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# Milnerton Racecourse Operational Environmental Management Plan (OEMP) Volume 1: Residential & Commercial Precincts

## PREAMBLE

The Operational Phase Environmental Management Plan (OEMP) for the Milnerton Racecourse Development Complex was approved by the City of Cape Town on 3 December 2002 to ensure compliance with the environmental conditions of the Provincial Administration's Record of Decision dated 11 February 2000 approving the Royal Ascot development.

The original OEMP was compiled for Investec Property Group and Rabie Property Projects by Ecosense Consulting Environmentalists/Ecologists, in association with Doug Jeffery Environmental Consultants (Pty) Ltd for the Royal Ascot Development.

The OEMP consists of three volumes to facilitate the environmental management of various precincts of the development by different management bodies.

**Volume 1** deals with the management of the Residential, Commercial and Retail sectors of the development, and will be implemented by the Property Owners Association or Owners for each of the relevant development precincts.

**Volume 2** deals with the management of the Fynbos Reserve or Conservation Areas in the centre of the racecourse. This volume has now been replaced by the Environmental Management System and Environmental Management Plan developed for the Milnerton Racecourse Nature Reserve.

**Volume 3** deals with the management of the race track, stables and associated facilities, and activities, which will be managed by Gold Circle.

The three volumes have been closely co-ordinated to ensure that there is no conflict in interests or in the management requirements for each precinct of the development.

Volume 1 of the OEMP completed in December 2002 first updated in November 2010, this second update includes a penalty schedule approved by the Environmental Management Committee.

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**NOTE: THIS DOCUMENT ONLY INCLUDES VOLUME 1 OF THE OEMP.**

Original document: December 2002.

First revision: November 2010.

Second revision: January 2012.

Third revision: December 2016 – Update of Section 4, Penalties Schedule  
Update of Section 2.5, Protection of Trees and Plants  
Update of Section 2.2, Maintenance of Buildings and  
Infrastructure

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PLEASE CHECK THE ROYAL ASCOT WEBSITE FOR INFORMATION AND DOCUMENTS THAT ARE REQUIRED FOR THE IMPLEMENTATION OF THE OPERATIONAL ENVIRONMENTAL MANAGEMENT PLAN. ([www.royalascot.co.za](http://www.royalascot.co.za)).

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- Annexure I Other General Information

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## 1 CONTEXTUAL INFORMATION

### 1.1 INTRODUCTION

The Milnerton Racecourse is situated on portion 25939 of Erf 935, Milnerton. The property is wedged between Milnerton Drive to the West and North, Racecourse Road to the South and Koeberg Road to the East.

The Milnerton Racecourse Development Complex, shown in **Annexures A & B** includes:

- Twenty residential precincts in Royal Ascot each of which are managed by a Property Owners Association.
- Six office and business and commercial precincts in Royal Ascot, managed by the respective owners. Five of these are between Racecourse Rd and Bridle Way, the sixth is near the northern end of Grand National Boulevard.
- Gold Circle managing the training track and stables, used for horse training.
- The City of Cape Town's Milnerton Racecourse Nature Reserve in Royal Ascot is managed by the EMC and funded by the Royal Ascot Master Property Owners Association.
- City of Cape Town Blaauwberg Administration manages the civic facilities used by City of Cape Town's Blaauwberg Administration.
- An area earmarked for a future residential precinct, referred to as Precinct G.

This document deals with the management of the residential precincts, business and commercial precincts of the Milnerton Racecourse Development complex. Future developments associated with the Milnerton Racecourse Development complex will also be required to conform to the requirements of this Operational Phase Environmental Management Plan (OEMP) until such time as specific management requirements are added to the OEMP to cater for such new undertakings.

The purpose of this document is to provide a set of management guidelines and requirements, which aim to ensure that the activities associated with the developments, once occupied, do not pose a threat to the ecologically sensitive areas or features associated with the inner conservation areas of the racecourse, or the adjacent Rietvlei Nature Areas. The goal and objective of the OEMP in its entirety, is to sustain these conservation areas and to ultimately enhance the surrounding areas by managing within the concept of "Best Management Practice".

### 1.2 KEY TERMS

**Property Owners Association (POA):** An association for each identified precinct or group of similar and connected use areas, representative of the owners, managers and tenants of the buildings. Each Home Owners Association or Body Corporate will be responsible for ensuring the implementation of the environmental management requirements, as outlined in this document, in their respective precincts.

**Owner of commercial property:** Commercial properties not subdivided into sectional title units are managed by their owners (or appointed managing agents) who are responsible for implementing the environmental management requirements.

**Royal Ascot Master Property Owners Association (RAMPOA):** Established in terms of Section 29 of the Land Use Planning Ordinance, No 15 of 1985, membership of RAMPOA is compulsory for all registered owners of properties within the development.

**Conservation Areas:** The two fynbos conservation areas, known as the Milnerton Racecourse Nature Reserve, is managed according to the requirements of an approved Environmental Management System, to ensure conservation of the Cape Flats Sand Fynbos and associated species which exist in these areas.

**Environmental Management Committee (EMC):** The committee responsible for the overall environmental control of the entire Milnerton Racecourse site, as detailed in section 1.5.2.

**Gold Circle:** The owners and management authority of the training track, stables and associated facilities.

**Local Authority:** City of Cape Town – Blaauwberg Administration.

**Operational Phase Environmental Management Plan:** The document, in three volumes, providing guidelines and specifications for the long term management of various aspects of the Milnerton Racecourse Development complex, to ensure that the environmental impacts on the conservation areas associated with the development complex, and the surrounding areas are minimised, throughout the lifespan of the development. This version of the OEMP has only the first volume which is applicable to residential and commercial properties.

### 1.3 ABBREVIATIONS

<b>CCT</b>	City of Cape Town
<b>EMC</b>	Environmental Management Committee
<b>EMP</b>	Environmental Management Plan
<b>OEMP</b>	Operational Phase Environmental Management Plan
<b>POA/O</b>	Property Owners Association (Home Owners Association or Body Corporate) of each residential precinct, and Owners of commercial precincts
<b>RAMPOA</b>	Royal Ascot Master Property Owners Association

### 1.4 FORMAT OF THIS DOCUMENT

This document has been divided into a number of sections as follows:

**Section 1: Contextual Information** – Provides details regarding the nature of the development and development site, purpose and implementation of this document, as well as auditing and monitoring requirements.

**Section 2: Environmental Management Requirements** – Provides specific management requirements, or actions to be taken in the management of various aspects of the development, and the activities taking place within the development.

**Section 3: Record Keeping** – Provides information for the keeping of records of specific activities taking place on site, for monitoring and auditing purposes.

**Section 4: Penalties** – Provides details of penalties that can be applied by the EMC in cases of non-compliance with the OEMP by Property Owners Associations, owners and residents.

### 1.5 IMPLEMENTATION OF THE MANAGEMENT PLAN

#### 1.5.1 Property Owners Associations and Owners (POA/O)

Each residential precinct is to have a Home Owners Association or Body Corporate, including building managers and suitable representatives of the tenants of the development components of the respective precincts. Commercial precincts are managed by their Owners, unless they are subdivided into a sectional title development in which case there will be a Body Corporate.

The Property Owners Association and Owners for each Precinct will be responsible for ensuring that all tenants are aware of the management requirements detailed in this document, and that the management requirements are suitably implemented. The Property Owners Association and Owners are each responsible for completing the Environmental Checklist, as required in section 3 of this document, to allow for monitoring of the implementation of this document by the Environmental Management Committee and an independent auditor, if necessary.

#### 1.5.2 Environmental Management Committee (EMC)

The EMC, operating according to its constitution (**Annexure C**), will play a supervisory role, to ensure that suitable management practices as outlined in this document are implemented on site by the Property Owners Associations. The EMC will oversee the management of all Precincts, and will thus be responsible for resolving any conflicts in use or management requirements which may arise.

The following organisations should be represented on the Environmental Management Committee:

- City of Cape Town - Environmental Management Branch
- Friends of Rietvlei - NGO
- Milnerton Ridge Residents Association
- Botanical Society of South Africa / Cape Bird Club / or other environmental NGO
- Royal Ascot Master Property Owners Association
- Gold Circle
- Environmental Management Site Manager

Should any of these organisations wish to decline from becoming involved, they are to provide the EMC with a letter of no interest. Organisations fulfilling the same functions should be invited to attend the EMC meetings to ensure adequate supervision of management of the Conservation area. It is, however, compulsory for a delegated member of RAMPOA or his/her successor to remain on the EMC.

The primary functions of the EMC with regards to long term management of the site include:

- To co-ordinate environmental management for all precincts of the site.
- To ensure implementation of each of the operational phase EMP's by the relevant management authorities.
- To ensure effective management of the conservation precinct associated with the racecourse.
- To co-ordinate or facilitate the environmental audits to be undertaken by an independent environmental consultant, when necessary.
- To review the results of the environmental audits, as required.
- To ensure implementation of the auditors' recommendations, where applicable.
- To approve proposed changes to the EMP documents.
- To manage the funding of the conservation precincts provided by the developments, or ensure that they are suitably managed by the management authority of the conservation precinct.
- To provide a forum for discussion and decision making regarding any issues relating to the local environment of the site, or any disagreements which may arise in the management of different precincts, as they may relate to the environment.
- To liaise with surrounding landowners regarding issues applicable to them.

The EMC shall at any time be empowered to require any person involved in management of each of the precincts to cease any activity by which the environment is or may be seriously damaged, endangered or detrimentally affected, and ensure that such persons take the necessary action, within a period specified by the EMC to eliminate, reduce or prevent the damage or detrimental effect, or remediate damaged areas if necessary.

### **1.5.3 Royal Ascot Master Property Owners Association (RAMPOA)**

The Royal Ascot Master Property Owners Association was established in terms of Section 29 of the Land Use Planning Ordinance, No 15 of 1985 in accordance with the conditions imposed by the City of Cape Town when the subdivision of Erf 25939 Milnerton was approved in terms of Sections 25(1) and 42 of the Ordinance. **Annexure D** is the RAMPOA constitution.

Membership of RAMPOA is compulsory for all registered owners of rateable property in Royal Ascot, the members pay levies which are used for the following:

- Maintenance and improvement of the public open spaces, conservation areas and public amenities;
- Promotion, advancement and protection of the communal and group interests of the members generally in regard to the development, including security and security systems;
- To give effect to and implement the objectives of the Association.

RAMPOA is managed by a Trustees Committee of 28 trustees representing the members; the trustees are currently as follows:

- The City Council has one trustee;

- The Environmental Management Committee has one trustee;
- The Property Owners Association of each residential precinct has a trustee (20 in total);
- The commercial precincts each have a trustee (6 in total).

### **1.6 LEGAL STATUS OF THE OEMP**

By virtue of the fact that this document has been compiled to fulfill a condition of approval of the rezoning application by the local authority, City of Cape Town – Blaauwberg Administration and the Provincial Department of Environment Affairs & Development Planning (see **Annexure E**), there exists a legal obligation for the specifications of this Operational Phase Environmental Management Programme (OEMP) to be complied with. This document includes all the documentation relevant to Volume 1.

### **1.7 FAILURE TO COMPLY WITH OEMP REQUIREMENTS**

Should failure to comply with the specifications of the OEMP be noted, the matter is to be referred to the EMC.

Following discussion of the matter at the next EMC meeting, the chairperson of the EMC is to provide the responsible party with a written warning, detailing the action to be taken, the time within which the action is to be taken and the monetary penalty which will be imposed should suitable action not be taken within the required timeframe. In addition to this, the responsible party will be responsible for carrying the costs of any remedial action required as a result of the transgression.

Monetary penalties are to contribute to additional management or conservation initiatives in the conservation areas, as agreed by the EMC.

This process can be modified by the EMC if required, without formal amendment to the EMP documentation.

### **1.8 AUDITING PROCEDURES**

An assessment of the compliance with the OEMP will be undertaken by an independent environmental consultant yearly for the first three years and thereafter once every third year, unless otherwise agreed by the EMC and CCT. The resulting audit report is to be submitted by the EMC for information to the local authority. This audit, along with that of the racing facilities and conservation areas will be undertaken as a single exercise, to be co-ordinated through the EMC.

Audit reports will detail the progress, problems and issues arising, as well as make recommendations for improved environmental management.

### **1.9 REVIEW OF OPERATIONAL PHASE MANAGEMENT PLAN**

Based on the recommendations resulting from the environmental audits, the OEMP is to be reviewed annually for the first 3 years of implementation, and thereafter once every third year, unless otherwise required by an authority or as agreed by the EMC.

The auditor is to highlight issues to be addressed in the OEMP, or changes required, which are to be presented to the EMC, and if considered practical forwarded for information to the local authority, and included as appendices to the document.

The EMC is responsible for ensuring that the relevant changes are included in the OEMP documentation, distributed to the relevant management bodies and suitably implemented.

### **1.10 FUNDING OF ENVIRONMENTAL MANAGEMENT REQUIREMENTS**

Royal Ascot Master Property Owners Association must ensure that sufficient funding is provided to manage the Milnerton Racecourse Nature Reserve effectively. The Environmental Management Committee should provide budgets for the management of the Milnerton Racecourse Nature Reserve.

All owners of the land that comprised Erf 25739 will be liable for payment of a levy to RAMPOA. The amount of the levy is to be determined in accordance with the required

management of the conservation areas and any other obligations of RAMPOA. RAMPOA in consultation with the Environmental Management Committee will administer the levies in a dedicated fund.

The costs of environmental audits and reviews of the OEMP will be covered by this fund, although the costs of any remedial action, or rehabilitation required as a result of transgressions of the requirements of the EMP or any other actions with a detrimental effect on the environment are to be covered by the property owner, or other party responsible for the damage.

The City of Cape Town will be required to make a contribution of 20% of the managing cost budget for the conservation area to the EMC and the rest of the 80% via the levy which will escalate annually in accordance with the current applicable Consumer Price Index.

## **2. ENVIRONMENTAL MANAGEMENT REQUIREMENTS**

### **2.1 WASTE MANAGEMENT**

For the commercial and business developments waste will be largely limited to office waste and litter. Should further developments in the area produce waste of a different nature, additional management requirements to suitably manage the waste may need to be added by the EMC.

#### **2.1.1 Recycling**

- a. All tenants must be encouraged to apply best practice in terms of waste management i.e. reduce, re-use and recycle.
- b. Recycling opportunities must be provided on site, or home owners associations and bodies corporate are to facilitate the collection of relevant waste products, e.g. paper, on site, and removal by recycling companies.

Due to the nature of the activities taking place on site, it is likely that few waste materials will be produced in large enough quantities to facilitate collection and recycling, of which paper will be the most likely one.

**Responsible Parties:** Tenants, POA/O, RAMPOA advised by the EMC

#### **2.1.2 Waste Disposal**

##### **Indoors**

- a. All office waste and general refuse is to be stored in bins, and removed from the site at least once a week, to prevent littering of the surrounding areas.
- b. All outdoor bins are to have lids, or be of such a nature that does not allow for distribution of litter by wind, or unpacking of bins by scavengers or vagrants
- c. Full bins or bin bags are to be stored in a refuse room, or other suitable area, which is not accessible by scavengers.
- d. The Property Owners Associations are to employ cleaners or grounds staff, which will be responsible for emptying of bins, or placing of bins in refuse rooms.
- e. Any queries or complaints regarding refuse removal or waste disposal are to be referred to the chairperson of the Property Owners Association or the Owner, who is to ensure that the issue is dealt with promptly.

##### **Outdoors**

- f. Suitable bins are to be provided in all outdoor areas used by occupants of the buildings, for storage of litter, food waste etc.
- g. Bins are to be emptied twice weekly, or more regularly if required.
- h. Bins, if free-standing are to be secured to prevent them from blowing over in strong winds.

- i. Any litter on the property is to be removed on a regular basis.
- j. Grounds staff are to be responsible for emptying of litterbins.
- k. Construction debris/rubble must be adequately contained and regularly removed.
- l. Litter or waste may not be burned, buried or dumped in the precincts.
- m. Complaints regarding litter are to be referred to the chairperson of the Property Owners Association or the Owner, who is to ensure that the issue is dealt with promptly.

**Responsible Parties:** POA/O, RAMPOA advised by the EMC

## **2.2 MAINTENANCE OF BUILDINGS & INFRASTRUCTURE**

- a. Contractors must comply with environmental requirements as set out in the Environmental Guidelines for Maintenance and Renovations.
- b. Should any of the buildings require painting, or other maintenance, care is to be taken to ensure that no paint or other materials used for maintenance enter the stormwater system.

Before any painting or redecoration can commence, the particular precinct shall deposit a minimum amount of R5000.00. This sum will be managed by the EMC and used in the event of penalties or rehabilitation costs for non-conformance or contraventions of the OEMP, in consultation with the EMC and RAMPOA. The balance shall be refunded to the precinct once all environmental matters have been finalized.

This deposit amount shall not be allowed to fall below R1000.00 at which time the deposit shall be topped up to the maximum amount of R5000 in order for works to proceed.

All monies collected shall be deposited into the RAMPOA EMC bank account, which is managed and audited.<sup>1</sup>

- c. Cleaning of painting or other maintenance equipment is thus to be done in such a manner, or at a location that will prevent any water containing paint or other chemicals to flow into the stormwater system.
- d. The EMC is to be notified of any proposed major renovations, extension or alterations to any structures. The EMC is to ensure that suitable environmental control measures, especially with respect to waste water control, waste management and storage of materials, are in place during any such works, to prevent disturbance to surrounding land owners, or conservation areas.
- e. Graffiti on walls must be removed or cleaned up as soon as possible.

**Responsible Parties:** POA/O, RAMPOA advised by the EMC

## **2.3 LIGHTING**

- a. Lighting within the developed areas is to be carefully controlled to prevent spotlighting or light pollution into any of the conservation areas, or adjacent residential areas.
- b. Minimum lighting required in the developments for security purposes is to be used, to prevent light pollution and to conserve energy.

**Responsible Parties:** Owners and tenants of properties

## **2.4 STORMWATER MANAGEMENT**

Details of the stormwater management system for the development are contained in the Stormwater Management Plan, prepared by ASCH Consulting Engineers, and attached as **Annexure F**. This document provides details of the stormwater management system, various catchment areas within the management system, provides information of the expected stormwater run-off from the site, and subsurface flows and the proposed management in each catchment area.

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<sup>1</sup> The following addition to the OEMP was approved by the EMC at the committee meeting held on the 26<sup>th</sup> June 2015.

It is proposed that the stormwater management for the site will need to be updated from time to time, although the principles contained in the current document will remain the same.

- a. This Stormwater Management Plan document, and any other documentation dealing with the stormwater management system, as well as any amendments to these documents, are to be considered part of the operational phase EMP for the developments, and are to be implemented as such.

Management of the stormwater system within each of the residential and commercial precincts will be the responsibility of the relevant Property Owners Association or Owner. The local authority will be responsible for management of the stormwater system within all public areas.

#### **2.4.1 Maintenance and Monitoring of Stormwater Management Systems**

- a. The Property Owners Associations, Owners and Local Authority will be responsible for ensuring that the silt and litter traps at all outfalls off site, at the points of entrance of stormwater from developed areas into the stormwater system are suitably maintained, and cleared as required.
- b. During autumn (by mid April) all pipes and culverts shall be checked visually, and manholes are to be opened and inspected.
- c. During the visual inspection any siltation within the system shall be noted along with the occurrence of any foreign matter.
- d. Siltation over 100 mm deep within pipes and 150mm within the culverts shall be cleaned by hand and removed to a council approved site before the onset of winter rains. Any use of machines or jetting must be approved by the EMC.
- e. Any other significant damage noted shall be repaired.

**Responsible Parties:** POA/O, Landowners and Local Authority

#### **2.4.2 Ground Water Quality Monitoring**

During the construction phase ground water quality was monitored on a regular basis to ensure that the development did not negatively affect the quality of groundwater. Water samples were taken after the completion of the construction phase, but have since been discontinued.

Water sampling can resume should concerns about water quality arise. Some of the piezometers used for monitoring are still in place and they must be protected and made accessible to future monitoring teams

**Responsible Party:** EMC.

### **2.5 PROTECTION OF TREES AND PLANTS**

- a. No mature trees retained on site during the construction phase of the development, or large trees planted during landscaping may be felled, pruned or damaged without prior consent of the EMC.
  - I. This ruling applies to trees in the public areas along the streets, in public areas within the precincts, as well as to trees that were originally in place in private gardens when the development started.<sup>2</sup>
- b. No plants in landscaped areas may be removed, pruned or damaged without prior consent of the EMC.
- c. Removal of Trees:<sup>3</sup>

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<sup>2</sup> The following addition to the OEMP was approved by the EMC at the committee meeting held on the 25<sup>th</sup> July 2014.

<sup>3</sup> The addition of the section headed, 'Removal of Trees', to the OEMP was approved by the EMC at the committee meeting held on the 25<sup>th</sup> July 2014.

- I. Requests from individual residents or owners to have trees in the public areas of Royal Ascot or the precincts removed must first be considered by the relevant Home Owners Association (HOA) or Body Corporate. If the HOA or Body Corporate
  - II. The reasons for the request must be clearly spelt out. It need be emphasized that, following a recent ruling by the Constitutional Court, obstruction of a view or views is not a valid reason for cutting down a tree or a shrub.
  - III. Trees or shrubs will also not be trimmed when interfering with television or satellite dishes without other options having been considered first. That means that if the television aerial or satellite dish can be moved to a position where the tree or shrub does not interfere with the signal, this must be considered. There are instances where aerials and dishes are situated low down on walls and where they can be raised to avoid trees and shrubs interfering with the signal. Alternatives also include the possibility of providing communal aerials or satellite dishes in precincts.
  - IV. If the EMC does approve the removal of a tree, the normal practice will be that this tree must be replaced by another tree in a more convenient site, this site need not necessarily be close to where the original tree stood. The cost of replacement will be borne by the person or organization making the request for removal.
- d. Pruning of Trees

For more information regarding the details of tree pruning, please refer to annexure H, 'Royal Ascot Tree Pruning'.<sup>4</sup>

**Responsible Parties:** POA/O, RAMPOA advised by the EMC

## 2.6 MAINTENANCE OF PUBLIC LANDSCAPED AREAS

RAMPOA will be responsible for ensuring that the landscaping in the public areas in Royal Ascot are suitably maintained. Property Owners Associations and Owners for each Precinct will be responsible for the landscaped areas within their precincts.

- a. All landscaped areas related with the development must be kept clear of invasive alien vegetation species, which may spread into the conservation areas.
- b. The use of pesticides and herbicides are to be strictly controlled, and limited to only biodegradable, natural substances, as far as possible.
- c. Use of herbicides and pesticides are to be done so with care, to prevent contamination of the conservation areas
- d. Substances such as Glyphosphate (Roundup) and Garlon are to be used only where essential, and by individuals suitably experienced in the use of these substances, to prevent contamination of the conservation areas, or these substances entering the stormwater system.
- e. Care is to be taken to ensure that there is not a significant increase in nutrients entering the wetlands in the conservation areas, the Rietvlei system or stormwater system as a result of fertilisers used in landscaped areas.
- f. Species on the Plant List (**Annexure G**) are to be used for planting in landscaped areas; application can be made to the EMC to use species not on the list.
- g. Any new plant species introduced into landscaped areas are to be screened by the EMC, in conjunction with the landscape contractor, to ensure that no invasive species are used.
- h. The staff or Contractor employed for maintenance of landscaped areas must be made aware of all environmental requirements, and attend environmental education sessions if not previously educated in this regard.
- i. Records are to be kept of the use of fertilizers, herbicides and pesticides, including dates, details of the substance used, approximate volume used, and in which areas the

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<sup>4</sup> The following addition to the OEMP was approved by the EMC at the committee meeting held on the 25<sup>th</sup> July 2014. Detailed information can be found in annexure H, *Royal Ascot Tree Pruning*.

substances were used. This will allow for the effects of these substances on the water quality to be determined, and monitored.

- j. Pet owners must control their pets in public areas, dogs must be on leash at all times and dog-owners must clean up any faeces deposited by their dogs.

**Responsible Parties:** POA/O, RAMPOA and Tenants advised by the EMC

## **2.7 ALIEN VEGETATION**

- a. Alien vegetation listed in legislation may not be introduced and must be removed from landscaped areas and private gardens.

**Responsible Parties:** Tenants, POA/O and RAMPOA

## **2.8 HYDROCARBON SPILLS**

This section of the document applies mainly to the commercial precincts of the development.

- a. In the case of any hydrocarbon spills within the developed areas, the spillage is to be reported immediately to the Property Owners Association or Owner, who is to supervise the clean up operation.
- b. A suitable remedial product is to be applied to the spillage within 48 hours. Instructions for use and disposal of the product used are to be followed carefully.
- c. All necessary action is to be taken to prevent any of the spilled substance from entering the stormwater system or any conservation, landscaped, or other vegetated areas.
- d. The EMC is to be notified immediately of any incidents of this nature, and is to advise on the required clean up operation, where relevant.
- e. The party responsible for the incident will be responsible for the costs and implementation of any remedial action required as determined by a suitable specialist, if necessary, as well as monitoring following the incident, if required.
- f. The Property Owners Association or Owner is to keep a full record of the nature and cause of any such incident, as well as actions taken and remedial requirements requested by the EMC.

**Responsible Parties:** Tenants, POA/O and Local Authority

## **2.9 SCREENING OF ACTIVITIES**

Screening of activities taking place on the commercial precincts, and the future development in Precinct G, must be undertaken by the EMC.

- a. All potential tenant's business activities in the commercial precincts must be screened by the EMC to ensure that their activities will comply with the overall goals and objectives of the EMP and will not impact negatively on the conservation area or the surrounding areas.
- b. If necessary, individual tenants may be required to install their own stormwater cleaning systems although the practicality of this is to be further investigated, depending on the proposed activities.

**Responsible Parties:** EMC and landowners

## **2.10 ENVIRONMENTAL EDUCATION OF STAFF**

- a. Grounds staff, especially those responsible for maintenance of landscaped areas are to attend environmental awareness training.
- b. Environmental awareness training is to highlight areas or precincts on site which are environmentally sensitive, detail actions or activities that are and are not considered acceptable, as well as basic environmental principles.
- c. The environmental awareness course should be run as required, to ensure that all staff has been suitably educated, and to serve as a refresher.
- d. New staff should be informed of the environmental aspects of the site and surroundings at the start of their employment.

- e. The Property Owners Association or Owner, or other party responsible for the management of grounds staff is to ensure that environmental education of staff takes place.
- f. Should any staff be employed for maintenance, or any other activity on site, which may potentially impact on any of the environmental features on site, they are to be briefed about their environmental responsibilities on site, prior to commencing work.

**Responsible Party:** POA/O, RAMPOA, landowners and Local Authority

### **2.11 FIRE CONTROL**

- a. No burning of waste generated by activities taking place in the commercial buildings, residential areas, or debris from landscaped or any other areas may be burnt on site, due to the potential threat uncontrolled fires will pose on conservation areas.
- b. All staff and tenants are to be made aware of the locations of all fire fighting equipment, as well as emergency number of the nearest fire station.

**Responsible Parties:** POA/O and Local Authority

### **2.12 MILNERTON RACECOURSE NATURE RESERVE**

- a. Persons may not enter the southern conservation area without permission from the EMC.
- b. Public entering the northern conservation area must keep to the paths.
- c. Cycling or skateboarding may not take place in the conservation area.
- d. Plants and animals may not be disturbed, removed or damaged.
- e. Domestic animals may not enter the Milnerton Racecourse Nature Reserve.
- f. Animals or plants may not be introduced to the Reserve without permission of the EMC.
- g. Infrastructure in the Reserve may not be damaged or defaced.

**Responsible Parties:** Public and EMC

### **2.13 MANAGEMENT OF UNDEVELOPED PORTIONS OF LAND**

- a. The management of all undeveloped precincts within the development will be the responsibility of the owners of such land.
- b. Undeveloped portions of land are to be kept clear of rubble and refuse.
- c. Alien vegetation is to be controlled on undeveloped portions of land.
- d. Undeveloped plots are to be cleared annually before summer, as a fire control measure.
- e. Owners are to ensure that no squatters become established on undeveloped portions of land.
- f. If Gold Circle is making use of the existing training track in undeveloped portions of the site, they will be responsible for the management of the track, according to the specifications for track management, as detailed in Volume 3.
- g. The EMC is to monitor the management of undeveloped portions of land, and are to notify the relevant owners if they are not complying with the requirements as laid out in this document.

**Responsible Parties:** Landowners and EMC

## **3. RECORD KEEPING**

The original OEMP required all precincts to submit a report on environmental compliance within the precinct to the EMC every six months. However, the OEMP was not readily available to Home Owners Associations, Bodies Corporate or Owners. The EMC thus introduced an environmental checklist which lists all the required issues that need to be addressed by precincts.

This checklist was originally distributed every six months, but after two years it was decided that it need only be completed on an annual basis. The checklist not only serves as the

mechanism by which precincts indicate whether they are complying with the OEMP, it is also informs Home Owners Associations, Bodies Corporate and Owners of all the relevant environmental issues.

The environmental checklist must be completed by all Home Owners Associations, Bodies Corporate and Owners and submitted to the EMC when requested to do so.

#### 4. PENALTIES SCHEDULE<sup>5</sup>

Failure to comply with the Milnerton Racecourse OEMP may result in the issue of a Warning and/or impose Fines by the Environmental Management Committee (EMC). Fines will be imposed at the discretion of the EMC based on the recommended amounts provided below.

Should the non-compliance not be rectified by the set deadline a Fine may be doubled, and a new deadline set. Should this subsequent deadline not be met, the EMC may rectify the non-compliance at its cost and add the cost thereof to Fine(s) already imposed.

Should the Fine not be settled within 21 days, or as otherwise agreed, a letter of demand will be issued by Attorneys. Any further payment defaulting will result in the issue of a summons.

<p><b>1. Waste management</b></p>	<p><b>Fine</b></p>
<p>1.1 Waste disposal within residential and commercial precincts</p> <ul style="list-style-type: none"> <li>• Individual littering</li> <li>• Refuse not removed weekly</li> <li>• Refuse bins not contained with a lid, or bins not secured</li> <li>• Refuse bins not contained within a storage room/area</li> <li>• Refuge bins not cleaned weekly or placed within designated areas for waste removal</li> </ul>	<p><b>R100 – R750</b> <b>R500 – R2 500</b> <b>R500 – R2 500</b> <b>R500 – R2 500</b> <b>R500 – R1 000</b></p>
<p>1.2 Waste disposal during outsourced contracts</p> <ul style="list-style-type: none"> <li>• Suitable bins not provided, not secured or inappropriately located</li> <li>• Bins not regularly emptied &amp; litter cleanups not regularly undertaken</li> <li>• Constructing debris/rubble not adequately contained or regularly removed</li> <li>• Burning or burying of waste, or dumping of waste in inappropriate locations</li> </ul>	<p><b>R250 – R2 500</b> <b>R250 – R2 500</b> <b>R1 000 – R3 000</b> <b>R1 000 – R3 000</b></p>
<p><b>2. Maintenance of buildings &amp; infrastructure</b></p>	<p><b>Fine</b></p>
<ul style="list-style-type: none"> <li>• Maintenance material, paint or cleaning chemicals entered stormwater system</li> <li>• Not complying with the “Do’s &amp; Don’ts” guideline document of the Milnerton Racecourse EMP</li> <li>• Vandalism of infrastructure in public areas within Royal Ascot</li> <li>• Not cleaning up graffiti on outer surfaces of precinct boundary walls as per RAMPOA guidelines</li> </ul>	<p><b>R1 000 – R10 000</b> <b>R500 – R7 500</b> <b>R1 000 – R10 000</b> <b>R1 000 – R10 000</b></p>
<p><b>3. Water management</b></p>	<p><b>Fine</b></p>
<p>3.1. Maintenance and monitoring of stormwater management systems</p> <ul style="list-style-type: none"> <li>• Stormwater manholes and culverts not checked and maintained regularly</li> <li>• Undue siltation of stormwater pipes and culverts within the precinct</li> <li>• Machines/jetting used to remove silt without EMC permission</li> <li>• Damage to stormwater system or overflow into ponds or natural areas</li> </ul>	<p><b>R250 – R2 500</b> <b>R250 – R2 500</b> <b>R1 000 – R10 000</b> <b>R1 000 – R10 000</b></p>
<p>3.2. Utilisation of water resources</p> <ul style="list-style-type: none"> <li>• Watering of landscaped areas between 10am &amp; 4pm</li> <li>• Water wastage (leaking taps, irrigation pipes or hosepipes, etc)</li> </ul>	<p><b>R250 – R2 500</b> <b>R250 – R2500</b></p>
<p><b>4. Landscaped areas (Public spaces managed by RAMPOA or Property Owners Associations)</b></p>	<p><b>Fine</b></p>

<sup>5</sup> The updated *Penalties Schedule* was approved by the EMC in a meeting held on the 30<sup>th</sup> September 2016.

<ul style="list-style-type: none"> <li>• Non maintenance of landscaping within Precinct</li> <li>• Alien invasive vegetation introduced or present within the development</li> <li>• Introducing species not listed in the Landscaping guidelines or approved by the EMC</li> <li>• Pesticides and herbicides not used under controlled conditions</li> <li>• Pesticides or herbicides entered stormwater system or Nature Reserve</li> <li>• Felling, pruning or damaging trees or plants without EMC consent</li> </ul>	<p><b>R500 – R5 000</b> <b>R500 – R5 000</b> <b>R500 – R5 000</b></p> <p><b>R500 – R5 000</b> <b>R1 000 – R7 500</b> <b>R1 000 – R7 500</b> (or replacement cost)</p>
<p><b>5. Private Landscaped Gardens</b></p> <ul style="list-style-type: none"> <li>• Alien vegetation listed in legislation introduced or present in the garden</li> <li>• Felling or pruning trees on adjacent open space without EMC approval</li> </ul>	<p><b>Fine</b></p> <p><b>R250 – R5 000</b> <b>R500 – R7 500</b> (or replacement cost)</p>
<p><b>6. Hydrocarbon spills</b></p> <ul style="list-style-type: none"> <li>• Spill not reported to the relevant City Officials or the EMC</li> <li>• No immediate cleanup operation undertaken</li> </ul>	<p><b>Fine</b></p> <p><b>R500 – R2 500</b> <b>R500 – R2 500</b></p>
<p><b>7. Fire control</b></p> <ul style="list-style-type: none"> <li>• Burning of waste from precincts or landscaped areas</li> <li>• No firefighting equipment or emergency numbers displayed within precincts</li> <li>• Blockage of emergency exit routes or access points for firefighting purposes</li> </ul>	<p><b>Fine</b></p> <p><b>R500 – R3 500</b> <b>R500 – R3 500</b> <b>R1 000 – R7 500</b></p>
<p><b>8. Management of underdeveloped portions of land</b></p> <ul style="list-style-type: none"> <li>• Rubble and refuse present on the site</li> <li>• Alien vegetation present on the site</li> <li>• Fuel load not addressed before summer</li> <li>• Squatters residing on plot</li> </ul>	<p><b>Fine</b></p> <p><b>R1 000 – R5 000</b> <b>R1 000 – R5 000</b> <b>R1 000 – R5 000</b> <b>R1 000 – R7 500</b></p>
<p><b>9. Domestic animals within public areas</b></p> <ul style="list-style-type: none"> <li>• Owners not cleaning up after dogs</li> <li>• Domestic animals not on leash</li> <li>• Damage to infrastructure preventing domestic animals from entering the Reserve</li> <li>• Lack of implementation of Pet Policies by Property Owners Association</li> </ul>	<p><b>Fine</b></p> <p><b>R250 – R1 000</b> <b>R250 – R1 000</b> <b>R500 – R2 500</b> <b>R500 – R2 500</b></p>
<p><b>10. Milnerton Racecourse Nature Reserve</b></p> <ul style="list-style-type: none"> <li>• Entering "No Go" areas within the Conservation Areas</li> <li>• Not staying on the path within the northern area</li> <li>• Cycling or skateboarding in the Reserve</li> <li>• Removal or damage to plants, animals or infrastructure</li> <li>• Allowing domestic animals access, or introducing alien animals on a temporary or permanent basis to the Reserve</li> </ul>	<p><b>Fine</b></p> <p><b>R200 – R3 500</b> <b>R200 – R3 500</b> <b>R250 – R7 500</b> <b>R250 – R7 500</b> <b>R200 – R1 000</b> (plus cost of removal)</p>
<p><b>11. General provision</b></p> <ul style="list-style-type: none"> <li>• Failure to comply with requirements of OEMP not specifically listed above</li> </ul>	<p><b>R500 – R10 000</b></p>