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Mr Nico Dekker
Dreamworld Management Company (Pty) Ltd
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SOMERSET MALL
7137

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Dear Mr Dekker

AMENDMENT APPLICATION FOR THE PROPOSED CONSTRUCTION OF DREAMWORLD FILM CITY AND RESIDENTIAL DEVELOPMENT ON REMAINDER OF PORTION 13 AND PORTION 16 OF FARM NO. 653, VERGENOEGD, FAURE

Your application for the Amendment of the appeal Record of Decision granted on 4 April 2006 for the above-mentioned development refers.

By virtue of the powers conferred on myself by the Environmental Impact Assessment ("EIA") Regulations (18 June 2010), I have decided to amend the appeal decision which was granted on 4 April 2006 (Reference Number: E12/2/1-595-Farm 653, OA). The following are amended:

1.1 Section C of the appeal Record of Decision ("ROD") is amended to include the following joint holder of the ROD:

The Cape Town Film Studios
C/o Mr Nico Dekker
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SOMERSET MALL
7137

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1.2 The following botanical conditions as outlined in Appendix 2 of the ROD are replaced/amended as follows:

- 1.2.1 "The Deeds of Sale for all residential properties bordering on the conservation areas should include clauses which state that **only indigenous, non-invasive plants may be used in gardens**, and that no species may be used anywhere on the development which are classified as Category 1, 2 or 3 within the amended Conservation of Agricultural Resources Act (Act No. 43 of 1983) ("CARA") legislation. It is worth noting specifically that kikuyu grass (*pennisetum clandestinum*) should not be allowed anywhere on the property, as this species is highly invasive, especially in wetland areas,

and is water thirsty."

, is amended as follows:

- 1.2.1.1 No species may be used anywhere on the development which are classified as Category 1, 2 or 3 within the amended CARA legislation. It is worth noting specifically that kikuyu grass (*pennisetum clandestinum*) should not be allowed anywhere on the property, as this species is highly invasive, especially in wetland areas, and is water thirsty.
- 1.2.1.2 A spreading-potential risk assessment of the exotic species to be utilised must be undertaken prior to introducing any such new species and specific mitigation measures that could be applicable to these species based on the overall risk of spread must be determined. This assessment must also address the nature of reproduction of each species and the likelihood of successfully preventing spreading and planting of these species in planter boxes.
- 1.2.1.3 Any non-locally indigenous and exotic species used must be monitored on an annual basis, and any plants that have spread from their original points of introduction must be removed during this monitoring program. The success of this monitoring and management must be verified by an independent botanist every three years. The annual monitoring results and proof of verification by an independent botanist must be submitted to the Environmental Monitoring Committee ("EMC") every three years.
- 1.2.1.4 Where species characterized as water intensive have been identified for use, investigate whether a less water-thirsty alternative with the same visual character (that would meet the requirements of the particular film shoot), exists. If appropriate, utilise the alternative species. The success of this monitoring and management must be verified by an independent botanist every three years.

The annual monitoring results and proof of verification by an independent botanist must be submitted to the EMC every three years.

- 1.2.1.5 Residents should be encouraged to plant local indigenous species.

- 1.2.2 "The rehabilitation of all the undeveloped natural areas is highly recommended, and will add value to what is currently mostly a highly degraded area. **The public spaces should be landscaped with suitable locally indigenous plant species**, many of which were listed in the relevant section of the Scoping Report (Helme, 2004). The same inclusions in the Deeds of Sale as noted should be continued when properties change hands, including when speculators or investors buy a property but sell it on before building."

, is amended as follows:

- 1.2.2.1 The rehabilitation of all the undeveloped natural areas is highly recommended, and will add value to what is currently mostly a highly degraded area. **The public spaces may however be landscaped with non-invasive exotic species subject to 1.2.1.2 above.** The same inclusions in the Deeds of Sale as noted should be continued when properties change hands, including when speculators or investors buy a property but sell it before building.
- 1.2.2.2 Any non-locally indigenous and exotic species used must be monitored on an annual basis, and any plants that have spread from their original points of introduction must be removed during this monitoring program. The success of this monitoring and management must be verified by an independent botanist every three years. The annual monitoring results and proof of verification by an independent botanist must be submitted to the EMC every three years.

1.3 The following visual conditions as outlined in Appendix 2 of the appeal ROD are replaced/amended as follows:

- 1.3.1 "Trees should screen the southern tip of the open air film sets zone as this zone is visible from the top of the road interchange."

, is amended as follows:

- 1.3.1.1 An independent visual specialist must be consulted for input during the design and implementation phase for individual outdoor sets, such that specific visual impacts can be identified and suitably addressed on a case by case basis. Special focus must be placed on high impact areas such as those visible from the N2 and the R310, to ensure that views are not dominated by scaffolding and supporting structures.
- 1.3.1.2 An independent visual specialist must also be consulted for input during the design phase of the proposed housing development along the northern boundary.

1.4 The following conditions are excluded from the ROD as outlined in Appendix 2 and included under Section G of the ROD as recommendations:

- 1.4.1 There should be an ecological corridor 100m wide between Area 1 and the Vergenoegd Renosterveld area. This corridor area will require extensive rehabilitation. Negotiations with the responsible roads authority should also be initiated, with the aim of securing permission to rehabilitate that portion of the Stellenbosch road reserve crossed by the corridor strip.
- 1.4.2 A limited network of footpaths should be encouraged in Conservation Area 1, with the aim of allowing people to enjoy and appreciate the open space, but to limit impact by channeling movement. Footpaths should not be wider than 2m. No footpaths should be allowed in Area 2 due to high sensitivity vegetation and wetland soils.
- 1.4.3 Some elevated boardwalks can be considered in the conservation areas, provided that there are no negative impacts to the identified wetlands. The construction and management of these boardwalks will have to be approved prior to construction by the Operational Environmental Control Officer.

1.5 Changes to the development boundaries:

The development boundaries of the spatial development plan authorised in the appeal ROD granted on 4 April 2006 must be amended as per Figure 2 in Appendix B of the additional information dated 20 August 2013 submitted as part of the application for the amendment of the ROD (See Annexure A).

1.6 Reconfiguration of the land use rights in the north-eastern portion of the site:

The layout must be re-aligned to accommodate the sensitive vegetation in the north-eastern portion as outlined in Appendix D of the additional information dated 20 August 2013 and the revised development plan contained in Appendix A of the additional information dated 23 January 2014 submitted as part of the application for the amendment of the ROD (See Annexure B).

The reasons for the decision to amend the environmental authorisation are as follows:

2.1 Botanical conditions:

- 2.1.1 Whilst no invasive species included in the CARA will be utilized on the site, the prescribed use of only indigenous species contained in this condition of approval is proving restrictive to the operational requirements of the Cape Town Film Studios ("CTFS"). Because of the nature of the activities conducted at the film studios, there is occasionally a need for non-invasive exotic plants in the construction of film sets.
- 2.1.2 CTFS wants to be in a position to use the entire CTFS property (indoors and outdoors, except for the conservation areas) as an integrated operational filming, residential, recreational space. The restriction of only utilising local indigenous species in the areas currently regarded as residential areas, are limiting this vision/aspiration and their current operational requirements.

Mitigation measures that would be implemented to prevent the spread of non-invasive exotic plants include:

- 2.1.2.1 Undertaking a spreading potential risk assessment of the intended species to be utilised, prior to introducing any new species.
- 2.1.2.2 Determining specific mitigation measures that could be applicable to these species based on the overall risk of spread, the nature of reproduction of each species, the likelihood of successfully preventing spreading and planting of these species in planter boxes, where appropriate; and

- 2.1.2.3 Monitoring any non-locally indigenous species used on an annual basis, and any plants that have spread from their original points of introduction should be removed during this monitoring program. The success of this monitoring and management should be verified by an independent botanist every three years.
- 2.1.3 Whilst rehabilitation is ongoing, the CTFS would however like to see this condition relaxed, as it is their vision to ultimately utilise all areas outside of the designated conservation areas for filming activity. As mentioned above, CTFS are intending to utilise the entire site as an integrated operational filming, residential and recreational, space. The restriction of only utilising local indigenous species in the areas currently regarded as 'public' areas, are limiting this vision/aspiration and their current operational requirements.
- 2.1.4 Given that the R310 and a wide stormwater channel (totaling approximately 300m) separate these two Renosterveld areas, it is believed that rehabilitation of a 100m wide strip would not necessarily create the desired outcome of an ecological corridor. The botanical assessment undertaken as part of the EIA indicated that this connection is "tenuous and unlikely to be of much biological value" because of the implications provided by the road and stormwater channel. In addition, as the land in question rests in the jurisdiction of the roads authority, sustaining the rehabilitation of this area would be difficult to ensure in the future.
- 2.1.5 The applicant does not view footpaths in Area 1 as a practical option at this point in time. It has proved very difficult to keep trespassers from the surrounding informal settlement areas searching for grazing space for their livestock, off the property. Footpaths are believed not to be practical as this might encourage further illegal entry to the conservation areas. It is believed that the provision of footpaths could be more beneficial in the future when conservation areas have been fully rehabilitated and the surrounding residential areas have been developed, as this could provide additional surveillance to discourage trespassing. Input from the botanical specialist revealed that it was never the intention to make this a requirement, but merely a recommendation that might have added value to the desirability of the residential areas.

2.2 Visual Conditions:

- 2.2.1 The CTFS would like to have this condition amended as the open air film sets generally stand at significant heights (e.g. to represent high rise buildings in a city). Thus, even extremely tall trees would not serve as an effective visual screen to the sets, and as such, is not believed viable to create the desired outcome.
- 2.2.2 The intention of this condition was to screen the proposed industrial development adjacent to the residential area on the northern portion of the site. The visual specialist revealed that this is not implementable given the restrictions on development around the transmission line servitude.

2.3 Changes to the development boundaries:

- 2.3.1 The development boundaries of the existing spatial development plan are irregular in nature (i.e. not straight lines) which has proven problematic in practice.
- 2.3.2 When the surveyor general defined the property boundaries these were correlated as closely as possible with the spatial development plan, however, there were a few discrepancies given that the surveyor general lines are straight, these discrepancies have caused confusion when it comes to future development planning of the site.
- 2.3.3 It was agreed between the town planners, landscape architect, freshwater specialist, environmental assessment practitioner and the applicant that the surveyor general line would be appropriate to use as a base for a revised development boundary as it corresponded closely with the existing spatial development plan and maintained the environmental buffers prescribed in the ROD.
- 2.3.4 The amendment of the development boundaries will result in the net gain of land transferred for conservation purposes of 20500.82m² (i.e. the loss of conservation land will be 3960.66m² and the loss of developable land will be 24461.48m²).

2.4 Reconfiguration of the land use rights in the north-eastern portion of the site:

- 2.4.1 During an exercise undertaken to rationalize the land use rights of the applicant, the botanical study found that the area indicated in the approved development framework for conservation due to the existence of renosterveld vegetation is not correctly aligned with the sensitive

renosterveld area as ground-truthed. As such, it was proposed that the layout be re-aligned to accommodate the sensitive portion.

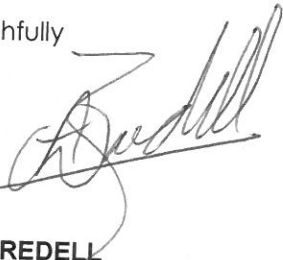
- 2.4.2 The re-aligned layout will provide for development on both sides of the existing road, creating a corridor of development so as to harness the benefits of increased accessibility along Film City Boulevard.
- 2.4.3 The revised layout would not result in a change in the extent of land under conservation and it will provide for the correct portion of land with sensitive vegetation coverage as ground-truthed to be protected from development.

2.5 Public Participation:

- 2.5.1 The registered interested and affected parties ("I&AP's") were notified of the proposed amendments of the ROD as follows:
 - 2.5.1.1 On 30 April 2013, notification letters were sent to the I&AP's.
 - 2.5.1.2 On 14 November 2014, notices were placed on the site.
 - 2.5.1.3 On 8 November 2013, notification letters were sent to the I&AP's.
- 2.5.2 The comments received raised during the public participation process have been adequately addressed by the environmental assessment practitioner.

Your interest in the future of our environment is appreciated.

Yours faithfully



ANTON BREDELL
WESTERN CAPE MINISTER FOR LOCAL GOVERNMENT,
ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

DATE: 19/6/2014

Copies to: Ms Ingrid Eggert/ Ms Elizabeth Dudley (Chand Environmental Consultants)
Mr JC Cotzer (City of Cape Town: Tygerberg Administration)
Mr Muhammad Khan (Cape Town Film Studios)

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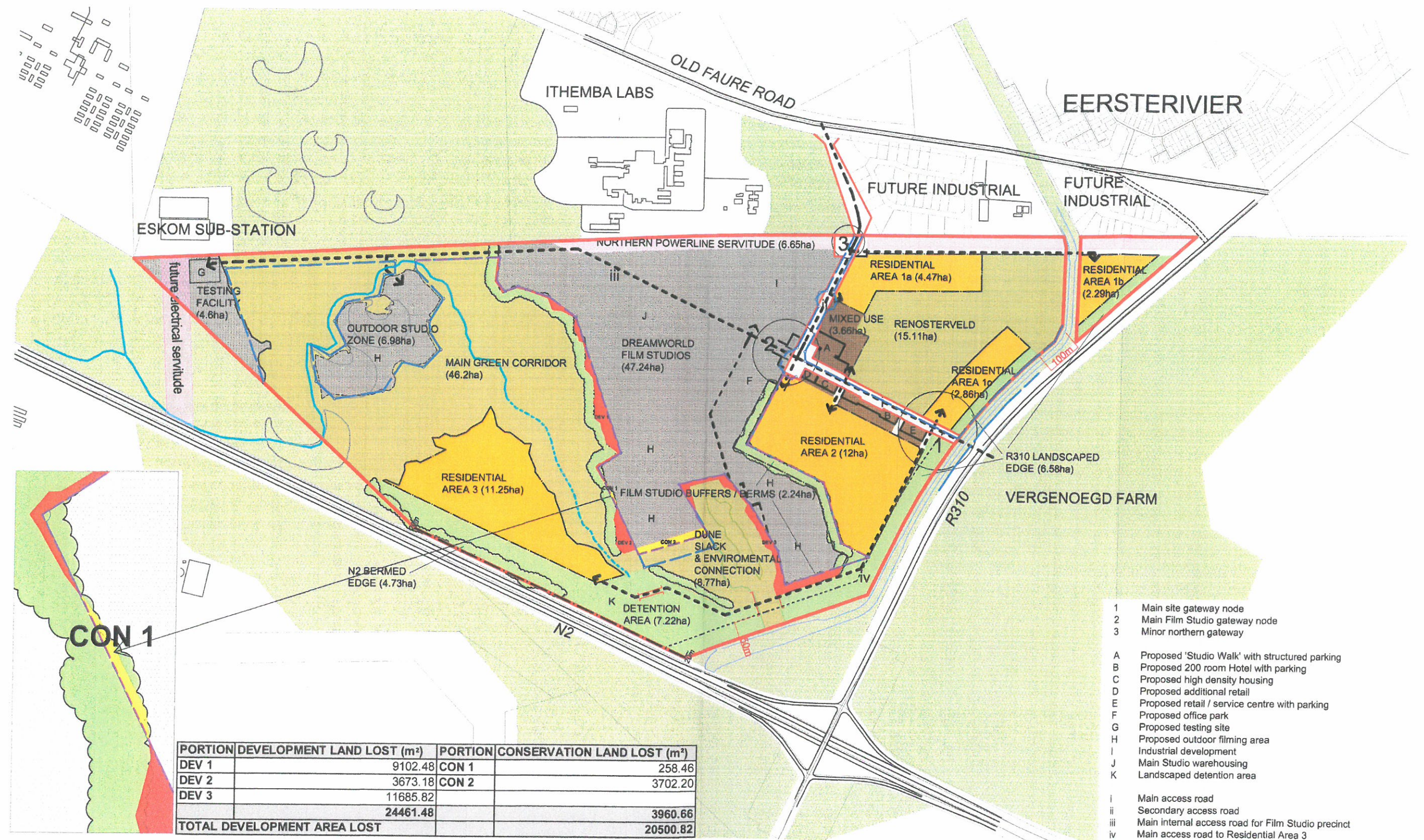


FIGURE 1: APPROVED DEVELOPMENT FRAMEWORK (with revised film studio boundary lines indicated) (drawing no. CTFS-130619-01)

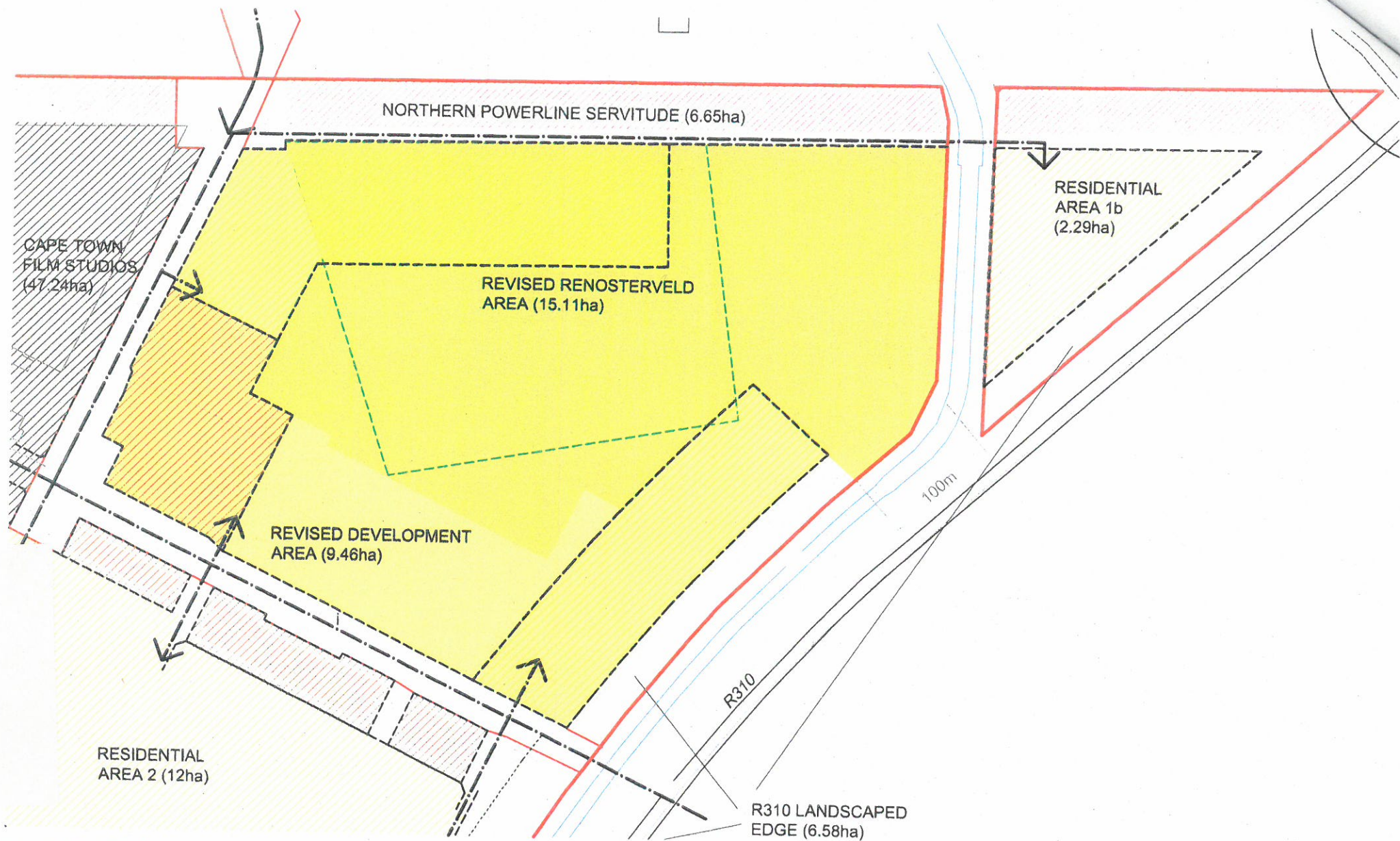
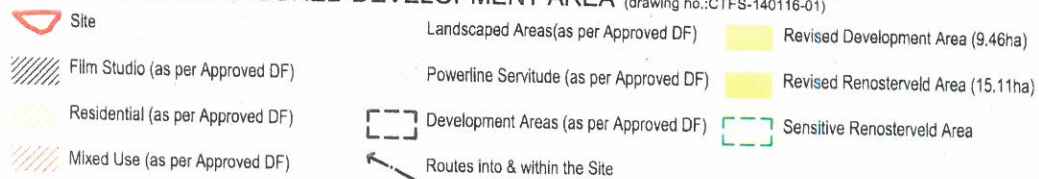


FIGURE 1: RECONFIGURED DEVELOPMENT AREA (drawing no.:CTFS-140116-01)



Scale 1: 3000 @ A3
0 20 50 100



Cape Town Film Studios
NM & Associates Planners & Designers