | No recommendation as the OEMPr has been implemented since 2002.   | N/A                                    |
| 7.2          | Implementation of the OEMPr                   | Non-compliant with OEMPr condition. | <b>The EO will undertake an audit and review of the OEMPr every second year thereafter so as to ensure that the conditions of the OEMPr remain relevant to the needs and requirements of Kenrock and its residents.</b>   | Audit is undertaken every 2 <sup>nd</sup> year           | No previous audits have taken place. This is considered the first audit.  | Audits to take place as per the OEMPr condition.  | Next audit to take place in June 2025. |
| 10.6.3       | Method Statement TR 01-Alien Tree Eradication | Spread of alien plant species.      | <b>Property Owners and the Association are to undertake a continuous programme of alien invasive tree eradication from Open Spaces. Each year, a target of clearing of 50% of all aliens present shall be achieved; in this way, these</b>  | No alien trees and plants present.                       | Approximately 300 cluster pines have been removed since the early 2000's. There are approximately 60 cluster pines left to remove on Open Spaces. A few are on private property with consent needed from the owners. Due to resistance from property owners, the homeowners | KHOA to remove remaining pines left in the Open Spaces and reiterate to residents that alien trees need to be removed from their property in order to | Removal of pines by next audit.        |

| Condition No | Aspect  | Impact  | Mitigation Measure:   | Performance Indicator                     | Findings   | Recommendations   | Timeframe  |
|--------------|---|---|---|---|--|---|--|
|              |   |   | <b>areas cleared will be cleared of 95% of alien plant species within five years.</b>   |   | are not compliant with the Alien Eradication Programme. The Association is actively removing alien species where they can. The Association cannot access private property where cluster pines are for removal due to property owners' refusal to remove the trees. | comply with the OEMPr.  |  |
| 12.5.3       | Method Statement WR 01-Water Resources Management | Litter/Pollution of the stormwater system                 | <b>Litter traps have been installed at the stormwater outlets from the site.</b>  | Litter traps are in place and functional. | No litter traps on site. Drain coverings are present but do not prevent objects and/or litter from entering the storm water system.  | Due to the estate having little to no litter and dumping occurring in Open Spaces, it is recommended that this section of the OEMPr be removed. | N/A  |
| 12.5.3       | Method Statement WR 01-Water Resources Management | Unintended spread of alien species. Loss of biodiversity. | <b>Suitable indigenous fish species, as listed in Annexure 4 are introduced into the dams.</b>  | Indigenous fish have been introduced.     | Alien fish present such as Carp in some of the dams. Unknown presence of indigenous fish species and if they have been introduced into the dams.   | Indigenous fish to be introduced once removal of alien fish occurs.   | Introduction done by next audit.                                     |
| 12.5.3       | Method Statement WR 01-Water Resources Management | Safety  | <b>Suitable safety signage and other safety mechanisms are in place and maintained to prevent small children falling into the dams.</b> | Safety signage is present.                | No safety signage noted around the dams.   | Safety signs to be installed around dams.   | Signs to be in place by next audit.                                  |
| 12.5.3       | Method Statement WR 01-Water Resources Management | Safety  | <b>An annual inspection of the dam walls and spillways is undertaken.</b>   | Inspections are done annually.            | No inspections done for dams.  | Proof of annual inspection to be provided of weirs and spillways.   | Inspections to be done annually and kept on file for audit purposes. |

| Condition No | Aspect  | Impact | Mitigation Measure:  | Performance Indicator                      | Findings                     | Recommendations   | Timeframe  |
|--------------|---|--------|--|--|------------------------------|---|--|
| 12.5.3       | Method Statement WR 01-Water Resources Management | Safety | <b>An independent Civil Engineer is consulted with regard to dam wall safety every five years.</b> | Civil Engineer is consulted every 5 years. | No Civil Engineer consulted. | Proof of consultation with Civil Engineer to be provided. | Civil Engineer to be consulted every five years with records kept on file. |

## 6.1.2 Partial Compliance

| Condition No | Aspect                      | Impact  | Mitigation Measure:  | Performance Indicator                                       | Findings  | Recommendations  | Timeframe  |
|--------------|-----------------------------|---|--|---|---|--|--|
| 6.5          | Implementation of the OEMPr | No direct environmental impact. Partial Compliance with an OEMPr condition. | <b>It is a specific obligation of the Association to ensure that, prior to the commencement of any house construction works on an erf, an Environmental Site Officer ("ESO") is appointed by the individual owner for the duration of the house construction work on the relevant erf. The Association shall ensure that the obligations of this ESO contain all of the obligations listed in this document.</b> | ESO is appointed during construction.                       | No appointment letters or ESO reports available, however the ESO liaises directly with the Homeowner and not the Association. | It is recommended that the Association keeps appointment letters and reports on file for audit purposes. | If an ESO is required for any major construction on an ERF, this must be kept on file. |
| 8.1          | Implementation of the OEMP  | Non-compliant with OEMPr condition.   | <b>A suitably qualified employee of the Environmental Management Unit of the CoCT will fulfil the role of ECO on the property for the duration of any house construction works on an erf.</b>  | ECO appointed during construction of the estate and houses. | Proof of appointment of an ECO from the CoCT not provided. ECO was to be appointed during construction around 2003.           | Any appointment letters to be kept on file by the KHOA for audit purposes.                               | If an ECO is required for any major construction on an erf, this must be kept on file. |

| Condition No | Aspect  | Impact  | Mitigation Measure:   | Performance Indicator  | Findings  | Recommendations  | Timeframe  |
|--------------|---|---|---|--|---|--|--|
| 10.5.6       | Maintenance of trees                              | Fire Hazard and Property Risk                             | <b>Trees may not be altered in such a way that it has a detrimental effect on their growth pattern. Where possible, indigenous trees should not be cut but left in their natural growth form. Trees should be maintained as required to keep them tidy. Dead wood, or branches that have become unstable, and may drop, must be removed in order to reduce fire and property/personal damage risks.</b> | Dead wood removed.   | Dead wood and a "widow maker" cluster pine tree noted on site.                                | The trustees and estate manager are aware of the dead wood and hazardous tree and will take active measures to remove the wood and hazardous tree. | Hazardous trees to be removed as soon as possible.                     |
| 12.4.3       | Method Statement WR 01-Water Resources Management | Unintended spread of alien species, siltation of the dams | <b>The introduction by any person of any non-indigenous aquatic species into any water resource is prohibited. The recommended indigenous fish species are listed under Annexure 5.</b>   | No alien fish present.   | Alien fish present in some dams as confirmed by KHOA.   | Alien fish species to be identified and numbers estimated to be removed from the dams.   | To be removed by next audit.   |
| 12.4.3       | Method Statement WR 01-Water Resources Management | Pollution/Littering in the Estate, Health Hazard          | <b>No pet excrement shall be left in any Private Open Space or on any Estate Road or verge.</b>   | No pet excrement present.  | Pet owners are noted to leave waste in Estate areas on trails where no waste bin is provided. | Association to reiterate to residents to carry the bags to the nearest bin.  | Monthly through email or estate newsletters if the situation persists. |
| 13.3.3       | Method Statement-Wildfire Prevention              | Fire risk   | <b>The association will be responsible to remove all alien vegetation for a strip of at least a width of 15m measured from the fence into the CPNP<sup>3</sup> area, as well as to</b>  | Firebreak alien vegetation removed, and indigenous vegetation trimmed. | Firebreak in need of some maintenance and trimming.   | Firebreak assessment has been done. Firebreak to be checked regularly for alien plants and   | Regular checks of the firebreak.                                       |

<sup>3</sup> Now called Table Mountain National Park

| Condition No | Aspect | Impact | Mitigation Measure:  | Performance Indicator | Findings | Recommendations              | Timeframe |
|--------------|--------|--------|--|-----------------------|----------|------------------------------|-----------|
|              |        |        | keep the indigenous vegetation trimmed to a height of no more than 1m. |                       |          | overgrown indigenous plants. |           |

## 7 SUMMARY

Currently KHOA are compliant with majority of the conditions prescribed in the approved OEMPr for the Kenrock Country Estate.

There was a total of **eight (8)** conditions not realizing full compliance. **Six (6)** conditions were noted as partial compliance. The non-compliant and partially compliant conditions relate to water resource management, implementation of the OEMPr, wildfire prevention, and vegetation management.

### **There are amendments necessary for the OEMPr:**

- Condition 12.5.3: Two conditions relating to litter traps be removed or amended in the OEMPr.

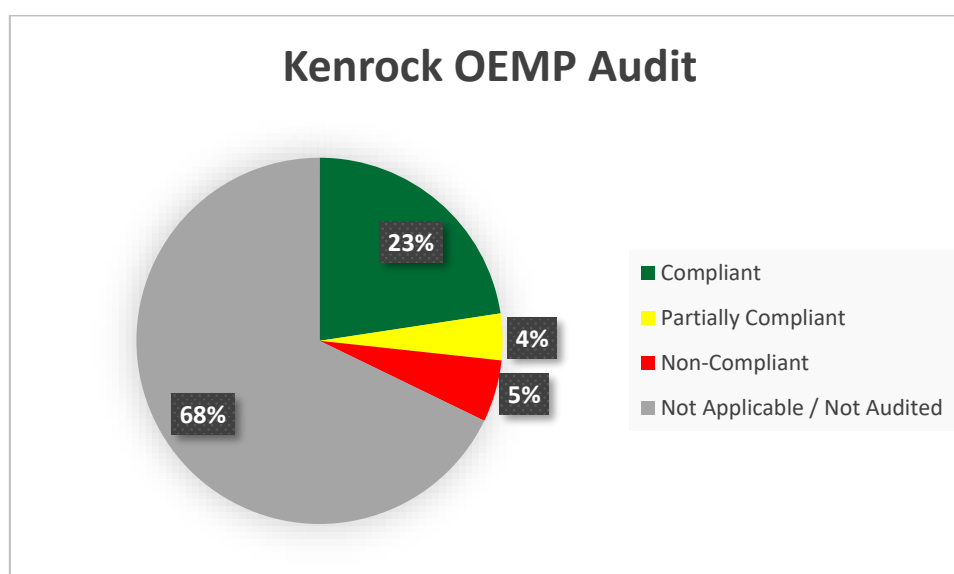
## 8 RECOMMENDATIONS

- All appointment letters and agreements be kept either electronically or physically on file regarding ESO, EO and ECO's for the estate.
- It is recommended that the OEMPr is to be updated as the last revision was in 2002.
- Fines must be reviewed as well as certain conditions in the OEMPr such as 10.6.3, as this condition was not met within the five years since implementation.

### 8.1 Summary Tables

|                                  | Compliant | Partially Compliant | Non-compliant | Not Applicable / Not Audited | Total   |
|----------------------------------|-----------|---------------------|---------------|------------------------------|---------|
| <b>Total Conditions</b>          | 33        | 6                   | 8             | 99                           | 146     |
| <b>Breakdown (%)</b>             | 22,60%    | 4,11%               | 5,48%         | 67,81%                       | 100,00% |
| <b>Scoring Conditions</b>        | 33        | 5                   | 9             | NA                           | 16      |
| <b>Scoring</b>                   | 2         | 1                   | 0             | NA                           |         |
| <b>Total Scores</b>              | 66        | 6                   | 0             | Max Score                    | 94      |
| <b>Compliance Rating (%)</b>     | 70,21%    | 6,38%               | 0,00%         |                              |         |
| <b>Overall Compliance Rating</b> | 76,60%    |                     |               |                              |         |

### 8.2 Summary Graphs



**Graph 1:** Breakdown of OEMP conditions

## 9 REPORT DISTRIBUTION LIST

| Recipient   | Attention | Issued | Format     |
|-------------|-----------|--------|------------|
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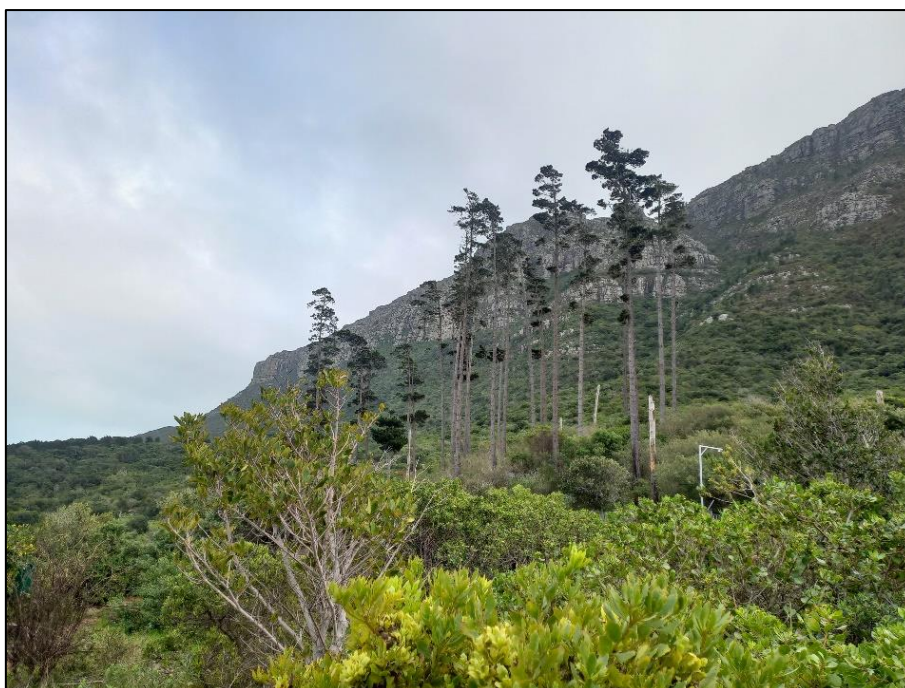
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## **ANNEXURE A – PHOTOGRAPHS**

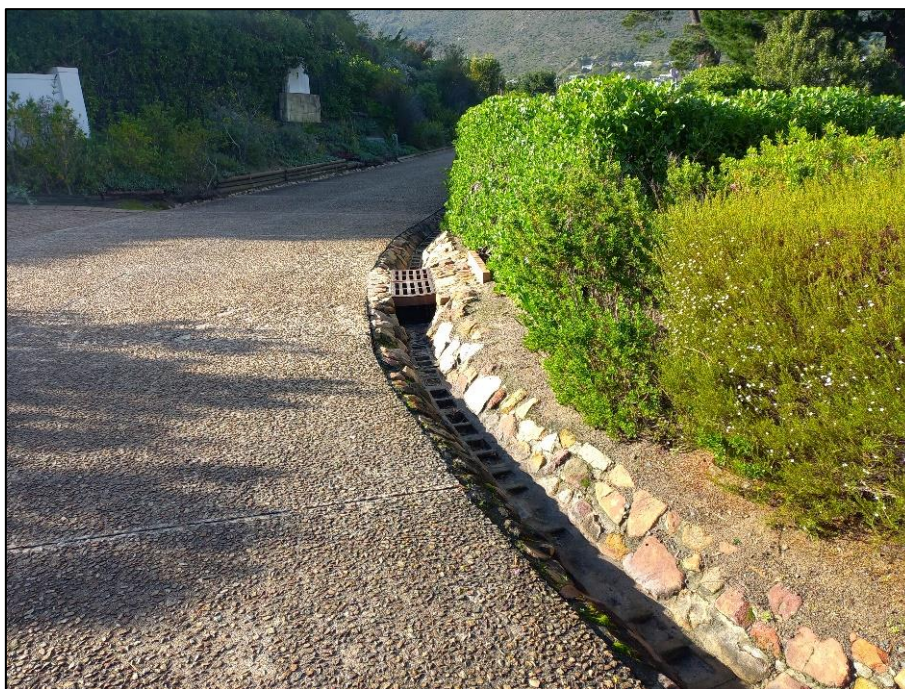


**Figure 1:** Waste bin and bags present in the Open Space.



**Figure 2:** Cluster Pines present.





**Figure 3:** Stormwater channel along the road.



**Figure 4:** One of three boreholes on the estate.





**Figure 5:** One of the dams on the estate with vegetation present.

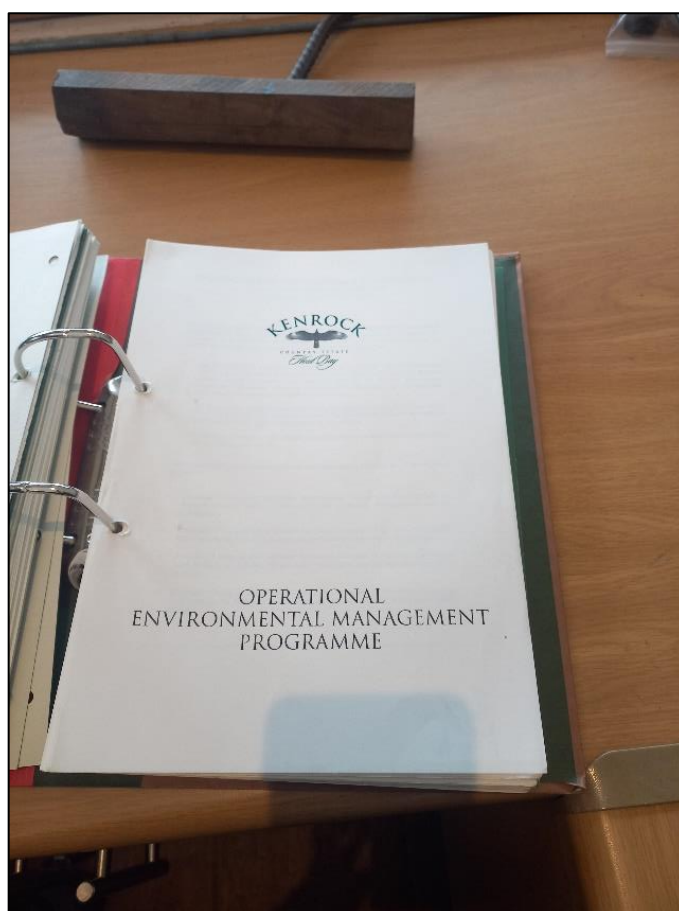


**Figure 6:** One of the indigenous trees planted with informational signage.





**Figure 7:** Channel and weir flowing into the Disa River.



**Figure 8:** OEMPr kept on file on site.

## **ANNEXURE B – OEMPr CONDITIONS**

| ID   | OEMPr Audit:   | Compliant | Partially Compliant | Non-Compliant | Not Audited | Findings and Recommendations  |
|--|--|-----------|---------------------|---------------|-------------|---|
| Document 1: Section 2: IMPLEMENTATION OF THE OEMPr |  |           |                     |               |             |   |
| 6.1  | The ASSOCIATION is the legal entity responsible for the management and maintenance of common property such as open spaces, security infrastructure, services and amenities arising from the development as well as to ensure compliance with the Architectural and Landscaping Design Manuals. The ASSOCIATION operates according to its constitution. Its members constitute the owners of land units, who shall be jointly liable for expenditure incurred in connection with the ASSOCIATION. |           |                     |               |             | Noted.  |
| 6.2  | The conditions of subdivision, as imposed by the Council, places the responsibility on the ASSOCIATION to monitor and enforce compliance by the individual owners with the terms and conditions of this OEMPr, and in particular the conditions of the Construction OEMPr, to ensure that the operational management of the property gives due regard to the sensitivity of the natural environment.   |           |                     |               |             | Noted.  |
| 6.3  | In order to assist the ASSOCIATION to monitor the effect and compliance to the conditions of the OEMPr a "Manager's Table: Implementation and Monitoring Checklist" is attached hereto as Annexure 1.  |           |                     |               |             | Noted.  |
| 6.4  | The ASSOCIATION is responsible to raise the finance for environmental control requirements as outlined in this document, as they relate to the long-term management of the site. Such funds are to be raised as part of the levy paid by all residents/homeowners.   |           |                     |               |             | Noted.  |
| 6.5  | It is a specific obligation of the ASSOCIATION to ensure that, prior to the commencement of any house construction works on an erf, an ESO is appointed by the individual owner for the duration of the house construction work on the relevant erf. The Association shall ensure that the obligations of this ESO contain all of the obligations listed in this document.   |           | 1                   |               |             | No appointment letters or ESO reports available, however the ESO liaises directly with the Home Owner and not the Association. It is recommended that the Association keeps appointment letters and reports on file for audit purposes. |
| 7.1  | A year after the effective date of the implementation of the OEMPr, an audit is to be undertaken by the EO, in association with the ECO, to identify any problems or potential problems with the environmental management procedures on the Property, identify additional issues requiring attention and amendments required to the terms and conditions of the OEMPr.   |           |                     | 0             |             | No previous audits have taken place. This is considered the first audit.  |
| 7.2  | The EO will undertake an audit and review of the OEMPr every second year thereafter so as to ensure that the conditions of the OEMPr remain relevant to the needs and requirements of Kenrock and its residents.   |           |                     | 0             |             | No previous audits have taken place. This is considered the first audit.  |
| 7.3  | In order to assist the EO and the ASSOCIATION to monitor the effect and compliance to the conditions of the OEMPr an "Auditor's Compliance Checklist" is attached at the end of this section as Annexure 2.  |           |                     |               |             | Noted.  |
| 8.1  | A suitably qualified employee of the Environmental Management Unit of the CoCT will fulfil the role of ECO on the property for the duration of any house construction works on an erf.   |           | 1                   |               |             | Proof of appointment of an ECO from the CoCT not provided. ECO was to be appointed during construction around 2005.   |
| 8.2  | The role of the ECO will be to, for the duration of house construction works on an erf, ensure that the ESO is enforcing the terms and conditions of the Construction OEMPr on the Owner and Builder for the erf, and that environmental issues on site are being suitably dealt with.   |           |                     |               | NA          | Noted.  |
| 8.3  | The ECO will also be responsible to approve the terms and conditions of appointment of the ESO.  |           |                     |               | NA          | Noted.  |
| 9.1  | To visit the erf directly prior to the commencement of the house construction works and to confirm that a vegetation search-and-rescue exercise has been carried out by a suitably qualified landscape contractor  |           |                     |               | NA          | Noted.  |
| 9.2  | Inspect and approve the Builder's erf drawing which indicate the position of storage shed(s), position of topsoil and excavated soil storage areas, the position of building material storage areas and the position of deliveries to the erf.   |           |                     |               | NA          | Noted.  |

| ID  | OEMPr Audit:  | Compliant | Partially Compliant | Non-Compliant | Not Audited | Findings and Recommendations |
|---|---|-----------|---------------------|---------------|-------------|------------------------------|
| 9.3   | To hold Construction OEMPr education sessions aimed to educate and raise the awareness of the Builder and his personnel and subcontractors as to the sensitivity of the Property prior to commencement of the house construction works and to target responsible individuals as key players for environmental education, to facilitate the spread of the correct environmental attitude for the duration of the works.  |           |                     |               | NA          | Noted.                       |
| 9.4   | To review all elements of the works with the Builder to determine which elements require method statements, to instruct the Builder to submit these method statements and to approve such method.   |           |                     |               | NA          | Noted.                       |
| 9.5   | 9.5.1 To review method statements and determine the most environmentally sensitive options of modus operandi for the construction related tasks, when considered necessary by the ESO.  |           |                     |               | NA          | Noted.                       |
|   | 9.5.2 To make on-site decisions regarding any tree or other vegetation removal or retention in consultation with the ECO.   |           |                     |               | NA          | Noted.                       |
| 9.6   | To take immediate action on site where clearly defined no-go areas are violated, or in danger of being violated, and to inform the Owner and ASSOCIATION immediately of the occurrence and the action taken.  |           |                     |               | NA          | Noted.                       |
| 9.7   | To keep a site diary of any incidents of environmental disturbance or damage, instructions or recommendations to builders and owners, and penalties recommended to the ASSOCIATION.   |           |                     |               | NA          | Noted.                       |
| 9.8   | The ESO shall advise (but not instruct) the builder on environmental matters relating to, or arising in the course of, the execution of the works on an erf.  |           |                     |               | NA          | Noted.                       |
| 9.9   | The ESO shall attend the weekly "site meeting" chaired by the ASSOCIATION and attended to by all Builders on the Property.  |           |                     |               | NA          | Noted.                       |
| 9.10  | The ESO is empowered to order the Builder to immediately cease any element of the works which contravene the conditions of the Construction OEMPr, and/or which are required to be stopped as a matter of urgency in order to prevent serious adverse environmental damage or potential environmental damage to any of the adjacent properties or areas outside the boundaries of the erf, provided that the ESO shall without delay report on such action to the Council, the ASSOCIATION and the Owner. |           |                     |               | NA          | Noted.                       |
| 9.11  | The ESO shall simultaneously refer to the ASSOCIATION, the Owner and to the Council any impending, apparent or alleged failure by the Builder to carry out their obligations in terms of the Construction OEMPr or to heed advice or any order given by the ESO in terms of paragraphs this clause.   |           |                     |               | NA          | Noted.                       |
| 9.12  | Instructions to the Builder will be issued only by the Owner through their system established for the project management and control of the house construction operations.  |           |                     |               | NA          | Noted.                       |
| 9.13  | Any amendment or variation of the advice given by the ESO, which is proposed to be made by the Owner when instructing the Builder, must be reported with full motivation by the Owner to the Council and the ASSOCIATION.   |           |                     |               | NA          | Noted.                       |
| 9.14  | The Owner and/or Builder will consult with the ESO with respect to any aspects of the house construction operations which may impact on the environment.  |           |                     |               | NA          | Noted.                       |
| 9.15  | To visit the erf at the completion of house construction, ensure that all trees and other vegetation in the private open space areas on the property have not been damaged or removed, and ensure that the erf and surrounding areas have been suitably cleaned.  |           |                     |               | NA          | Noted.                       |
| 9.16  | The ESO shall liaise with the ECO, the Owner and the ASSOCIATION on a regular basis.  |           |                     |               | NA          | Noted.                       |
| Document 1: Section 3: 10.5: Tree Planting Method Statement |   |           |                     |               |             |                              |
| 10.5.1  | This Method Statement describes procedures to be followed when planting new trees.  |           |                     |               |             | Noted.                       |



| ID     | OEMPr Audit:  | Compliant | Partially Compliant | Non-Compliant | Not Audited | Findings and Recommendations   |
|--------|---|-----------|---------------------|---------------|-------------|--|
| 10.5.2 | Property owner - responsible for tree planting on his/her private property ASSOCIATION - responsible for monitoring compliance with Estate's tree planting objectives and for tree planting on Open Spaces  |           |                     |               |             | Noted.   |
| 10.5.3 | The property owner is encouraged to plant at least one indigenous tree per year for the first five years on his/her property; the ASSOCIATION shall plant 20 indigenous trees in Open Spaces per year over the first 20 years.  | 2         |                     |               |             | Association has planted numerous indigenous trees in the common open property. Unknown on individual property owners planting.   |
| 10.5.4 | Specific penalties for failing to plant indigenous trees will not be incurred; it is expected that peer pressure will encourage a responsible approach to the Estate's indigenous tree planting objectives.<br><br>The planting of non-indigenous invasive trees i.e. those controlled by law, will result in the ASSOCIATION taking the necessary legal steps to have these trees destroyed at the property owner's cost.  |           |                     |               | NA          | Noted.   |
| 10.5.5 | Tree planting methodology   |           |                     |               |             | Noted.   |
|        | Healthy trees of species contained in the approved Planting List (Appendix 3) should be purchased from reputable garden nurseries. Tree planting holes are to be dug, these holes are to be square (not round) and are to measure 1m x 1m and 1m deep. The holes are to be suitably fertilised (preferably with an organic fertiliser); this is to be forked into the base of the hole. The hole is to be back-filled with a mixture of one third clean river sand, one third weed seed-free compost and one third topsoil, all mixed together.   | 2         |                     |               |             | Only indigenous trees planted by the association as per Appendix 3 of the OEMPr.   |
|        | Two 2m long tanalith or creosote treated wooden stakes are to be driven into opposite corners of the tree planting hole. The tree is to be removed from its container or plastic root bag and the root ball loosened from being a tight, compact mass, into a looser root ball; this allows the roots to grow outwards and not to remain growing in a spiral.   |           |                     |               | NA          | No wooden stakes seen.   |
|        | The tree is to be planted in the hole such that the soil surface of the root ball is at or slightly below the soil level of the tree hole. The hole is to be backfilled and tramped down firmly, to ensure contact between the roots of the tree and the soil of the tree hole. The tree hole should then be well watered until all air pockets in the tree hole have been eliminated. The tree is then to be tied to the tree stakes (which should be set to the prevailing winds of the site) with soft tree ties. Hard tree ties are to be avoided since they will damage the young tree's bark as it moves under the influence of the wind. Ideal ties are women's old tights or stockings. | 2         |                     |               |             | Tree ties were noted on site for some trees.   |
|        | Irrigation is to be to the nurseryman's recommendations and should be continued during the tree's growing season for the first two years after planting; bubble or drip irrigation is preferable to broadcast or hand held watering. After the first "watering-in" of the tree, the surface of the tree hole must be covered with a thick (at least 10 cm) layer of a natural mulch e.g. bark chips; lawn or grass clippings are to be avoided for use as mulch since they will rot and harbour fungi and other disease vectors which may be harmful to the young tree.   |           |                     |               | NA          | Noted. Indigenous trees planted with signage.  |
|        | Trees with similar light, soil and water requirements are to be planted in the same area of the erf. It is senseless and counterproductive to plant water intolerant species in waterlogged soils and vice versa.   |           |                     |               | NA          | Noted. Some trees on the property are not suitable for the area. It is recommended that a Botanist assess the success rate of the tree planting.                                     |
| 10.5.6 | Maintenance of trees  |           |                     |               |             | Noted.   |
|        | All pruning, tree surgery or any other cutting of any trees must be done responsibly, to prevent any damage to surrounding structures or vegetation.  | 2         |                     |               |             | Tree pruning was noted on site. No damage to surrounding vegetation.   |
|        | Trees may not be altered in such a way that it has a detrimental effect on their growth pattern. Where possible, indigenous trees should not be cut but left in their natural growth form. Trees should be maintained as required to keep them tidy. Dead wood, or branches that have become unstable, and may drop, must be removed in order to reduce fire and property/personal damage risks.  |           | 1                   |               |             | Dead wood and a "widow maker" cluster pine tree noted on site. The trustees and estate manager are aware of this and will take active measures to remove the wood and hazardous tree |
|        | Cut branches must be removed from the site or incorporated into the landscape in a tidy fashion. Burning of dead branches and pruning waste is prohibited.  |           |                     |               | NA          | Noted. No burning of branches seen. Cut branches not seen on site.   |

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|---|---|-----------|---------------------|---------------|-------------|--|
|   | All pruning, tree surgery or any other cutting of any trees should be undertaken in winter or during the tree's dormant period.   |           |                     |               | NA          | Noted. Garden Team on the estate manages the communal open areas.  |
|   | The use of chain saws is only permitted during "public times" on the Estate.  |           |                     |               | NA          | Noted. No noise complaints from chainsaws.   |
|   | The application of fertilisers is to be as per the nurseryman's recommendations for each tree species; over fertilising of indigenous trees can result in their death.  |           |                     |               | NA          | Noted.   |
| Method Statement TR 01 -10.6 Alien Tree Eradication |   |           |                     |               |             |  |
| 10.6.1  | This Method Statement describes procedures to be followed by Property Owners and the ASSOCIATION when eradicating alien invasive trees.   |           |                     |               |             | Noted.   |
| 10.6.2  | Property Owner - responsible for compliance with the Estate's alien invasive tree eradication programme.<br>ASSOCIATION - responsible for implementing compliance with the Estate's alien invasive tree eradication programme.<br>ESO - responsible for monitoring the ASSOCIATION'S alien tree eradication programme and for reporting to the Municipality.  |           |                     |               |             | Noted.   |
| 10.6.3  | Property Owners and the ASSOCIATION are to undertake a continuous programme of alien invasive tree eradication from Open Spaces. Each year, a target of clearing of 50% of all aliens present shall be achieved; in this way, these areas cleared will be cleared of 95% of alien plant species within five years.  |           |                     | 0             |             | Approximately 300 cluster pines have been removed since the early 2000's. There is approximately 30 cluster pines left to remove. A few are on private property with consent needed from the owner/s. Due to resistance from property owners, the home owners are not compliant with the Alien Eradication Programme. The Association is actively removing alien species where they can. The Association cannot access private property where cluster pines are for removal due to property owners' refusal to remove the trees. |
| 10.6.4  | Specific penalties for failing to eradicate alien invasive trees may be incurred as a contravention of law i.e. the Conservation of Agricultural Resources Act.<br>Kenrock OEMPr Document 1: Draft 5 (20 <sup>th</sup> December 2002).<br>It is, however, expected that peer pressure will encourage a responsible approach to the Estate's alien invasive tree eradication objectives without resorting to legal action.       |           |                     |               | NA          | Noted.   |
| 10.6.5  | Alien invasive tree eradication methodology   |           |                     |               |             | Noted.   |
|   | Invasive alien trees larger than small saplings are to be felled by hand or chain saw.  |           |                     |               | NA          | Noted.   |
|   | Port Jacksons, Rooikrans, Golden, Black and Longleaf Wattles, Blackwood, Stinkbean, Sesbania, Spanish Broom, Manatoka, Pittisporum, Cherry Pie and gum trees are to be felled at or below soil level.   |           |                     |               | NA          | Noted.   |
|   | The stumps must be poisoned using Garlon in a 2% solution with diesel, to be painted onto the cut stem. Care must be taken to ensure that chemicals used for this purpose do not contaminate the ground in any way, and that rain is not predicted for the day on which the poison is applied. Pine trees, and Hakeas, provided that no greenery is left on the stumps, do not usually require the application of an herbicide. |           |                     |               | NA          | Noted.   |
|   | Where exotic trees, especially gums, re-sprout or coppice naturally tree stumps must be removed or repeated applications of herbicide made to the stumps.   |           |                     |               | NA          | Noted.   |
|   | The ASSOCIATION must ensure that seedlings of exotic trees and coppice growth from cut alien trees are removed from the Open Space areas; in the case of Pines, this is easily accomplished by uprooting by hand.   |           |                     |               | NA          | Noted.   |

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|--------------------------------------|--|-----------|---------------------|---------------|-------------|--|
| <b>DOCUMENT 1: CONSTRUCTION OEMP</b> |  |           |                     |               |             |  |
| 11.1.1                               | A number of documents associated with this development provide conditions to ensure that the design, construction (later) renovation of houses on the property takes place in an orderly fashion with the constraints set to enhance the aesthetic character of Kenrock Country Estate. These documents include the Agreement of Sale, the Architectural Design Manual, the Landscape Design Manual as well as the OEMPr.  |           |                     |               | NA          | Noted. Due to only minor renovations taking place on private property, the Construction OEMPr was not audited. |
| 11.1.2                               | The purpose of the Construction OEMPr document is to set the terms and conditions to which the Builder, and Owner, must comply so as to ensure integration between residential living and control over building activities within the property and minimizing negative impact on the environment.  |           |                     |               | NA          | Noted.   |
| 11.1.3                               | The procedures to be followed by Owners and Builders during the works to be carried out for the house construction are specified in this document.   |           |                     |               | NA          | Noted.   |
| 11.1.4                               | The ASSOCIATION shall monitor and enforce compliance with this Construction OEMPr. Owners will be required to enter into contracts with the ASSOCIATION and the with the Builder to ensure that the terms and conditions of the Construction OEMPr are complied with and to ensure that the environment, as well as the quality of living at Kenrock Country Estate, is protected for the duration of the works. This Construction OEMPr will form an attachment to the contracts. |           |                     |               | NA          | Noted.   |
| 11.2.1                               | Only Builders who can furnish at least three references of prior building contracts will be allowed to build at Kenrock Country Property.  |           |                     |               | NA          | Noted.   |
| 11.2.2                               | An owner builder who qualifies under 11.2.1 will be allowed to construct his own home.   |           |                     |               | NA          | Noted.   |
| 11.2.3                               | Builders are at all times responsible for their sub-contractors, employees and suppliers while on the Property.  |           |                     |               | NA          | Noted.   |
| 11.3.1.1                             | An ESO must be appointed by the Owner to monitor and control compliance to the Construction OEMPr for the duration of the house construction works, and his responsibilities should at minimum comply with those listed under paragraph 9 of this OEMPr.   |           |                     |               | NA          | Noted.   |
| 11.3.1.2                             | Work will not be allowed on an erf without the formal appointment of an ESO.   |           |                     |               | NA          | Noted.   |
| 11.3.2.1                             | The ESO shall hold education sessions, as and when required, for all employees and subcontractors of the Builder on the terms and conditions of this Construction OEMPr. All staff and subcontractors must attend this education session prior to working on the Property.   |           |                     |               | NA          | Noted.   |
| 11.3.2.2                             | Personnel who have not attended an education session will not be allowed onto the Property.  |           |                     |               | NA          | Noted.   |
| 11.3.3.1                             | The ESO may require method statements from the builder in which the methodology for undertaking certain elements of the works are described, and such method statements must be submitted to the ESO's approval prior to commencement of any house construction works on the erf.  |           |                     |               | NA          | Noted.   |
| 11.3.3.2                             | Work by the Builder will be stopped by the ESO until a method statement or statements have been submitted to the ESO for approval.   |           |                     |               | NA          | Noted.   |
| 11.3.4.1                             | Prior to the commencement of clearing the erf, the Builder shall obtain a clearance certificate from the ESO to confirm that vegetation search-and rescue has been completed on the erf.   |           |                     |               | NA          | Noted.   |
| 11.3.4.2                             | Work by the Builder will be stopped by the ESO and legal action may be taken against the Owner and/or Builder by the ASSOCIATION.  |           |                     |               | NA          | Noted.   |
| 11.3.5.1                             | All activities relating to the house construction must be confined to within the erf boundaries where the works are executed. It is the responsibility of the Builder to ensure that his personnel remain within the demarcated areas of the erf on which they are working.  |           |                     |               | NA          | Noted.   |
| 11.3.5.2                             | Work by the Builder will be stopped by the ASSOCIATION and/or ESO until such time as the Builder's equipment/staff has been moved to within the boundaries of the erf. The Builder will be fined R150,00 per transgression.  |           |                     |               | NA          | Noted.   |

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|-----------|---|-----------|---------------------|---------------|-------------|------------------------------|
| 11.3.6.1  | The Builder shall keep the appearance of his erf neat and tidy at all times to the satisfaction of the ESO and the ASSOCIATION. Building rubble must be removed from the erf at intervals not exceeding one week, and litter must be removed from the erf on a daily basis. No litter may be stored or mixed in amongst building rubble. Green refuse drums must be supplied for the purpose of storing refuse until removed from erf by the Builder. No material or building rubble shall be spoiled on the Property.  |           |                     |               | NA          | Noted.                       |
| 11.3.6.2  | Should a builder fail to remove building rubble or litter within the specified timeframe after receiving written notice to this effect, the rubble will be removed by an outside contractor. The costs this outside contractor shall be paid by the ASSOCIATION and reclaimed from the builder. The Builder will be denied access to the Property until such costs have been paid in full. In addition to this the Builder will be fined R1 000,00 per offence.<br>Should wind-blown litter be generated from the erf the Builder will be fined R 250,00 per day until all refuse has been removed from the stand and the surrounding area. |           |                     |               | NA          | Noted.                       |
| 11.3.7.1  | The washing of Builder's vehicles and equipment is not permitted on the property and must be carried out elsewhere.   |           |                     |               | NA          | Noted.                       |
| 11.3.7.2  | The Builder will be fined R500,00 per offence.  |           |                     |               | NA          | Noted.                       |
| 11.3.8.1  | No fires will be allowed on any part of the Property including the erf. The Builder is to provide at least two fully operational fire extinguishers which must be on site at all times.   |           |                     |               | NA          | Noted.                       |
| 11.3.8.2  | The Builder will be fined R1 000,00 per offence.<br>The Builder will in addition be held legally and financially responsible for any damage caused by the breach of this regulation.  |           |                     |               | NA          | Noted.                       |
| 11.3.9.1  | The builder shall ensure that his employees do not smoke on the Property except within a five-metre radius of a portable fire extinguisher.   |           |                     |               | NA          | Noted.                       |
| 11.3.9.2  | The Builder will be fined R150,00 per offence.  |           |                     |               | NA          | Noted.                       |
| 11.3.10.1 | Builders must make adequate provision for potable water and temporary toilets located on the erf for the use of their employees until such time as the water and sewer reticulation systems are available.  |           |                     |               | NA          | Noted.                       |
| 11.3.10.2 | The Builder will be denied access to the Property until such time as this obligation is complied with.<br>In addition the Builder will be fined R500,00 per violation.  |           |                     |               | NA          | Noted.                       |
| 11.3.11.1 | The Builder shall screen off the erf with a 1,8m high black shade netting screen in the following circumstances, (i) where there is no screening wall between the site under construction and the adjacent property, (ii) at the direction of the ASSOCIATION   |           |                     |               | NA          | Noted.                       |
| 11.3.11.2 | The Builder will be denied access onto the Property until such screening structures are in place.   |           |                     |               | NA          | Noted.                       |
| 11.3.12.1 | Builders may only be present on the Property during the following public time hours:<br>Normal Working days 06:30 to 18:00<br>Saturdays 08:00 to 14:00  |           |                     |               | NA          | Noted.                       |
| 11.3.12.2 | Builders will be escorted from the Property by security during private times.<br>In addition the Builder will be fined R500,00 per transgression.   |           |                     |               | NA          | Noted.                       |
| 11.3.13.1 | Builders are not allowed on the Property on Sundays and public holidays, or outside the public times listed above, without the written permission of ASSOCIATION as these days are considered to be private time. Special applications for Builders to carry out works on their erf during private time must be lodged with ASSOCIATION at least one week prior to the private time activity.   |           |                     |               | NA          | Noted.                       |
| 11.3.13.2 | As for 11.3.11.2 above.   |           |                     |               | NA          | Noted.                       |
| 11.3.14.1 | No employees will be allowed to remain on site during private time.   |           |                     |               | NA          | Noted.                       |
| 11.3.14.2 | As for 11.3.11.2 above.   |           |                     |               | NA          | Noted.                       |

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|-----------|--|-----------|---------------------|---------------|-------------|------------------------------|
| 11.3.15.1 | Due to the road surfacing and limited road widths and radii the following restrictions are placed on any vehicle entering the Property.<br>Only fixed axle design vehicles will be allowed. Maximum length 9.1m<br>Maximum Width 2.6m<br>Maximum gross mass 20,000kg<br>Maximum axle weight = 8,000kg  |           |                     |               | NA          | Noted.                       |
| 11.3.15.2 | Vehicles larger than above will be denied access to the Property by the ASSOCIATION.   |           |                     |               | NA          | Noted.                       |
| 11.3.16.1 | Builders will at all times be responsible for the compliance of delivery personnel with the contents of this Agreement.<br>The Builder shall ensure that all delivery times will be limited to public times as defined under 11.3.11.1 above.<br>The Builder shall ensure that the size of delivery vehicles is limited as defined under 11.3.14.1 above.<br>The Builder shall ensure that deliveries to the building site take place only from the street frontage of the site. The position of delivery points must be indicated on the site diagram, which must be submitted for approval in terms of 11.3.21.1 below.<br>The Builder shall advise the entrance security staff in the morning of the details of the deliveries expected that day.   |           |                     |               | NA          | Noted.                       |
| 11.3.16.2 | Penalties levied on the Builder will be the same as if the Builder's employees were guilty of the transgression.   |           |                     |               | NA          | Noted.                       |
| 11.3.17.1 | The Builder shall ensure that drivers of concrete delivery vehicles are briefed on the conditions of this document.  |           |                     |               | NA          | Noted.                       |
| 11.3.17.2 | Drivers found contravening the Property rules and regulations will be escorted off the Property and refused access to the Property by the ASSOCIATION.<br>The Owner and/or Builder will be liable for penalties incurred by a concrete delivery vehicle.   |           |                     |               | NA          | Noted.                       |
| 11.3.18.1 | The washing off of premixed concrete delivery vehicles must not take place within the Property. Under no circumstances may concrete be spilled onto the road surface and the Builder will be held responsible for the repair to the road if this occurs.   |           |                     |               | NA          | Noted.                       |
| 11.3.18.2 | The Builder will be fined R500,00 per offence in addition to the costs of repairing the road.  |           |                     |               | NA          | Noted.                       |
| 11.3.19.1 | The Builder will be allowed to erect green storage sheds/huts within the boundaries of the erf and to a maximum height of 2,4m above ground level. The position of such structures must be indicated on the site diagram, which must be approved by ESO/ASSOCIATION in terms of item 11.3.21.1 below.  |           |                     |               | NA          | Noted.                       |
| 11.3.19.2 | The Builder will be instructed to remove any structures that do not conform to this regulation.  |           |                     |               | NA          | Noted.                       |
| 11.3.20.1 | The development is located in a secure and controlled environment and therefore individual watchmen will not be allowed on the Property during private times.<br>Security personnel control access to the Property and the Builder must at all times adhere to their security rules.<br>Personnel and subcontractors of the Builder must at all times be in possession of an access pass, which will be issued by the Builder. The pass may only be valid for the period that the subcontractor is required to be on the Property and must be renewed monthly.<br>Personnel must be transported by vehicle to the relevant erf and will not be allowed to walk from one erf to another.<br>The security personnel must sign in all Builder vehicles entering the Property. Each erf will be allowed a maximum of two vehicles on the property so as not to cause disruption to vehicular movement and damage to road verges. |           |                     |               | NA          | Noted.                       |
| 11.3.20.2 | Any member of Builder's staff not adhering to this regulation will be removed from the Property.<br>In addition the Builder will be fined R150,00 per transgression.   |           |                     |               | NA          | Noted.                       |
| 11.3.21.1 | For security and safety reasons the speed limit on the Property for all vehicles is 35 kmh. The Builder shall ensure that his employees, subcontractors and delivery vehicles adhere to this rule.   |           |                     |               | NA          | Noted.                       |
| 11.3.21.2 | The Builder will be fined an amount of R500,00 per transgression. Continuous non-compliance will result in the Builder being expelled from the Property.   |           |                     |               | NA          | Noted.                       |



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| 11.3.22.1  | The Builder must ensure that the signed approved building plan is available at all times for inspection by the ASSOCIATION.<br>Any variations to the approved building plan must be submitted to ASSOCIATION for signed approval and may only be implemented once the approved variation is available to the Builder.<br>Prior to commencing with the house construction works the Builder must<br>(i) set out the foundations for inspection and approval by the ASSOCIATION;<br>(ii) confirm the height of buildings with the ASSOCIATION;<br>(iii) set out and confirm the form of driveway with the ASSOCIATION;<br>(iv) provide a site drawing indicating the position of storage shed(s); position of topsoil and excavated soil storage areas; the position of building material storage areas; and the position of deliveries.<br>The Builder must make application to ASSOCIATION for the issuing of a Plinth Certificate, to ensure that the correct overall height of the building is maintained. This certificate must be issued prior to the commencement of the construction of the superstructure. |           |                     |               | NA          | Noted.                       |
| 11.3.22.2  | The Builder will be denied access to the Property until the above documentation is in place.<br>The Builder will be instructed by the ASSOCIATION to remove any structures that do not conform to approve plans.  |           |                     |               | NA          | Noted.                       |
| 11.3.23.1  | One representative of each Builder is expected to attend a weekly site meeting to discuss general issues relating to work on the Property.  |           |                     |               | NA          | Noted.                       |
| 11.3.23.2  | The Builder will be fined an amount of R250,00 for not attending the site co-ordination meetings.   |           |                     |               | NA          | Noted.                       |
| 11.3.24.1  | Builders must ensure that the road in front of their erf is at all times swept clean to the satisfaction of the ESO and ASSOCIATION.<br>Builders must ensure that the kerbs and sidewalks in front of their erf are adequately protected from damage by the house construction works.<br>The Builder shall ensure that all building materials are stored on the erf. Special permission may be obtained from ASSOCIATION to neatly store some material on the road verge directly in front of the erf.  |           |                     |               | NA          | Noted.                       |
| 11.3.24.2  | Builders must ensure that the road in front of their erf is at all times swept clean to the satisfaction of the ESO and ASSOCIATION.<br>Builders must ensure that the kerbs and sidewalks in front of their erf are adequately protected from damage by the house construction works.<br>The Builder shall ensure that all building materials are stored on the erf. Special permission may be obtained from ASSOCIATION to neatly store some material on the road verge directly in front of the erf.  |           |                     |               | NA          | Noted.                       |
| 11.4.1   | To cover the administration costs relating to the housing delivery process each Builder will be levied a monthly building management levy which must be paid by the 1st of every month and is to be paid in advance.  |           |                     |               | NA          | Noted.                       |
| 11.4.2   | It is herewith recorded that the monthly levy is currently set at R570.00 (VAT included) per month and is subject to review by the Trustees from time to time   |           |                     |               | NA          | Noted.                       |
| 11.5.1   | All monies owing to ASSOCIATION must be paid on the Monday following the fine.<br>The ASSOCIATION will keep separate management and accounting records for these fines and ensure that monies from fines are used to repair environmental damage only.  |           |                     |               | NA          | Noted.                       |
| 11.5.2   | In the event of the Builder failing to pay fine in time the Builder will be denied access onto the Property   |           |                     |               | NA          | Noted.                       |
| <b>Method Statement WR 01 - water resources management</b> |   |           |                     |               |             |                              |
| 12.4.1   | This Method Statement describes procedures to be followed by Property Owners and the ASSOCIATION for the management of the Estate's water resources.  |           |                     |               |             | Noted.                       |

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| 12.4.2 | Property owner - responsible for implementing on their private property<br>ASSOCIATION - responsible for ensuring compliance by the Property Owner with this Method Statement and for implementing it on Open Space areas.   |           |                     |               |             | Noted.   |
| 12.4.3 | No rubble or rubbish of any nature whatsoever shall be buried anywhere on the Estate.  | 2         |                     |               |             | No rubbish noted to be buried.   |
|        | No paints or any other chemicals shall be disposed of anywhere except at a licensed landfill site.   | 2         |                     |               |             | Noted. No dumping seen on site.  |
|        | No cement, concrete, mortar, plaster, etc shall be mixed on the ground or on any road surface under any circumstances  | 2         |                     |               |             | Noted. Not seen on site.   |
|        | The fouling of any Estate road with any substance by any person is prohibited  | 2         |                     |               |             | Noted. Not seen on site. Roads are in good condition and are clean of substances.  |
|        | Abluting anywhere on the Estate except in a toilet is forbidden.   |           |                     |               | NA          | Noted.   |
|        | No pet excrement shall be left in any Private Open Space or on any Estate road or verge.   |           | 1                   |               |             | Pet owners leave waste in Estate areas on trails where no poo bin is provided. Association to reiterate to residents to carry the bags to the nearest bin. |
|        | No plastics, papers or any other garbage shall be permitted to blow off the erf under construction   | 2         |                     |               |             | No rubbish noted from houses undergoing renovations.   |
|        | No substance of any nature (including pool backwash water and soapy car washing water) is to be allowed to enter any stormwater drainage system or water resource.   |           |                     |               | NA          | Noted. Association to provide evidence on how this is managed.   |
|        | No French drains or foul water soak-aways are permitted anywhere within the Estate   | 2         |                     |               |             | None noted.  |
|        | No wastes of whatever nature are permitted to be placed or dumped on any Estate road or verge or in any Private Open Space.  | 2         |                     |               |             | No waste dumped.   |
|        | No indigenous plant in or on the banks of any water resource shall be removed.   | 2         |                     |               |             | No plant removal noted next to the streams, river and dams.  |
|        | No indigenous animal shall be caught, trapped, snared, killed or injured in any manner by any person.  |           |                     |               | NA          | Noted.   |
|        | No boreholes are permitted.  | 2         |                     |               |             | 3 boreholes on Estate Property. No private dwellings have boreholes.   |
|        | Any person shall interfere with no seep or wetland area.   | 2         |                     |               |             | No interference noted near or around dams.   |
|        | No river, stream, spring, etc shall be dammed, diverted or interfered with in any manner by any person.  | 2         |                     |               |             | None noted.  |
|        | The introduction by any person of any non-indigenous aquatic species into any water resource is prohibited. The recommended indigenous fish species are listed under Annexure 5.   |           | 1                   |               |             | Alien fish present in some dams.   |
|        | No temporary shall be erected, placed or constructed within 15m of any water resource without the express permission of the ASSOCIATION.   | 2         |                     |               |             | None noted.  |
| 12.4.4 | The offender shall be liable for a fine of R500 for each contravention and for all costs incurred in rectifying the situation caused. The penalty shall be paid by the Property Owner to the ASSOCIATION and shall not, in any way, absolve the offender from prosecution in terms of any law. |           |                     |               |             | Noted.   |
| 12.5.1 | This Method Statement describes procedures to be followed by the ASSOCIATION for the management of the Estate's water resources.   |           |                     |               |             | Noted.   |
| 12.5.2 | ASSOCIATION - responsible for implementing it on Estate property.  |           |                     |               |             | Noted.   |
| 12.5.3 | The ASSOCIATION shall ensure that:   |           |                     |               |             | Noted.   |
|        | Construction activities on Kenrock Country Estate (especially construction of private homes) do not lead to blockages or disruption of the Estate or municipal storm water system.   | 2         |                     |               |             | Minor renovations for two dwellings noted on site. No blockages.   |
|        | Erosion that could block the storm water system on site is minimised.  | 2         |                     |               |             | No erosion noted.  |
|        | The dam walls are regularly inspected for damage and that it these are capable of handling conditions of flooding (spillways must be intact).  | 2         |                     |               |             |  |

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|   | Private landowner's direct stormwater runoff from their properties so that it enters the Estate's stormwater system without causing any damage or erosion.   | 2         |                     |               |             | No erosion noted.   |
|   | Litter traps have been installed at the stormwater outlets from the site.  |           |                     | 0             |             | No litter traps on site.  |
|   | All litter traps are maintained and cleaned regularly, as required.  |           |                     |               | NA          | No litter traps in place.   |
|   | Silt and sand, etc is regularly removed from the dams and other underground stormwater drainage systems.   | 2         |                     |               |             | Trustee confirmed that dams are regularly cleared of build-up of sand/silt.                                     |
|   | No trees are planted on dam walls.   | 2         |                     |               |             | No trees noted on dam walls.  |
|   | The control of moles is carried out on dam walls as required.  | 2         |                     |               |             | Noted. No mole "hills" seen on site.  |
|   | No fertilisers are applied to the banks of the dams.   | 2         |                     |               |             | No fertilizer noted or required on dam banks.   |
|   | Suitable indigenous fish species, as listed in Annexure 4 are introduced into the dams.  |           |                     | 0             |             | Alien fish present such as Carp.  |
|   | Suitable safety signage and other safety mechanisms are in place and maintained to prevent small children falling into the dams.   |           |                     | 0             |             | No safety signage noted around the dams.  |
|   | No swimming is permitted in the dams.  |           |                     |               | NA          | Noted.  |
|   | Benches and paths around the dams are suitably maintained.   | 2         |                     |               |             | Paths and benches maintained to a high standard.  |
|   | An annual inspection of the dam walls and spillways is undertaken.   |           |                     | 0             |             | Proof of annual inspection to be provided of weirs and spillways.   |
|   | An independent Civil Engineer is consulted with regard to dam wall safety every five years.  |           |                     | 0             |             | Proof of inspection required.   |
|   | The encroachment of aquatic vegetation into and onto the dams is controlled on a continuous basis.   | 2         |                     |               |             | Regular clearing of the water lilies in place   |
|   | The ASSOCIATION shall ensure compliance with the landscaping procedures around the dams.   |           |                     |               |             | Noted   |
| <b>Method Statement WILDFIRE PREVENTION OEMP</b>      |  |           |                     |               |             |   |
| 13.2.1  | This Method Statement describes procedures to be followed by property owners and the ASSOCIATION to prevent the occurrence of wild fires.  |           |                     |               |             | Noted.  |
| 13.2.2  | Property owner - responsible for fire prevention measures on his/her private property<br>ASSOCIATION - responsible for fire prevention measures on the Estate and for monitoring compliance by Property Owners with the "no burning" rule. |           |                     |               |             | Noted. No unauthorised fires noted.   |
| 13.2.3  | No fires, with the exception of controlled and supervised braai fires, shall be lit on the Estate.   | 2         |                     |               |             | Noted. No unauthorised incidences of fires noted.   |
| 13.2.4  | The offender shall be liable for all costs incurred in extinguishing the fire and for all costs and liabilities for any damage caused by the fire.   |           |                     |               | NA          | Noted.  |
| 13.3.1  | This Method Statement describes procedures to be followed by the ASSOCIATION to maintain a firebreak along the outside of the estate's northern boundary fence.  |           |                     |               |             | Noted.  |
| 13.3.2  | ASSOCIATION - responsible for the implementation of the maintenance procedures relating to the firebreak on the CPNP boundary.   |           |                     |               |             | Noted. Association takes responsibility for maintenance in association with SANParks.                           |
| 13.3.3  | The association will be responsible to remove all alien vegetation for a strip of at least a width of 15m measured from the fence into the CPNP area, as well as to keep the indigenous vegetation trimmed to a height of no more than 1m. |           | 1                   |               |             | Firebreak in need of maintenance and trimming. Association have made arrangements for evaluation of fire break. |
| <b>Method Statement GENERAL WASTE MANAGEMENT OEMP</b> |  |           |                     |               |             |   |
| 14.2.1  | This Method Statement describes procedures to be followed by Property Owners and the ASSOCIATION for the management of wastes.   |           |                     |               |             | Noted.  |
| 14.2.2  | Property owner - responsible for implementing on their private property<br>ASSOCIATION - responsible for ensuring compliance by the Property Owner with this Method Statement and for implementing it on Estate property.                  |           |                     |               |             | Noted.  |
| 14.2.3  | No garbage or garden wastes shall be disposed of by burning.   | 2         |                     |               |             | Noted. No burning seen on site.   |



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|    | No rubble or rubbish of any nature whatsoever shall be buried anywhere on the Property.                                | 2         |                     |               |             | No buried rubbish or rubble noted.  |
|    | No paints or any other chemicals shall be disposed of anywhere except at a licensed landfill site.                     | 2         |                     |               |             | Noted. Not seen on site.  |
|    | No cement, concrete, mortar, plaster, etc shall be mixed on the ground or on any road surface under any circumstances. | 2         |                     |               |             | Noted. Not seen on site. Roads are in good condition and are clean of substances. |
|    | No cement, concrete, mortar, plaster, etc wastes or washings are to be disposed of anywhere on the Property.           | 2         |                     |               |             | Noted. Not seen on site.  |
|    | The fouling of any Property road with any substance by any person is prohibited.                                       | 2         |                     |               |             | Noted. Not seen on site. Roads are in good condition and are clean of substances. |
|    | Abluting anywhere on the Property except in a toilet is forbidden .  |           |                     |               | NA          | Noted.  |