

No.	Property	Portions	Area [±]
1.	Subdivided Portion A of remainder Erf 3396 represented by Figure D,E,F,G,H,J,K,L,R,S,T, b1,U,V,W,X equating to ±4,1ha [±40 349m <sup>2</sup> ] [urban development / subdivisional purposes]	1	±4,1ha [±40 349m <sup>2</sup> ]
2	Remainder Erf 3396 represented by figure A,B,C,D,X,W,V,U,b1,a1,c1,T,S,R,M,N,P equating to ±18ha. [Agricultural purposes]	1	±18,1ha
TOTAL			±22,2ha

□ \*Remainder Erf 3396 (±22,2ha) is represented by figure A,B,C,D,E,F,G,H,J,K,L,R,M,N,P, excluding figure a1,b1,c1,d1 [erf 31032].

\*Figures A,B,C,D,X,W,V,U, b1,a1,d1,c1,T,S,R,M,N,P represents Remainder Erf 3396 [±18ha]

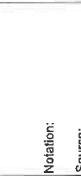
\*Figure a1,b1,c1,d1 represents Erf 31032 [±2868m<sup>2</sup>]

\*Subdivided Portion A (±4,1ha) is represented by figure D,E,F,G,H,J,K,L,R,S,T,b1,U,V,W,X.

**Notation:**

**Source:**  
Internal layout / subdivision prepared by Louw & Louw Architects.

All dimensions and areas are approximate and must be verified by a Professional Land Surveyor.



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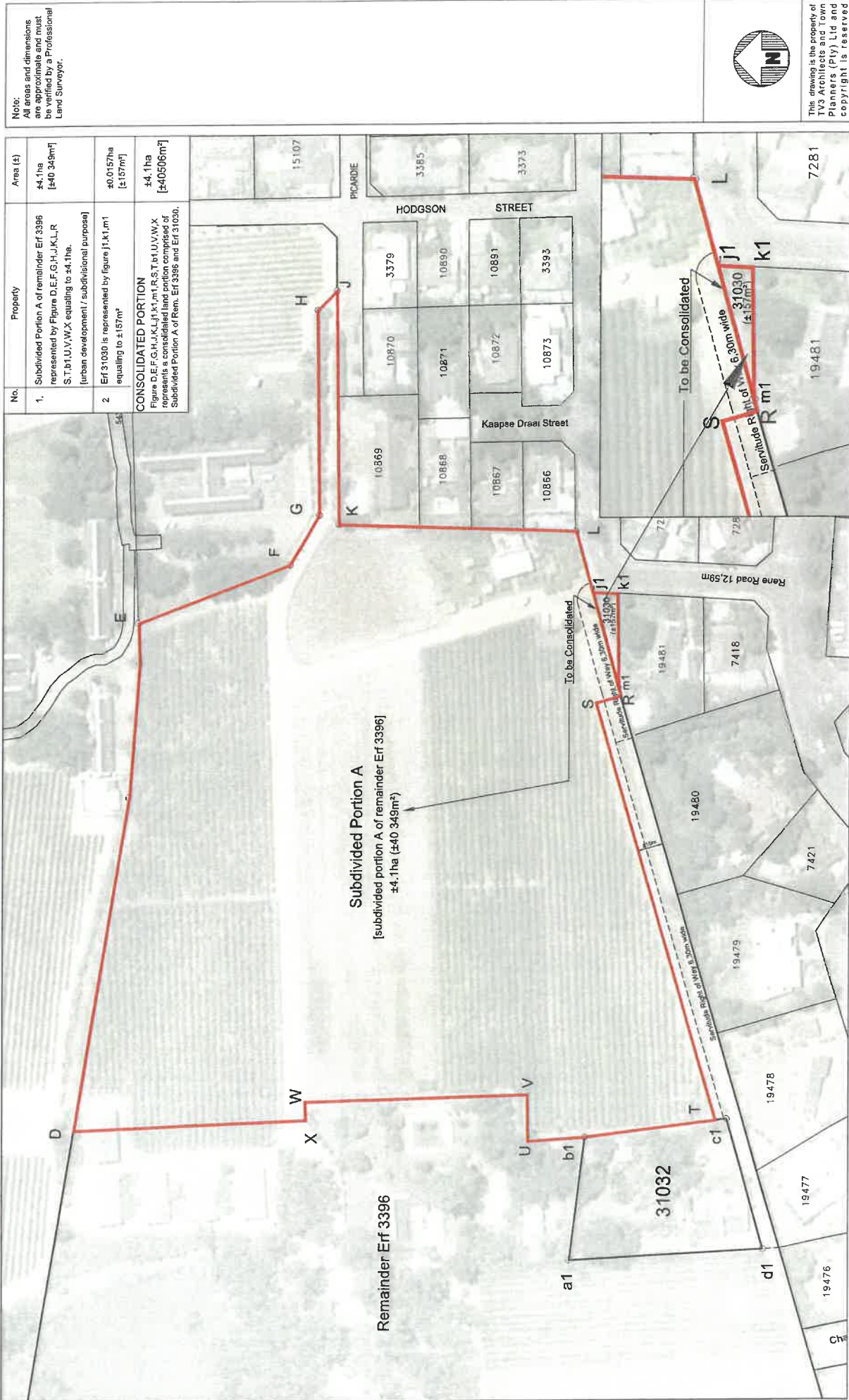
Drawn:	Checked:	Date:	Scale:
Ap	AP	16/03/2023	1:3 000 (A3)
Project no.:	Revision no.:		
	3473-P	17	
Drawing:	Subdivision		
Plan no.:	5		

**SUBDIVISION OF REMAINDER ERF3396**  
Farm Picardi, Paarl

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URBAN DESIGNERS**

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No.	Property	Area (±)
1.	Subdivided Portion A of remainder Erf 3396 represented by Figure D,E,F,G,H,I,K,L,R S,T,U,V,W,X equating to ±4.1ha. [urban development / subdivisonal purpose]	±4.1ha [±40 349m <sup>2</sup> ]
2	Erf 31030 is represented by figure J1,K1,m1 equating to ±157m <sup>2</sup>	±0,0157ha [±157m <sup>2</sup> ]

**CONSOLIDATED PORTION**  
 Figure D,E,F,G,H,I,K,L,J1,K1,m1,S,T,U,V,W,X represents a consolidated land portion comprised of Subdivided Portion A of Rem. Erf 3396 and Erf 31030.

**Remainder Erf 3396**

**Subdivided Portion A**  
 [subdivided portion A of remainder Erf 3396]  
 ±4.1ha (±40 349m<sup>2</sup>)



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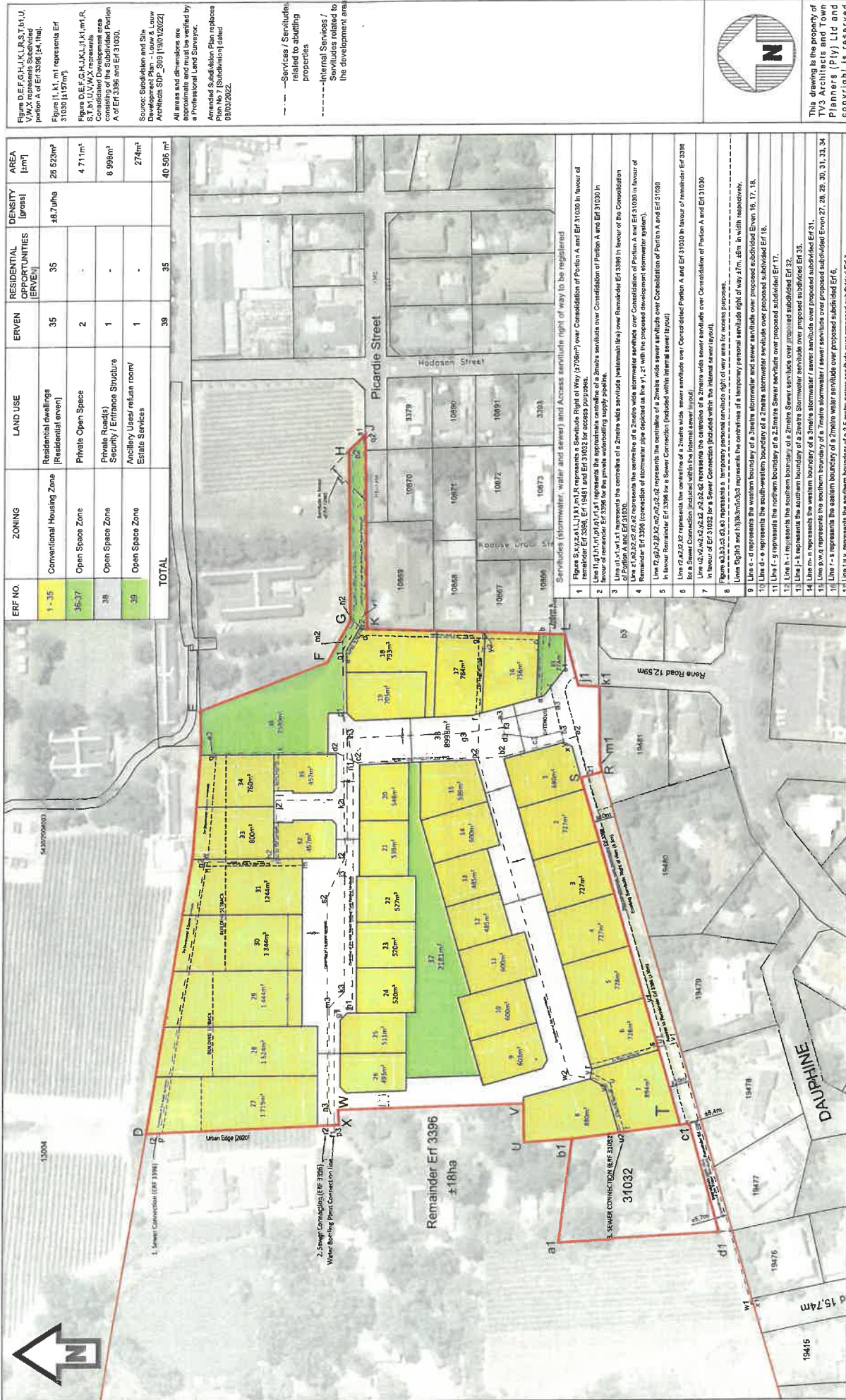
Drawn:	Checked:	Date:	Scale:
AP	AP	16/03/2023	1:1 250
Project no.:	3473- P	Revision no.:	
Drawing:	<b>Consolidation</b>		
Plan no.:	<b>6</b>		

**Consolidation of subdivided Portion A of remainder Erf 3396 and Erf 31030, Paarl**

**tv3** ARCHITECTS  
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<p>FIRST FLOOR LA GRATTITUDE OFFICE BUILDING   97 DORP STREET          STELLENBOSCH 7650   TEL +27 (21) 861 8800   www.tv3.co.za</p>	<p><b>Subdivision &amp; Zoning</b></p> <p>Date: 16/03/2023 Scale:          Project no.: 3473-P Drawn: AP Revision:          Plan no.: 11</p>		
	<p><b>Subdivision of Consolidated Portion A and Erf 31030, Paarl</b></p> <p>Priority Description: <b>Rem Erf 3396, Paarl</b></p>		
<p><b>Subdivision of Consolidated Portion A and Erf 31030, Paarl</b></p> <p>Cadastral information obtained from Surveys and Mapping (DRDLR).          Aerial Photography obtained from Surveys and Mapping (DRDLR).          Aerial Photography obtained on Google Earth.</p>			
<p>All areas and dimensions are approximate and must be verified by a professional land surveyor.          This drawing is the property of TV3 Architects and Town Planners (Pty) Ltd and copyright is reserved</p>			



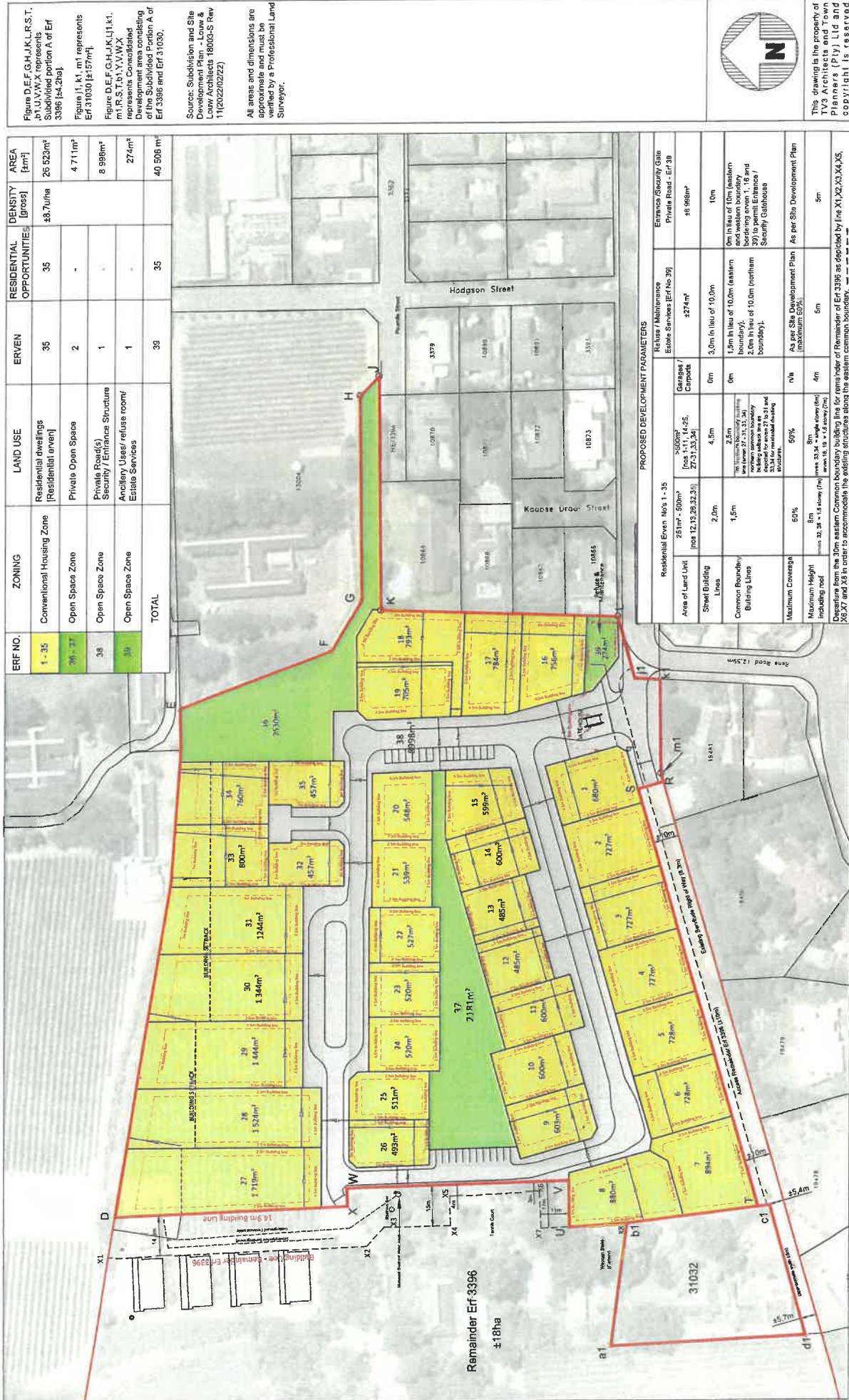


Figure D,E,F,G,H,I,K,L,R,S,T,  
 b1,U,V,W,X represents  
 Subdivided portion A of Erf  
 3396 (±4.2ha).  
 Figures 1, 11, m1, n1 represents  
 Erf 31030 (±1.57ha).  
 Figure D,E,F,G,H,I,K,L,I,K1,  
 m1,R,S,T,b1,U,V,W,X  
 represents Consolidated  
 Development area consisting  
 of the Subdivided Portion A of  
 Erf 3396 and Erf 31030.

Source: Subdivision and Site  
 Development Plan - Low &  
 Low Architects 18005-S Rev  
 11/2022/02/22

All areas and dimensions are  
 approximate and must be  
 verified by a Professional Land  
 Surveyor.



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ERF NO.	ZONING	LAND USE	ERVEN	RESIDENTIAL OPPORTUNITIES	DENSITY [Gross]	AREA [km²]
1 - 35	Conventional Housing Zone	Residential dwellings [residential erven]	35	35	±8.7/ha	25.52km²
36 - 37	Open Space Zone	Private Open Space	2	-	-	4.71km²
38	Open Space Zone	Private Road(s)	1	-	-	8.99km²
39	Open Space Zone	Ancillary / Uses / refuse room / Estate Services	1	-	-	27.4km²
<b>TOTAL</b>						
			39	35		40.506 km²

PROPOSED DEVELOPMENT PARAMETERS	
Area of Land Unit [nos 1,11, 14-25, 27-31, 33,34]	2500m²
Street Building Lines	4.5m
Common Boundary Building Lines	2.0m
Maximum Coverage	60%
Maximum Height including roof	8m
Dispersive from the 20m eastern Common boundary building line (nos 1,11, 14-25, 27-31 and 33,34 for residential dwelling)	3.0m in lieu of 10.0m
Garages / Carports	0m
Refuse / Maintenance Estate Services [Erf No 39]	±27.4m²
Emergency/Security Gate Private Road - Erf 38	±8.99km²
Emergency/Security Gate Private Road - Erf 39	10m
Emergency/Security Gate Private Road - Erf 38	0m in lieu of 10m (eastern and western boundary)
Emergency/Security Gate Private Road - Erf 39	2.0m in lieu of 10.0m (northern boundary)
Emergency/Security Gate Private Road - Erf 39	3.0m in lieu of 10.0m (northern boundary)
Emergency/Security Gate Private Road - Erf 39	As per Site Development Plan (maximum 0.5%)
Emergency/Security Gate Private Road - Erf 39	5m
Emergency/Security Gate Private Road - Erf 39	5m
Emergency/Security Gate Private Road - Erf 39	As per Site Development Plan

**Subdivision of Consolidated Portion A and Erf 31030, Paarl**

Property Description: **Rem Erf 3396, Paarl**

Project no.: 3473-P

Drawn: AP

Revision: 5

Date: 16/03/2023

Scale: 1:1250

Drawing: **Development Parameters and Building Lines**

Plan no.: **8A**

Notation:

Cadastral information obtained from Surveys and Mapping (ORDLR).

Aerial Photography obtained from Surveys and Mapping (ORDLR).

Aerial Photography obtained on Google Earth.

All areas and dimensions are approximate and must be verified by a professional land surveyor.

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Figure DEF.G.H.J.K.L.R.S.T.  
 P1.U.V.W.X represents  
 Subdivided Portion A of Erf  
 3396 (±4.2ha).

Figures 11, 14, m1  
 represents  
 Erf 31030 (±1.57ha).

Figure DEF.G.H.J.K.L.R.S.T.  
 m1.R.S.T.b1.Y.V.W.X  
 represents Consolidated  
 Development area consisting  
 of the Subdivided Portion A of  
 Erf 3396 and Erf 31030.

Source: Subdivision and Site  
 Development Plan - Louw &  
 Louw Architects 18003-S Rev  
 11(2022/02/22)

All areas and dimensions are  
 approximate and must be  
 verified by a Professional Land  
 Surveyor.

--- Servitudes / Servitudes  
 related to adjoining  
 properties


--- Internal Servitudes /  
 Servitudes related to  
 the development area



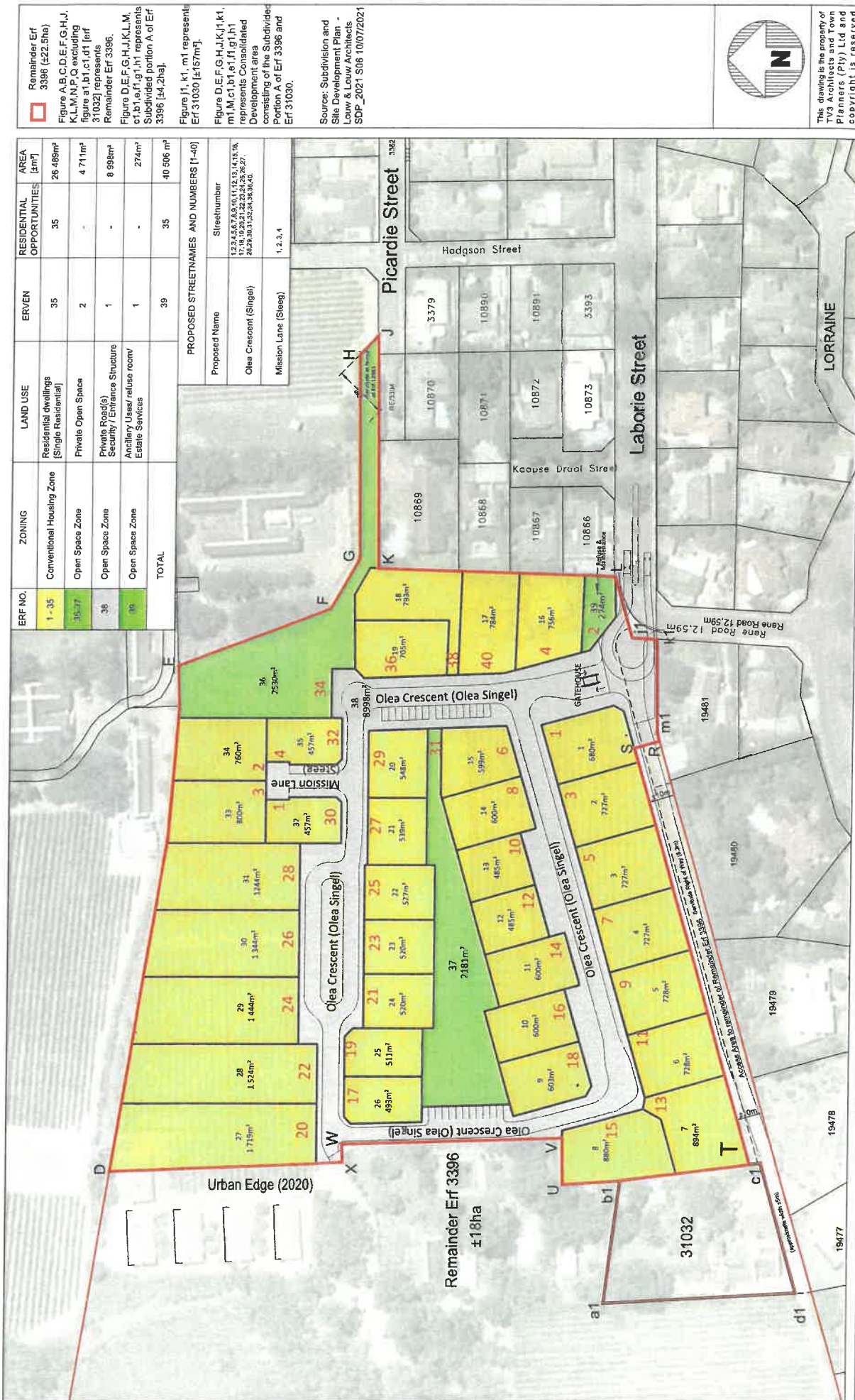
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ERF NO.	ZONING	LAND USE	ERVEN	RESIDENTIAL OPPORTUNITIES	DENSITY (Gross)	AREA (ha)
1 - 35	Conventional Housing Zone	Residential dwellings (Residential erven)	36	35	±8.7/ha	26.526m <sup>2</sup>
36 - 37	Open Space Zone	Private Open Space	2	-	-	4.71m <sup>2</sup>
38	Open Space Zone	Private Road(s) Security / Entrance Structure	1	-	-	8.99m <sup>2</sup>
39	Open Space Zone	Ancillary Uses/ refuse room/ Estate Services	1	-	-	274m <sup>2</sup>
<b>TOTAL</b>						40.506 m <sup>2</sup>

- Figure S, Y, Z, 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, m1, R, S, T, b1, Y, V, W, X represents the approximate servitude of a 2m wide sewer servitude over Consolidated Portion A and Erf 31030 in favour of Erf 3396.
- Line f1-f2, m1-m2, n1-n2, o1-o2, p1-p2, q1-q2, r1-r2, s1-s2, t1-t2, u1-u2, v1-v2, w1-w2, x1-x2, y1-y2, z1-z2 represents the approximate servitude of a 2m wide sewer servitude over Consolidated Portion A and Erf 31030 in favour of Erf 3396.
- Line u1, v1, w1, x1, y1, z1 represents the servitude of a 2m wide sewer servitude (valmahlak) over Remainder Erf 3396 in favour of the Consolidation of Portion A and Erf 31030.
- Line f1-f2, g1-g2, h1-h2, i1-i2, j1-j2, k1-k2, l1-l2, m1-m2, n1-n2, o1-o2, p1-p2, q1-q2, r1-r2, s1-s2, t1-t2, u1-u2, v1-v2, w1-w2, x1-x2, y1-y2, z1-z2 represents the servitude of a 2m wide sewer servitude over Consolidated Portion A and Erf 31030 in favour of Erf 3396 (Connection of Stormwater Pipe adjacent to Line f1, 1, with the proposed development stormwater system).
- Line f2-g2, g2-h2, h2-i2, i2-j2, j2-k2, k2-l2, l2-m2, m2-n2, n2-o2, o2-p2, p2-q2, q2-r2, r2-s2, s2-t2, t2-u2, u2-v2, v2-w2, w2-x2, x2-y2, y2-z2 represents the servitude of a 2m wide sewer servitude over Consolidated Portion A and Erf 31030 in favour of Erf 3396.
- Line f2-g2, g2-h2, h2-i2, i2-j2, j2-k2, k2-l2, l2-m2, m2-n2, n2-o2, o2-p2, p2-q2, q2-r2, r2-s2, s2-t2, t2-u2, u2-v2, v2-w2, w2-x2, x2-y2, y2-z2 represents the servitude of a 2m wide sewer servitude over Consolidated Portion A and Erf 31030 in favour of Erf 3396 (Connection of Stormwater Pipe adjacent to Line f1, 1, with the proposed development stormwater system).
- Line f2-g2, g2-h2, h2-i2, i2-j2, j2-k2, k2-l2, l2-m2, m2-n2, n2-o2, o2-p2, p2-q2, q2-r2, r2-s2, s2-t2, t2-u2, u2-v2, v2-w2, w2-x2, x2-y2, y2-z2 represents the servitude of a 2m wide sewer servitude over Consolidated Portion A and Erf 31030 in favour of Erf 3396.
- Line f2-g2, g2-h2, h2-i2, i2-j2, j2-k2, k2-l2, l2-m2, m2-n2, n2-o2, o2-p2, p2-q2, q2-r2, r2-s2, s2-t2, t2-u2, u2-v2, v2-w2, w2-x2, x2-y2, y2-z2 represents the servitude of a 2m wide sewer servitude over Consolidated Portion A and Erf 31030 in favour of Erf 3396.
- Line f2-g2, g2-h2, h2-i2, i2-j2, j2-k2, k2-l2, l2-m2, m2-n2, n2-o2, o2-p2, p2-q2, q2-r2, r2-s2, s2-t2, t2-u2, u2-v2, v2-w2, w2-x2, x2-y2, y2-z2 represents the servitude of a 2m wide sewer servitude over Consolidated Portion A and Erf 31030 in favour of Erf 3396.
- Line f2-g2, g2-h2, h2-i2, i2-j2, j2-k2, k2-l2, l2-m2, m2-n2, n2-o2, o2-p2, p2-q2, q2-r2, r2-s2, s2-t2, t2-u2, u2-v2, v2-w2, w2-x2, x2-y2, y2-z2 represents the servitude of a 2m wide sewer servitude over Consolidated Portion A and Erf 31030 in favour of Erf 3396.
- Line f2-g2, g2-h2, h2-i2, i2-j2, j2-k2, k2-l2, l2-m2, m2-n2, n2-o2, o2-p2, p2-q2, q2-r2, r2-s2, s2-t2, t2-u2, u2-v2, v2-w2, w2-x2, x2-y2, y2-z2 represents the servitude of a 2m wide sewer servitude over Consolidated Portion A and Erf 31030 in favour of Erf 3396.
- Line f2-g2, g2-h2, h2-i2, i2-j2, j2-k2, k2-l2, l2-m2, m2-n2, n2-o2, o2-p2, p2-q2, q2-r2, r2-s2, s2-t2, t2-u2, u2-v2, v2-w2, w2-x2, x2-y2, y2-z2 represents the servitude of a 2m wide sewer servitude over Consolidated Portion A and Erf 31030 in favour of Erf 3396.
- Line f2-g2, g2-h2, h2-i2, i2-j2, j2-k2, k2-l2, l2-m2, m2-n2, n2-o2, o2-p2, p2-q2, q2-r2, r2-s2, s2-t2, t2-u2, u2-v2, v2-w2, w2-x2, x2-y2, y2-z2 represents the servitude of a 2m wide sewer servitude over Consolidated Portion A and Erf 31030 in favour of Erf 3396.
- Line f2-g2, g2-h2, h2-i2, i2-j2, j2-k2, k2-l2, l2-m2, m2-n2, n2-o2, o2-p2, p2-q2, q2-r2, r2-s2, s2-t2, t2-u2, u2-v2, v2-w2, w2-x2, x2-y2, y2-z2 represents the servitude of a 2m wide sewer servitude over Consolidated Portion A and Erf 31030 in favour of Erf 3396.
- Line f2-g2, g2-h2, h2-i2, i2-j2, j2-k2, k2-l2, l2-m2, m2-n2, n2-o2, o2-p2, p2-q2, q2-r2, r2-s2, s2-t2, t2-u2, u2-v2, v2-w2, w2-x2, x2-y2, y2-z2 represents the servitude of a 2m wide sewer servitude over Consolidated Portion A and Erf 31030 in favour of Erf 3396.
- Line f2-g2, g2-h2, h2-i2, i2-j2, j2-k2, k2-l2, l2-m2, m2-n2, n2-o2, o2-p2, p2-q2, q2-r2, r2-s2, s2-t2, t2-u2, u2-v2, v2-w2, w2-x2, x2-y2, y2-z2 represents the servitude of a 2m wide sewer servitude over Consolidated Portion A and Erf 31030 in favour of Erf 3396.

Drawing:	SERVITUDES	
	Plan no.:	8B
Date:	16/03/2023	
Scale:	1:1250	
Project no.:	3473-P	Revision: 5
Drawn:	AP	
Property Description:	Rem Erf 3396, Paarl	
<b>Subdivision of Consolidated Portion A and Erf 31030, Paarl</b>		
 ARCHITECTS TOWN PLANNERS URBAN DESIGNERS FIRST FLOOR LA GRATITUDE OFFICE BUILDING   87 DOBB STREET STEELMEESCH 1100   TEL +27 (21) 851 3860   www.tv3.co.za		
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**Stretnames & Numbering**

Date: 16/02/2023

Project no.: 3473-P

Scale: 1:1 250

Drawn: AP

Revision: 2

**Notation:**

Cadastral information obtained from Surveys and Mapping (DRDLR).

Aerial Photography obtained from Surveys and Mapping (DRDLR).

Aerial Photography obtained on Google Earth.

**Laborie et Picardie**

Rem erf 3396, Paarl

**ARCHITECTS  
TOWN PLANNERS  
URBAN DESIGNERS**

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JELLEBROEK 7600 | TEL +27 (0) 561 3690 | www.tv3.co.za

Plan no.: 9

Drawing: 3473-P

Priority Description: Rem erf 3396, Paarl





agriculture,  
forestry & fisheries

Department:  
Agriculture, Forestry and Fisheries  
REPUBLIC OF SOUTH AFRICA

Private Bag X120, Pretoria, 0001  
Delpen Building, C/o Annie Botha & Union Street, Riviera, 0084

From: Directorate Land Use and Soil Management  
Tel: 012-319-7634 Fax: 012-329-5938, Email: Thokob@nda.agric.za  
Enquiries: Helpdesk Ref: 2019\_03\_0097

TV3 Architects and Town Planners  
97 Dorp Street First Floor  
La Gratitude  
Office Building  
**STELLENBOSCH**  
7600

Attention: J F Olivier

**APPLICATION FOR SUBDIVISION, REZONING (URBAN DEVELOPMENT) AND EXEMPTION OF THE PROVISIONS OF ACT 70 OF 1970: REMAINDER OF ERF 3396, PAARL, DIVISION PAARL, WESTERN CAPE PROVINCE**


Your letter bearing reference 3473 dated 26 November 2019 refers.

This Department has no objection against the proposed subdivision, consolidation and rezoning of a portion measuring approximately 4,2 hectares to Subdivisional Area from an agricultural point of view.

The formal exemption shall be considered upon receipt of the rezoning permit.

It is trusted the decision is in order.

Yours faithfully

  
MS M.S. LESEKE  
ACTING DEPUTY DIRECTOR GENERAL: FORESTRY AND  
NATURAL RESOURCES MANAGEMENT  
DELEGATE OF THE MINISTER  
DATE: 25/10/2019

CC: Land Use and Soil Management, Private Bag X2, SANLAMHOF, 7532  
CC: Mr Brandon Layman Landuse Management Department of Agriculture: Western Cape Private Bag x 1 ELSENBURG 7607





## water & sanitation

Department:  
Water and Sanitation  
REPUBLIC OF SOUTH AFRICA

### WESTERN CAPE PROVINCE

Private Bag X 16, Sanlamhof, 7532 / 52 Voortrekker Road, Bellville 7530  
Tel #: (021) 941 6000 Fax #: (021) 941 6077

Enquiries : B. Mtandana  
Tel # : (021) 941 6136  
Email : [MtandanaB@dws.gov.za](mailto:MtandanaB@dws.gov.za)  
Reference : 16/27/G10C/A/11

Attention: Ms Karin Bedingfield

Legacy Environmental Management Consulting  
PO Box 12410  
Die Boord  
**STELLENBOSCH**  
7613

Dear Madam

### **PRE-APPLICATION BASIC ASSESSMENT REPORT FOR THE PROPOSED RESIDENTIAL DEVELOPMENT ON RE/ ERF 3396 AND ERF 31030, PAARL**

Reference is made to the above-mentioned document dated April 2021 with Ref No: LW19001-LEPR-GES-BAR-001.

This Department has perused the document and does not object to the proposed development going ahead provided the following conditions are adhered to:

- No abstraction or any use of surface or groundwater may be done without prior authorisation from this Department, unless it is a Schedule 1 Use or an Existing Lawful Use.
- All mitigation measures to minimise the contamination of water resources must be adhered to at all times.
- Solid waste must be properly disposed of at a licensed waste disposal facility and must comply to the relevant legislation.
- No pollution of surface water or ground water resources may occur due to activities on the property.
- All the requirements of the National Water Act, 1998 (Act 36 of 1998) regarding water use and pollution management must be adhered to at all times.

Please do not hesitate to contact the above office should there be any queries.

Yours sincerely

**PROVINCIAL HEAD : WESTERN CAPE**  
Signed by : Nelisa Ndobeni  
Designation : Control Environmental Officer  
Date : 24 MAY 2021



**NATIONAL DEVELOPMENT PLAN**  
Our Future - make it work



**REFERENCE:** 16/3/3/1/B3/28/1025/22  
**NEAS REFERENCE:** WCP/EIA/0001084/2022  
**DATE:** 11 NOVEMBER 2022

The Board of Directors  
 Arun Projects (Pty) Ltd  
 PO Box 43  
**SOMERSET MALL**  
 7137

**Attention: Mr J Laubscher**

Tel.: (021) 850 9680  
 Email: johan@arun.co.za

Dear Sir

**APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT ("EIA") REGULATIONS, 2014: THE RESIDENTIAL DEVELOPMENT ON A PORTION OF THE REMAINDER OF ERF NO. 3396 AND ERF NO. 31030 (PICARDIE FARM), PAARL**

1. With reference to the above application, the Department hereby notifies you of its decision to **grant** Environmental Authorisation, attached herewith, together with the reasons for the decision.
2. In terms of Regulation 4 of the EIA Regulations, 2014, you are instructed to ensure, within 14 days of the date of the Environmental Authorisation, that all registered interested and affected parties ("I&APs") are provided with access to and reasons for the decision, and that all registered I&APs are notified of their right to appeal.
3. Your attention is drawn to Chapter 2 of the Appeal Regulations, 2014, which prescribes the appeal procedure to be followed. This procedure is summarised in the attached Environmental Authorisation.

Yours faithfully

**DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)  
 DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING**

CC: (1) Ms. K Bedingfield (Legacy Environmental Management Consulting)  
 (2) Ms. C. Winter (Drakenstein Municipality)  
 (3) Mr. L Louw (Picardie)  
 (4) Ms. S Brandt (HWC)

Email: karin@legacyemc.co.za  
 Email: Cindy.Winter@drakenstein.gov.za  
 Email: louis@picardie.co.za  
 Email: Stephanie.Barnardt@westerncape.gov.za



**REFERENCE:** 16/3/3/1/B3/28/1025/22  
**NEAS REFERENCE:** WCP/EIA/0001084/2022  
**ENQUIRIES:** Samornay Smidt  
**DATE OF ISSUE:** 11 NOVEMBER 2022

## ENVIRONMENTAL AUTHORISATION

### APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 (AS AMENDED): THE RESIDENTIAL DEVELOPMENT ON A PORTION OF THE REMAINDER OF ERF NO. 3396 AND ERF NO. 31030 (PICARDIE FARM), PAARL

With reference to your application for the abovementioned, find below the outcome with respect to this application.

#### DECISION

By virtue of the powers conferred on it by the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA") and the Environmental Impact Assessment ("EIA") Regulations, 2014 (as amended), the Competent Authority herewith **grants Environmental Authorisation** to the applicant to undertake the listed activities specified in section B below with respect to the Preferred Layout Alternative, as described in the Basic Assessment Report ("BAR"), dated July 2022.

The applicant for this Environmental Authorisation is required to comply with the conditions set out in section E below.

#### A. DETAILS OF THE APPLICANT FOR THIS ENVIRONMENTAL AUTHORISATION

Arun Projects (Pty) Ltd  
c/o Mr J Laubscher  
PO Box 43  
**SOMERSET MALL**  
7137

Tel.: (021) 850 9680  
Email: johan@arun.co.za

The abovementioned applicant is the holder of this Environmental Authorisation and is hereinafter referred to as "**the holder**".

**B. LIST OF ACTIVITIES AUTHORISED**

<b>Listed Activity</b>	<b>Activity/Project Description</b>
<p>EIA Regulations Listing Notice 1 of 2014 -</p> <p><b>Activity Number: 9</b></p> <p><i>The development of infrastructure exceeding 1 000 metres in length for the bulk transportation of water or storm water—</i></p> <p>(i) <i>with an internal diameter of 0,36 metres or more; or</i></p> <p>(ii) <i>with a peak throughput of 120 litres per second or more;</i></p> <p><i>excluding where—</i></p> <p>(a) <i>such infrastructure is for bulk transportation of water or storm water or storm water drainage inside a road reserve or railway line reserve; or</i></p> <p>(b) <i>where such development will occur within an urban area.</i></p>	<p>The combined length of the stormwater infrastructure exceeds 1 000 metres and the throughput capacity will be more than 120 litres per second.</p>
<p>EIA Regulations Listing Notice 1 of 2014 -</p> <p><b>Activity Number: 28</b></p> <p><i>Residential mixed, retail, commercial, industrial or institutional development where such land was used for agriculture, game farming, equestrian purposes or afforestation on or after 01 April 1998 and where such development:</i></p> <p>(i) <i>will occur inside an urban area, where the total land to be developed is bigger than 5 hectares;</i></p> <p><i>or</i></p> <p>(ii) <i>will occur outside an urban area, where the total land to be developed is bigger than 1 hectare;</i></p> <p><i>excluding where such land has already been developed for residential, mixed, retail, commercial, industrial or institutional purposes.</i></p>	<p>The development is located outside of the urban area of Paarl, on land previously used for agriculture and is bigger than 1 hectare.</p>

The abovementioned list is hereinafter referred to as “**the listed activities**”.

The holder is herein authorised to undertake the following alternative that includes the listed activities as it relates to the development:

The proposed residential development on the Remainder of Erf No. 3396 and Erf No. 31030 comprising the following components:

- 37 single-residential dwellings of approximately 26 124m<sup>2</sup>,
- Private open space of approximately 4 712 m<sup>2</sup>,
- Private internal roads, parking, a security/ entrance structure and a truck/ vehicle loading (delivery) bay area near the entrance of approximately 9 396 m<sup>2</sup>,
- An erf for ancillary uses, a refuse room and estate services of approximately 274 m<sup>2</sup>, and



- Associated infrastructure and engineering services, including a stormwater detention pond located within the private open space.

### C. SITE DESCRIPTION AND LOCATION

The listed activities will be undertaken on a portion of the Remainder of Erf No. 3396 and Erf No. 31030, Paarl.

The SG21 digit codes are: C05500080000339600000  
C055000800003103000000

Co-ordinates:

Latitude	Longitude
33° 46' 00.87" S	18° 57' 22.07" E

Refer to Annexure 1: Locality Map and Annexure 2: Site Plan.

The above is hereinafter referred to as "**the site**".

### D. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER

Legacy EMC (Pty) Ltd  
c/o Karin Bedingfield  
PO Box 12410  
**DIE BOORD**  
7613

Tel: (021) 887 4000  
Email: karin@legacyemc.co.za

### E. CONDITIONS OF AUTHORISATION

#### Scope of authorisation

1. The holder is authorised to undertake the listed activities specified in Section B above in accordance with and restricted to the Preferred Layout Alternative, as described in the BAR dated July 2022 on the site as described in Section C above.
2. The holder must commence with, and conclude, the listed activities within the stipulated validity period which this Environmental Authorisation is granted, or this Environmental Authorisation shall lapse and a new application for Environmental Authorisation must be submitted to the competent authority

This Environmental Authorisation is granted for-

- (a) A period of **five years** from the date of issue, during which period the holder must commence with the authorised listed activities.
- (b) A period of **ten (10) years**, from the date the holder commenced with the authorised listed activities, during which period the authorised listed activities must be concluded.

3. The holder shall be responsible for ensuring compliance with the conditions by any person acting on his/her behalf, including an agent, sub-contractor, employee or any person rendering a service to the holder.
4. Any changes to, or deviations from the scope of the alternative described in section B above must be accepted or approved, in writing, by the Competent Authority before such changes or deviations may be implemented. In assessing whether to grant such acceptance/approval or not, the Competent Authority may request information in order to evaluate the significance and impacts of such changes or deviations, and it may be necessary for the holder to apply for further authorisation in terms of the applicable legislation.

#### **Written notice to the Competent Authority**

5. Seven calendar days' notice, in writing, must be given to the Competent Authority before commencement of construction activity.
  - 5.1 The notice must make clear reference to the site details and EIA Reference number given above.
  - 5.2 The notice must also include proof of compliance with the following conditions described herein:

Conditions: 6, 7 and 10.

#### **Notification and administration of appeal**

6. The holder must in writing, within 14 (fourteen) calendar days of the date of this decision–
  - 6.1 notify all registered Interested and Affected Parties ("I&APs") of –
    - 6.1.1 the outcome of the application;
    - 6.1.2 the reasons for the decision as included in Annexure 3;
    - 6.1.3 the date of the decision; and
    - 6.1.4 the date when the decision was issued.
  - 6.2 draw the attention of all registered I&APs to the fact that an appeal may be lodged against the decision in terms of the National Appeals Regulations, 2014 (as amended) detailed in Section G below;
  - 6.3 draw the attention of all registered I&APs to the manner in which they may access the decision;
  - 6.4 provide the registered I&APs with:
    - 6.4.1 the name of the holder (entity) of this Environmental Authorisation,
    - 6.4.2 name of the responsible person for this Environmental Authorisation,
    - 6.4.3 postal address of the holder,
    - 6.4.4 telephonic and fax details of the holder,
    - 6.4.5 e-mail address, if any, of the holder, and



6.4.6 contact details (postal and/or physical address, contact number, facsimile and e-mail address) of the decision-maker and all registered I&APs in the event that an appeal is lodged in terms of the 2014 National Appeals Regulations (as amended).

7. The listed activities, including site preparation, must not commence within 20 (twenty) calendar days from the date the applicant notified the registered I&APs of this decision. In the event that an appeal is lodged with the Appeal Authority, the effect of this Environmental Authorisation is suspended until the appeal is decided i.e. the listed activities, including site preparation, must not commence until the appeal is decided.

### **Management of activity**

8. The draft Environmental Management Programme ("EMPr") submitted as part of the application for Environmental Authorisation is hereby approved and must be implemented.
9. The EMPr must be included in all contract documentation for all phases of implementation.

### **Monitoring**

10. The holder must appoint a suitably experienced environmental control officer ("ECO") before commencement of any land clearing or construction activity to ensure compliance with the EMPr and the conditions contained herein.
11. The ECO must report on compliance in writing to this Department and the relevant authorities monthly during the construction phase for the civil engineering services.
12. A copy of the Environmental Authorisation, EMPr, audit reports and compliance monitoring reports must be kept at the site of the authorised activities, and must be made available to anyone on request, including a publicly accessible website.
13. Access to the site referred to in Section C must be granted, and the environmental reports mentioned above must be produced, to any authorised official representing the Competent Authority who requests to see it for the purposes of assessing and/or monitoring compliance with the conditions contained herein.

### **Auditing**

14. In terms of Regulation 34 of the NEMA EIA Regulations, 2014 (as amended), the holder must conduct environmental audits to determine compliance with the conditions of the Environmental Authorisation, the EMPr and submit Environmental Audit Reports to the Competent Authority. The Environmental Audit Report must be prepared by an **independent person** (other than not the ECO appointed in terms of condition 11 above or the appointed Environmental Assessment Practitioner) and must contain all the information required in Appendix 7 of the NEMA EIA Regulations, 2014 (as amended).

The holder must undertake two environmental audits during the construction phase of the civil engineering services, with the first undertaken within 3 months of construction commencing and the second audit when the construction of the civil engineering services is completed. Following the latter, an environmental audit must be undertaken and submitted to the Department bi-

annually for the duration of the construction phase. The final Environmental Audit Report must be submitted to the Competent Authority within three months after completion of the construction phase.

The holder must, within 7 days of the submission of each of the above-mentioned reports to the Competent Authority, notify all potential and registered I&APs of the submission and make the report available to anyone on request and on a publicly accessible website (if applicable).

### **Specific Conditions**

15. Should any heritage remains be exposed during excavations or any other actions on the site, these must immediately be reported to the Provincial Heritage Resources Authority of the Western Cape, Heritage Western Cape. Heritage remains uncovered or disturbed during earthworks must not be further disturbed until the necessary approval has been obtained from Heritage Western Cape.

Heritage remains include: meteorites, archaeological and/or palaeontological remains (including fossil shells and trace fossils); coins; indigenous and/or colonial ceramics; any articles of value or antiquity; marine shell heaps; stone artifacts and bone remains; structures and other built features with heritage significance; rock art and rock engravings; and/or graves or unmarked human burials including grave goods and/or associated burial material.

16. A qualified archaeologist and/or palaeontologist must be contracted where necessary (at the expense of the holder) to remove any heritage remains. Heritage remains can only be disturbed by a suitably qualified heritage specialist working under a directive from the relevant heritage resources authority.
17. The relevant requirements with respect to occupational health and safety must be adhered to at all times.

### **F. GENERAL MATTERS**

1. Notwithstanding this Environmental Authorisation, the holder must comply with any other statutory requirements that may be applicable when undertaking the listed activities.
2. Non-compliance with a condition of this Environmental Authorisation or EMPr may render the holder liable to criminal prosecution.
3. If the holder does not commence with the listed activities within the period referred to in Condition 2, this Environmental Authorisation shall lapse for those activities, and a new application for Environmental Authorisation must be submitted to the Competent Authority. If the holder wishes to extend the validity period of the Environmental Authorisation, an application for amendment in this regard must be made to the Competent Authority prior to the expiry date of the Environmental Authorisation.
4. The holder must submit an application for amendment of the Environmental Authorisation to the Competent Authority where any detail with respect to the Environmental Authorisation must be amended, added, substituted, corrected, removed or updated. If a new holder is proposed, an application for Amendment in terms of Part 1 of the EIA Regulations, 2014 (as amended) must be submitted.

Please note that an amendment is not required if there is a change in the contact details of the holder. In this case, the Competent Authority must only be notified of such changes.

5. The manner and frequency for updating the EMPr is as follows:

Amendments to the EMPr must be done in accordance with Regulations 35 to 37 of the EIA Regulations 2014, (as amended) or any relevant legislation that may be applicable at the time.

## G. APPEALS

Appeals must comply with the provisions contained in the National Appeal Regulations 2014 (as amended).

1. An appellant (if the holder of the decision) must, within 20 (twenty) calendar days from the date on which notification of the decision was sent to the holder by the Competent Authority–
  - 1.1. Submit an appeal in accordance with Regulation 4 of the National Appeal Regulations 2014 (as amended) to the Appeal Administrator; and
  - 1.2. Submit a copy of the appeal to any registered I&APs, any Organ of State with interest in the matter and the decision-maker i.e. the Competent Authority that issued the decision.
2. An appellant (if NOT the holder of the decision) must, within 20 (twenty) calendar days from the date on which the holder of the decision sent notification of the decision to the registered I&APs–
  - 2.1. Submit an appeal in accordance with Regulation 4 of the National Appeal Regulations 2014 (as amended) to the Appeal Administrator; and
  - 2.2. Submit a copy of the appeal to the holder of the decision, any registered I&AP, any Organs of State with interest in the matter and the decision-maker i.e. the Competent Authority that issued the decision.
3. The holder of the decision (if not the appellant), the decision-maker that issued the decision, the registered I&AP and the Organs of State must submit their responding statements, if any, to the appeal authority and the appellant within 20 (twenty) calendar days from the date of receipt of the appeal submission.
4. The appeal and the responding statement must be submitted to the address listed below:

By post: Western Cape Ministry of Local Government, Environmental Affairs and Development Planning  
Private Bag X9186  
CAPE TOWN  
8000

By facsimile: (021) 483 4174; or

By hand: Attention: Mr Marius Venter (Tel: 021 483 2659)  
Room 809  
8<sup>th</sup> Floor Utilitas Building, 1 Dorp Street, Cape Town, 8001



**Note:** For purposes of electronic database management, you are also requested to submit electronic copies (Microsoft Word format) of the appeal, responding statement and any supporting documents to the Appeal Authority to the address listed above and/ or via e-mail to [DEADP.Appeals@westerncape.gov.za](mailto:DEADP.Appeals@westerncape.gov.za).

5. A prescribed appeal form as well as assistance regarding the appeal processes is obtainable from Appeal Authority at: Tel. (021) 483 3721, E-mail [DEADP.Appeals@westerncape.gov.za](mailto:DEADP.Appeals@westerncape.gov.za) or URL <http://www.westerncape.gov.za/eadp>.

#### H. DISCLAIMER

The Western Cape Government, the Local Authority, committees or any other public authority or organisation appointed in terms of the conditions of this Environmental Authorisation shall not be responsible for any damages or losses suffered by the holder, developer or his/her successor in any instance where construction or operation subsequent to construction is temporarily or permanently stopped for reasons of non-compliance with the conditions as set out herein or any other subsequent document or legal action emanating from this decision.

Your interest in the future of our environment is appreciated.

Yours faithfully

**MR. ZAAHIR TOEFY**

**DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)**

**DATE OF DECISION: 11 NOVEMBER 2022**

CC: (1) Ms. K Bedingfield (Legacy Environmental Management Consulting)

Email: [karin@legacyemc.co.za](mailto:karin@legacyemc.co.za)

(2) Ms. C. Winter (Drakenstein Municipality)

Email: [Cindy.Winter@drakenstein.gov.za](mailto:Cindy.Winter@drakenstein.gov.za)

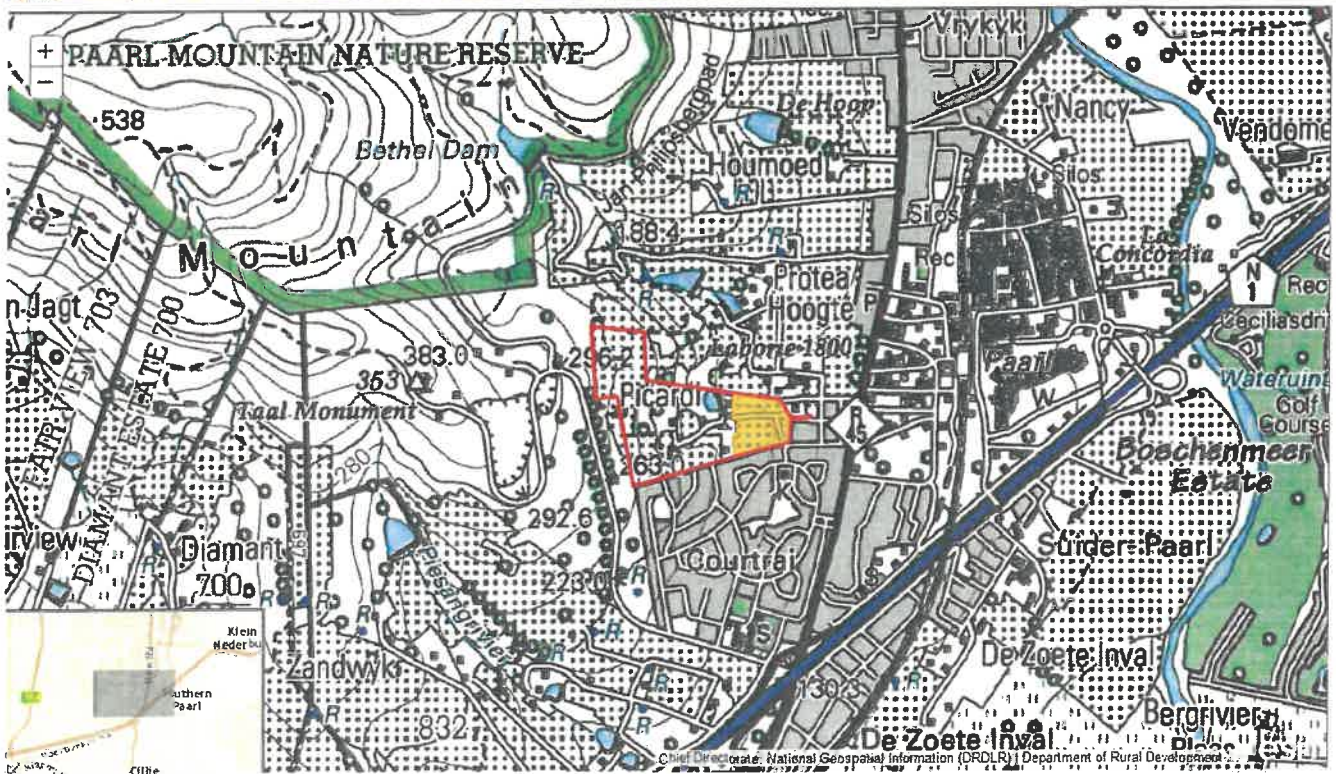
(3) Mr L Louw (Picardie)

Email: [louis@picardie.co.za](mailto:louis@picardie.co.za)

(4) Ms. S Brandt (HWC)

Email: [Stephanie.Barnardt@westerncape.gov.za](mailto:Stephanie.Barnardt@westerncape.gov.za)

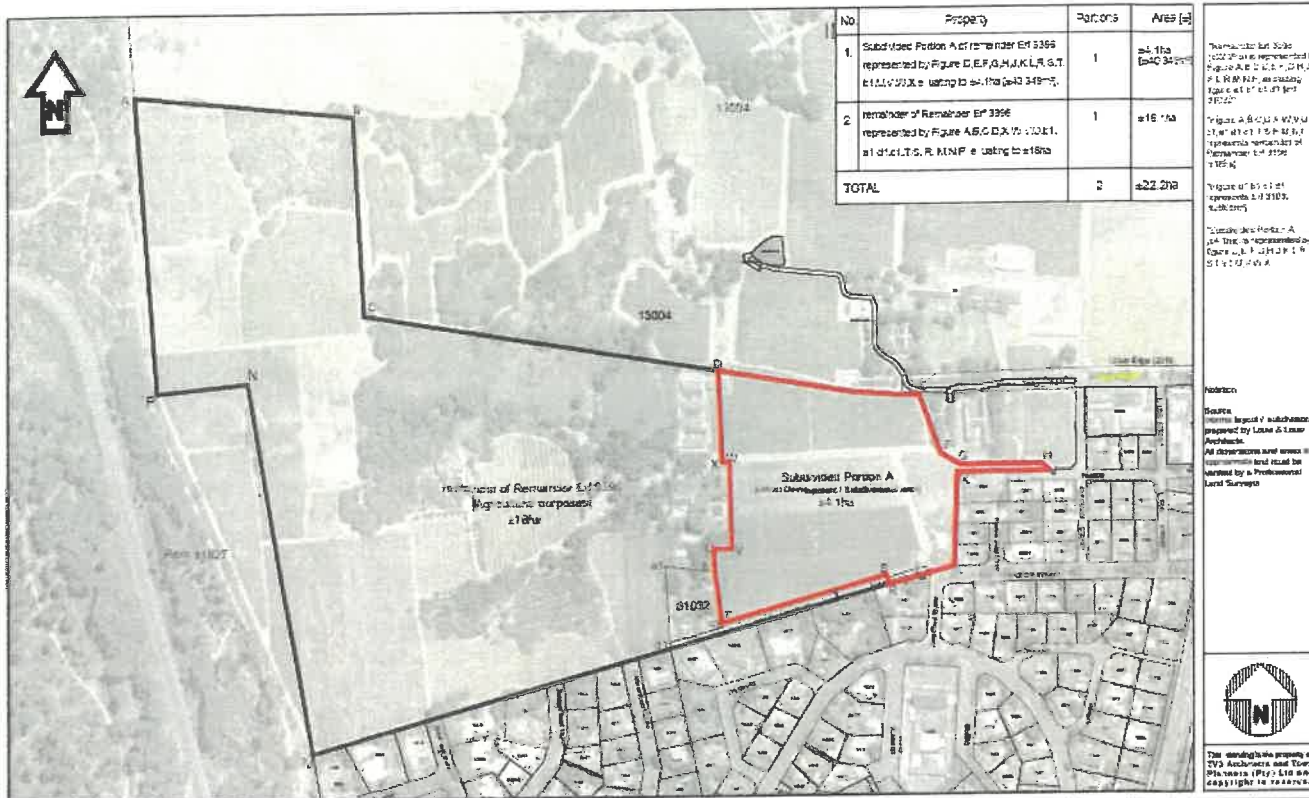
ANNEXURE 1: LOCALITY MAP











Note: The area of Erf 3396 is represented by Figure A to X, Y, Z, AA, AB, AC, AD, AE, AF, AG, AH, AI, AJ, AK, AL, AM, AN, AO, AP, AQ, AR, AS, AT, AU, AV, AW, AX, AY, AZ, BA, BB, BC, BD, BE, BF, BG, BH, BI, BJ, BK, BL, BM, BN, BO, BP, BQ, BR, BS, BT, BU, BV, BW, BX, BY, BZ, CA, CB, CC, CD, CE, CF, CG, CH, CI, CJ, CK, CL, CM, CN, CO, CP, CQ, CR, CS, CT, CU, CV, CW, CX, CY, CZ, DA, DB, DC, DD, DE, DF, DG, DH, DI, DJ, DK, DL, DM, DN, DO, DP, DQ, DR, DS, DT, DU, DV, DW, DX, DY, DZ, EA, EB, EC, ED, EE, EF, EG, EH, EI, EJ, EK, EL, EM, EN, EO, EP, EQ, ER, ES, ET, EU, EV, EW, EX, EY, EZ, FA, FB, FC, FD, FE, FF, FG, FH, FI, FJ, FK, FL, FM, FN, FO, FP, FQ, FR, FS, FT, FU, FV, FW, FX, FY, FZ, GA, GB, GC, GD, GE, GF, GG, GH, GI, GJ, GK, GL, GM, GN, GO, GP, GQ, GR, GS, GT, GU, GV, GW, GX, GY, GZ, HA, HB, HC, HD, HE, HF, HG, HH, HI, HJ, HK, HL, HM, HN, HO, HP, HQ, HR, HS, HT, HU, HV, HW, HX, HY, HZ, IA, IB, IC, ID, IE, IF, IG, IH, II, IJ, IK, IL, IM, IN, IO, IP, IQ, IR, IS, IT, IU, IV, IW, IX, IY, IZ, JA, JB, JC, JD, JE, JF, JG, JH, JI, JJ, JK, JL, JM, JN, JO, JP, JQ, JR, JS, JT, JU, JV, JW, JX, JY, JZ, KA, KB, KC, KD, KE, KF, KG, KH, KI, KJ, KL, KM, KN, KO, KP, KQ, KR, KS, KT, KU, KV, KW, KX, KY, KZ, LA, LB, LC, LD, LE, LF, LG, LH, LI, LJ, LK, LL, LM, LN, LO, LP, LQ, LR, LS, LT, LU, LV, LW, LX, LY, LZ, MA, MB, MC, MD, ME, MF, MG, MH, MI, MJ, MK, ML, MM, MN, MO, MP, MQ, MR, MS, MT, MU, MV, MW, MX, MY, MZ, NA, NB, NC, ND, NE, NF, NG, NH, NI, NJ, NK, NL, NM, NN, NO, NP, NQ, NR, NS, NT, NU, NV, NW, NX, NY, NZ, OA, OB, OC, OD, OE, OF, OG, OH, OI, OJ, OK, OL, OM, ON, OO, OP, OQ, OR, OS, OT, OU, OV, OW, OX, OY, OZ, PA, PB, PC, PD, PE, PF, PG, PH, PI, PJ, PK, PL, PM, PN, PO, PP, PQ, PR, PS, PT, PU, PV, PW, PX, PY, PZ, QA, QB, QC, QD, QE, QF, QG, QH, QI, QJ, QK, QL, QM, QN, QO, QP, QQ, QR, QS, QT, QU, QV, QW, QX, QY, QZ, RA, RB, RC, RD, RE, RF, RG, RH, RI, RJ, RK, RL, RM, RN, RO, RP, RQ, RR, RS, RT, RU, RV, RW, RX, RY, RZ, SA, SB, SC, SD, SE, SF, SG, SH, SI, SJ, SK, SL, SM, SN, SO, SP, SQ, SR, SS, ST, SU, SV, SW, SX, SY, SZ, TA, TB, TC, TD, TE, TF, TG, TH, TI, TJ, TK, TL, TM, TN, TO, TP, TQ, TR, TS, TT, TU, TV, TW, TX, TY, TZ, UA, UB, UC, UD, UE, UF, UG, UH, UI, UJ, UK, UL, UM, UN, UO, UP, UQ, UR, US, UT, UY, UZ, VA, VB, VC, VD, VE, VF, VG, VH, VI, VJ, VK, VL, VM, VN, VO, VP, VQ, VR, VS, VT, VU, VV, VW, VX, VY, VZ, WA, WB, WC, WD, WE, WF, WG, WH, WI, WJ, WK, WL, WM, WN, WO, WP, WQ, WR, WS, WT, WU, WV, WW, WX, WY, WZ, XA, XB, XC, XD, XE, XF, XG, XH, XI, XJ, XK, XL, XM, XN, XO, XP, XQ, XR, XS, XT, XU, XV, XW, XX, XY, XZ, YA, YB, YC, YD, YE, YF, YG, YH, YI, YJ, YK, YL, YM, YN, YO, YP, YQ, YR, YS, YT, YU, YV, YW, YX, YY, YZ, ZA, ZB, ZC, ZD, ZE, ZF, ZG, ZH, ZI, ZJ, ZK, ZL, ZM, ZN, ZO, ZP, ZQ, ZR, ZS, ZT, ZU, ZV, ZW, ZX, ZY, ZZ.

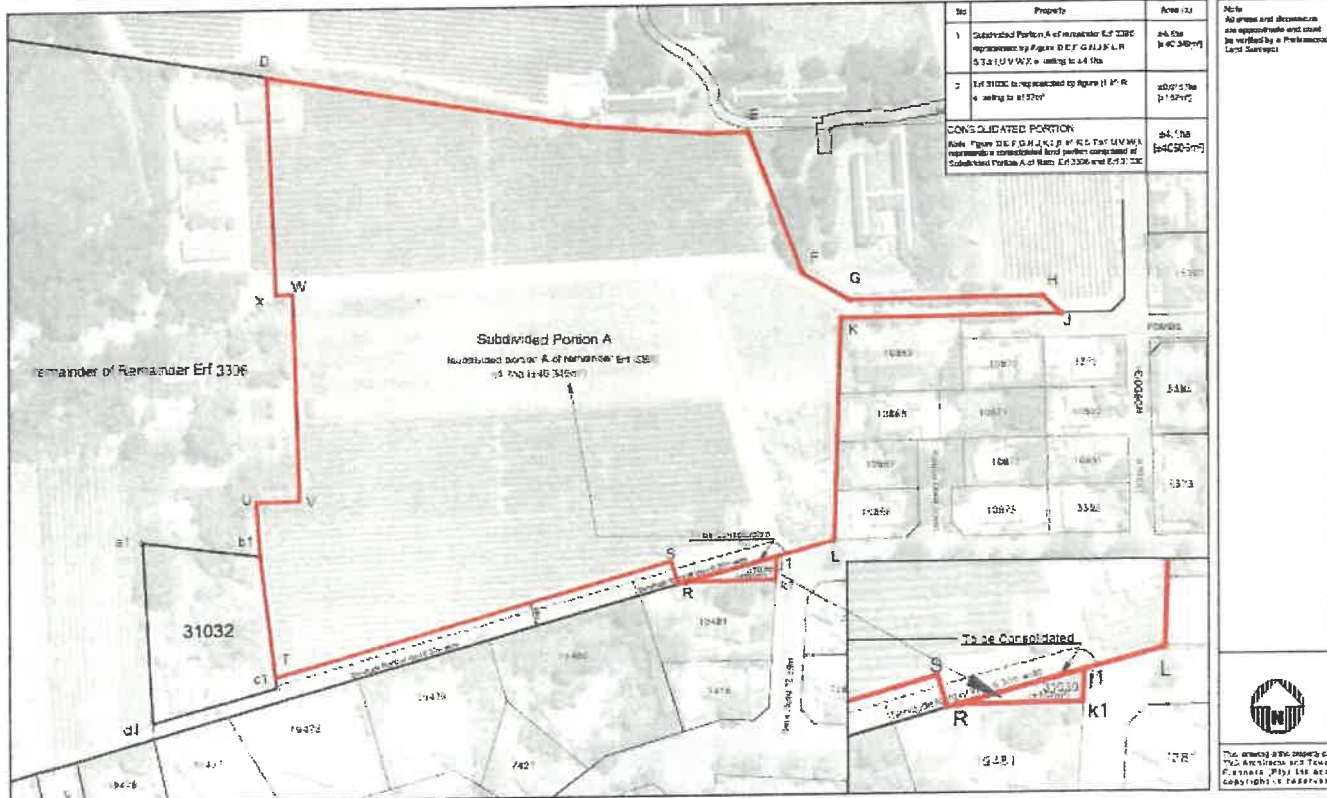
Note: Source: Aerial photograph of subdivision prepared by Lobe & Lobe Architects. All dimensions and areas are approximate and shall be verified by a Professional Land Surveyor.

The copyright in the property of this Architects and Town Planners (Pty) Ltd and shall remain in accordance.

**tv3 ARCHITECTS TOWN PLANNERS URBAN DESIGNERS**  
 5 Paul Kruger Avenue, Durbanville, Cape Town, 7801  
 021 464 2222 • 021 464 2223 • www.tv3.co.za

**SUBDIVISION OF REMAINDER ERF3396  
 Farm Picardi, Paarl**

Sheet	Scale	Date	Drawn
Sp	A1	2024/02/27	J. GIBSON
SUBDIVISION		3472.1	
<b>Subdivision</b>		<b>5</b>	



**tv3 ARCHITECTS TOWN PLANNERS URBAN DESIGNERS**  
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**Consolidation of subdivided Portion A of remainder Erf 3396 and Erf 31032, Paarl**

Sheet	Scale	Date	Drawn
Sp	A1	2024/02/27	J. GIBSON
CONSOLIDATION		3472.1	
<b>Consolidation</b>		<b>6</b>	

### ANNEXURE 3: REASONS FOR THE DECISION

In reaching its decision, the Competent Authority considered, *inter alia*, the following:

- a) The information contained in the Application Form dated 25 April 2022, the EMPr submitted together with final BAR on 28 July 2022.
- b) Relevant information contained in the Departmental information base, including the Guidelines on Public Participation and Alternatives (dated March 2013);
- c) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the National Environmental Management Act, 1998 (Act No. 107 of 1998);
- d) The comments received from I&APs and responses to these, included in the BAR dated July 2022; and
- e) The balancing of negative and positive impacts and proposed mitigation measures.
- f) A site visit was conducted on 8 November 2022 by Mare-Liez Oosthuizen, Andrea Thomas and Samornay Smidt from the Department of Environmental Affairs and Development Planning and Karin Neethling from Legacy Environmental Management Consulting.

All information presented to the Competent Authority was taken into account in the consideration of the application for Environmental Authorisation. A summary of the issues that were considered to be the most significant for the decision is set out below.

#### 1. Public Participation

The public participation process included:

- identification of and engagement with I&APs;
- the placing of a newspaper advertisement in the 'Paarl Post' on 15 April 2021;
- fixing notice boards at the site where the listed activities are to be undertaken and public areas on 17 April 2021;
- giving written notice to the owners and occupiers of land adjacent to the site where the listed activities are to be undertaken, the municipality and ward councillor, and the various Organs of State having jurisdiction in respect of any aspect of the listed activities on 17 April 2021;
- circulating of the pre-application draft BAR to I&AP's from 17 April 2021;
- an Open Day on 20 September 2021; and
- circulating the in-process draft BAR to I&APs from 25 April 2022.

The Department is satisfied that the Public Participation Process that was followed met the minimum legal requirements and the comments raised and responses thereto were included in the comments and response report.

Specific alternatives, management and mitigation measures have been considered in this Environmental Authorisation, and EMPr to adequately address the concerns raised.

## 2. Alternatives

The current preferred layout is the result of an iterative process in which the proposed development has undergone several design changes in terms of its layout and density. The original proposal consisted of 65 residential erven, ranging in size from 312m<sup>2</sup> to 535m<sup>2</sup> and following numerous iterations this was reduced to 37 residential erven ranging in size from 327m<sup>2</sup> to 1719m<sup>2</sup>. The density, erf sizes and architectural design of the preferred layout was amended to maintain the area's rural sense of place. The preferred layout was informed by inputs from the heritage and visual practitioners, particularly related to the interface between the development site (Remainder of Erf No. 3396) and the adjacent Laborie werf and vineyards. The houses on the northern edge of the development footprint are set back from the adjoining Laborie vineyards, and green corridors and open spaces will be implemented to link the Laborie Estate to the Picardie Guest Farm. The preferred layout allows for a stepped building setback for the northern erven abutting the Laborie vineyards (ranging in width from 12m to 20m), as well as green belts within the development. A 5m green building line is incorporated along the northern boundary of the development area and a 10m wide setback on the southern boundary of the property (which is an increase from the previously recommended 8m following input from interested and affected parties). This 10m wide setback allows sufficient space for the existing 6.3m wide right of way servitude, as well as landscaping to screen the development from the neighbouring erven in Courtrai. Twenty-seven of the residential erven are larger than 500m<sup>2</sup> and 10 erven are sized between 251m<sup>2</sup> and 500m<sup>2</sup>. The erven along the southern boundary of the property have been reduced from eight erven to seven erven and range in size from 681m<sup>2</sup>– 891m<sup>2</sup>. Dwellings on the erven closest to the Laborie werf will also be restricted in height (Erven 35 and 36 will be limited to single storey and Erven 34, 37, 20 and 21 will be limited to 1.5 storeys (approximately 6.5m in height)). These amendments gave rise to the following preferred alternative:

### Preferred Layout Alternative (Herewith authorised)

The proposed residential development on the Remainder of Erf 3396 and Erf 31030 consists of the following components:

- 37 single-residential dwellings of approximately 26 124m<sup>2</sup>,
- Private open space of approximately 4 712 m<sup>2</sup>,
- Private internal roads, parking, a security/ entrance structure and a truck/ vehicle loading (delivery) bay area near the entrance approximately 9 396 m<sup>2</sup>,
- An erf for ancillary uses, a refuse room and estate services approximately 274 m<sup>2</sup>, and
- Associated infrastructure and engineering services, including a stormwater detention pond located within the private open space.

### "No-Go" Alternative

The no-go alternative was considered. However, it was not preferred since the findings of the Agricultural Economic Study found that farming on the Remainder of Erf No. 3396 is not financially viable in the medium to long term. Continued farming on the site is therefore not a feasible option. The proposed development site is included in the municipal urban edge and has been earmarked for urban infill development in the Drakenstein Municipality's Spatial Development Framework. The proposed development is in line with this demarcation. Should the no-go alternative be implemented, the opportunity for additional job creation and the socio-economic benefits associated with the proposed development will be lost.



### 3. Impact Assessment and Mitigation measures

#### 3.1 Activity need and desirability

The property is situated adjacent to the existing residential suburb of Courtrai and the Laborie Estate. The development site (a portion of the Remainder of Erf No. 3396 and Erf 31030, Paarl) is approximately 4.2ha in extent and has been used for agricultural purposes for many years. The development site is presently partially cultivated with vines and pastures. A bicycle track and farm stall with associated infrastructure such as children's play areas are also present on the site. The farm stall will be demolished to allow for the proposed development. The 4.2ha portion of the Remainder of Erf No. 3396 and Erf 31030, Paarl that is proposed to be developed, is included within the municipal urban edge, and is earmarked for urban infill in the Drakenstein Spatial Development Framework. The proposed development is therefore in line with the planning for the area. Factors such as the heritage and cultural landscape context of the site, its agricultural potential, the financial viability of the farming unit, the presence of sensitive biophysical features and the potential visual impacts on the surrounding area informed the proposed development. The specialist studies conducted during the EIA process and input obtained during the public participation process further informed the preferred layout.

#### 3.2 Biophysical Impacts

Historically, the site contained Swartland Granite Renosterveld vegetation, which is classified as endangered. The site has been completely transformed by agriculture and no indigenous vegetation remains within the development footprint. In addition, no watercourses are present on the site. The proposed development will therefore not result in a significant biophysical impact.

#### 3.3 Heritage and Visual Impacts

The Drakenstein Mountain Slope Policy – Sensitivity Analysis Tool (September 2019) serves as an informant in the process of decision-making regarding development proposals on mountain slopes (in terms of visual, heritage and/or environmental considerations) and indicates the statutory requirements to be followed in the process of obtaining land use rights. This policy was considered in the preparation of the Visual Impact Assessment. In addition, the Paarl Farms Land Use Management Policy (June 2005) that was adopted by the Drakenstein Council and which aims to guide the future use of the Paarl "town" farms, was also taken into consideration in the Heritage Impact Assessment. The policy stipulates that all the identified farms which are situated in the historic Paarl town boundary are of significance to Paarl and contribute to the unique character and sense of place of Paarl, and therefore none of the farms may be developed outright. Limited residential development could be considered on land that is not actively farmed or is not suitable for farming contiguous to urban areas, provided that such proposals are subject to detailed studies that will, *inter alia*, investigate the impact on heritage and visual resources.

Considering the above and the nature of the development, a Heritage Impact Assessment ("HIA") with specific reference to the visual impacts of the proposed development on the existing cultural landscape and the impact of the proposed development on the peri-urban landscape of Paarl, including urban design indicators with design principles and design approaches, was required by Heritage Western Cape. The integrated HIA, which included a Visual Impact Assessment ("VIA") and Archaeological Impact Assessment ("AIA"), considered the impact of the development on the rural cultural landscape. The site is largely undeveloped, although it includes small numbers of structures on its periphery. One of these, a former farm labourers' cottage that is now used for tourist accommodation, situated in the north-western corner of the site, is earmarked for demolition. Other buildings earmarked for demolition are situated in the south-eastern corner of the site. None of the buildings earmarked for demolition are older than 60 years and are therefore not considered to have architectural or historical significance.

The farm werf that contains the main cluster of Picardie's buildings, including the homestead, is situated to the west of the development area and will not be affected by the proposed development.

In summary, while the HIA found that the subject site contributes to a broader agricultural landscape of high heritage significance and shares an important historical spatial relationship with the adjacent Laborie historic werf, the development footprint does not have any heritage significance. The AIA also concluded that the site has been severely disturbed, and that the proposed development will not impact on significant archaeological heritage.

Mitigation measures include setbacks from the Laborie werf and vineyards, scaling down of the nearest new buildings to Laborie, the implementation of the Estate Guidelines and landscaping (including large tree planting). As such, Heritage Western Cape is in support of the proposed development, on condition that the recommendations as set out in the HIA and VIA are implemented and adhered to. The Heritage Western Cape's Impact Assessment Committee endorsed the HIA as having complied with the provisions of Section 38(3) of the National Heritage Resources Act, 1999 (Act No. 25 of 1999). These have been incorporated into the preferred layout and the EMPr accepted in Condition 8 of this Environmental Authorisation. In light of the above, the heritage impact is deemed to have been addressed satisfactorily.

**Negative Impacts:**

- The proposed development will have a negative impact during the construction phase in terms of noise, dust nuisance, traffic and visual impacts. The impacts will however be mitigated to a satisfactory level with the implementation of and adherence to the EMPr.
- There will be visual, heritage and traffic impacts during the operational phase, which have been mitigated to an acceptable level through the incorporation of the specialist input and I&AP input into the preferred layout design.

**Positive impacts:**

- The proposed development will assist in addressing the need for housing opportunities in the municipal area and will provide employment opportunities during the construction and operational phase.

**4. National Environmental Management Act Principles**

The National Environmental Management Principles (set out in section 2 of the NEMA, which apply to the actions of all organs of state, serve as guidelines by reference to which any organ of state must exercise any function when taking any decision, and which must guide the interpretation, administration and implementation of any other law concerned with the protection or management of the environment), *inter alia*, provides for:

- the effects of decisions on all aspects of the environment to be taken into account;
- the consideration, assessment and evaluation of the social, economic and environmental impacts of activities (disadvantages and benefits), and for decisions to be appropriate in the light of such consideration and assessment;
- the co-ordination and harmonisation of policies, legislation and actions relating to the environment;
- the resolving of actual or potential conflicts of interest between organs of state through conflict resolution procedures; and
- the selection of the best practicable environmental option.

## 5. Conclusion

In view of the above, the NEMA principles, compliance with the conditions stipulated in this Environmental Authorisation, and compliance with the EMPr, the Competent Authority is satisfied that the proposed listed activities will not conflict with the general objectives of integrated environmental management stipulated in Chapter 5 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) and that any potentially detrimental environmental impacts resulting from the listed activities can be mitigated to acceptable levels.

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