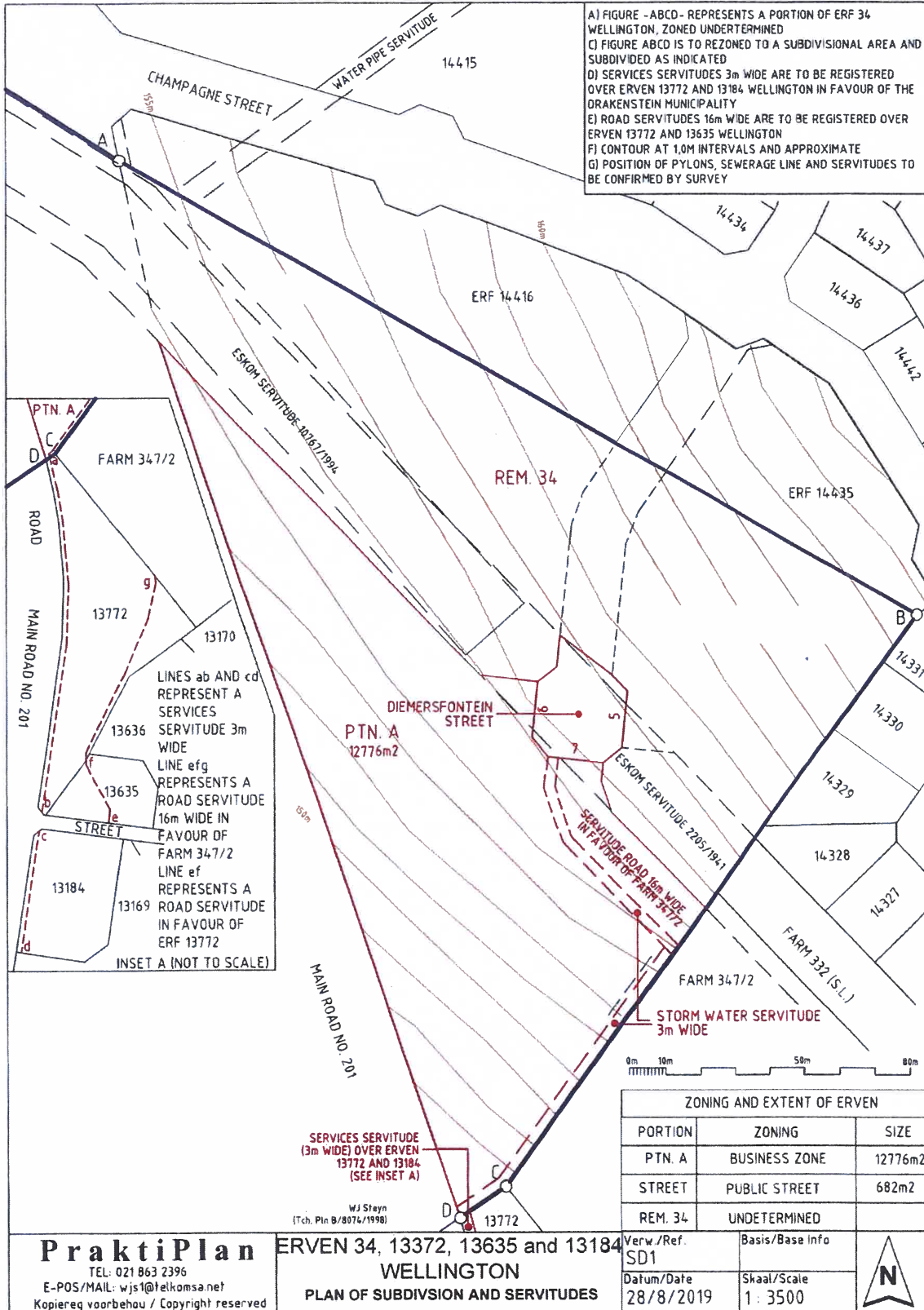


ANNEXURE E



A) FIGURE -ABCD- REPRESENTS A PORTION OF ERF 34 WELLINGTON, ZONED UNDERTERMINED
 C) FIGURE ABCD IS TO REZONED TO A SUBDIVISIONAL AREA AND SUBDIVIDED AS INDICATED
 D) SERVICES SERVITUDES 3m WIDE ARE TO BE REGISTERED OVER ERVEN 13772 AND 13184 WELLINGTON IN FAVOUR OF THE DRAKENSTEIN MUNICIPALITY
 E) ROAD SERVITUDES 16m WIDE ARE TO BE REGISTERED OVER ERVEN 13772 AND 13635 WELLINGTON
 F) CONTOUR AT 1.0M INTERVALS AND APPROXIMATE
 G) POSITION OF PYLONS, SEWERAGE LINE AND SERVITUDES TO BE CONFIRMED BY SURVEY

PTN. A
 C
 D
 FARM 347/2
 ROAD
 MAIN ROAD NO. 201
 13772
 13170
 13636
 13635
 STREET
 13184
 13169
 LINES ab AND cd REPRESENT A SERVICES SERVITUDE 3m WIDE
 LINE efg REPRESENTS A ROAD SERVITUDE 16m WIDE IN FAVOUR OF FARM 347/2
 LINE ef REPRESENTS A ROAD SERVITUDE IN FAVOUR OF ERF 13772
 INSET A (NOT TO SCALE)

ZONING AND EXTENT OF ERVEN		
PORTION	ZONING	SIZE
PTN. A	BUSINESS ZONE	12776m ²
STREET	PUBLIC STREET	682m ²
REM. 34	UNDETERMINED	

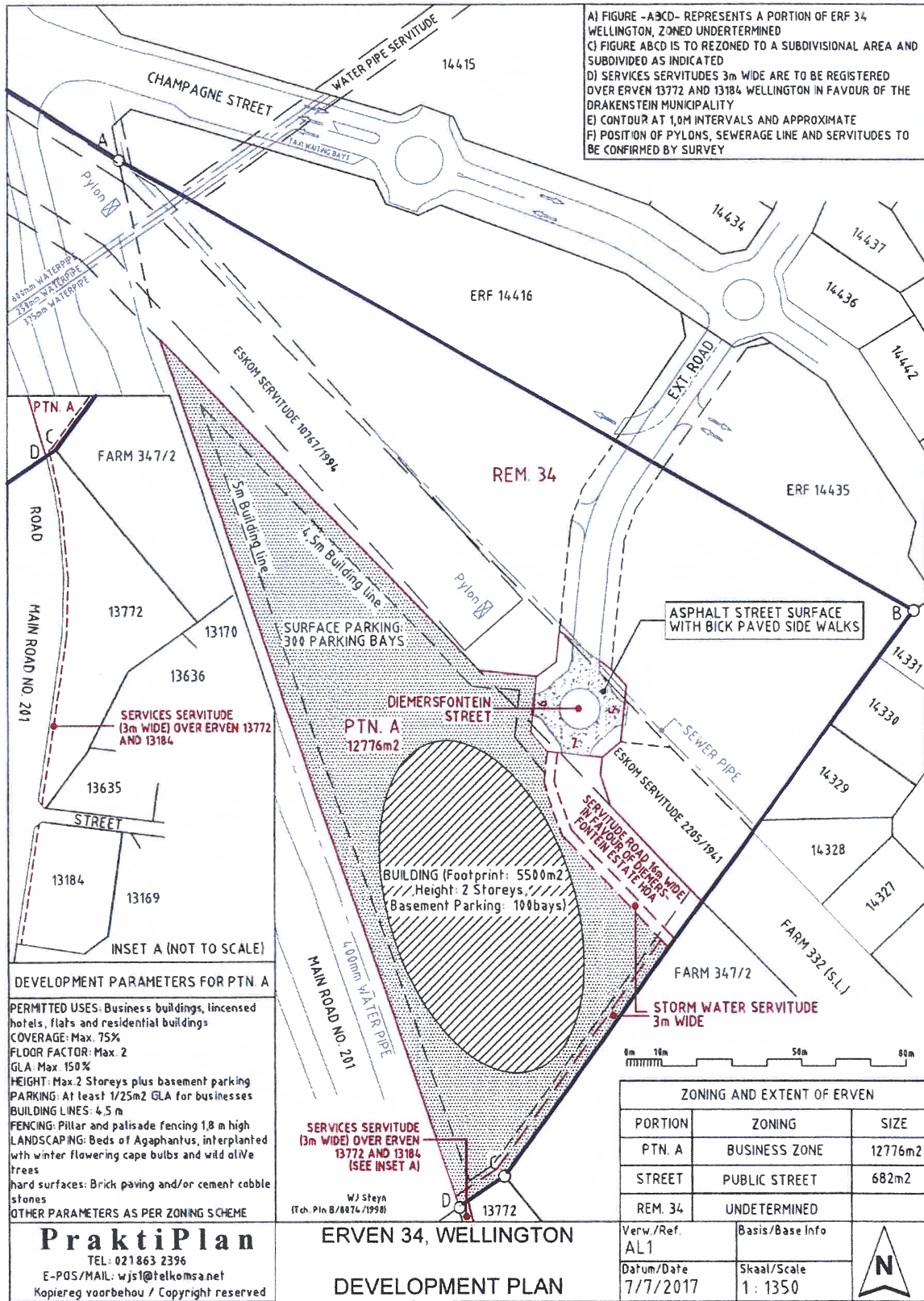
Praktiplan
 TEL: 021 863 2396
 E-POS/MAIL: wjs1@telkomsa.net
 Kopiereg voorbehou / Copyright reserved

ERVEN 34, 13372, 13635 and 13184
WELLINGTON
 PLAN OF SUBDIVISION AND SERVITUDES

Verw./Ref. SD1
 Datum/Date 28/8/2019
 Basis/Base Info
 Skaal/Scale 1: 3500



ANNEXURE F



A) FIGURE -A9CD- REPRESENTS A PORTION OF ERF 34 WELLINGTON, ZONED UNDETERMINED
 C) FIGURE ABCD IS TO BE REZONED TO A SUBDIVISIONAL AREA AND SUBDIVIDED AS INDICATED
 D) SERVICES SERVIDUTES 3m WIDE ARE TO BE REGISTERED OVER ERVEN 13772 AND 13184 WELLINGTON IN FAVOUR OF THE DRAKENSTEIN MUNICIPALITY
 E) CONTOUR AT 1,0M INTERVALS AND APPROXIMATE
 F) POSITION OF PYLONS, SEWERAGE LINE AND SERVIDUTES TO BE CONFIRMED BY SURVEY

DEVELOPMENT PARAMETERS FOR PTN. A

PERMITTED USES: Business buildings, licensed hotels, flats and residential buildings
 COVERAGE: Max. 75%
 FLOOR FACTOR: Max. 2
 GLA: Max. 150%
 HEIGHT: Max. 2 Storeys plus basement parking
 PARKING: At least 1/25m² GLA for businesses
 BUILDING LINES: 4.5 m
 FENCING: Pillar and palisade fencing 1,8 m high
 LANDSCAPING: Beds of Agapanthus, interplanted with winter flowering cape bulbs and wild olive trees
 HARD SURFACES: Brick paving and/or cement cobble stones
 OTHER PARAMETERS AS PER ZONING SCHEME

ZONING AND EXTENT OF ERVEN		
PORTION	ZONING	SIZE
PTN. A	BUSINESS ZONE	12776m ²
STREET	PUBLIC STREET	682m ²
REM. 34	UNDETERMINED	

PraktiPlan
 TEL: 021 863 2396
 E-POS/MAIL: wjst@telkomsa.net
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ERVEN 34, WELLINGTON
DEVELOPMENT PLAN

Verw./Ref. AL1
 Datum/Date 7/7/2017
 Basis/Base Info
 Skaal/Scale 1 : 1350



ANNEXURE L



**Western Cape
Government**
Environmental Affairs and
Development Planning

Department of Environmental Affairs and Development Planning
Ms. Saa-rah Adams
Directorate: Development Management (Region 1)
Saa-rah.Adams@westerncape.gov.za | Tel: 021 483 0773

EIA REFERENCE: 16/3/3/1/B3/37/1080/19
NEAS REFERENCE: WCP/EIA/0000697/2019
DATE OF ISSUE: 11 JUNE 2020

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 PROPOSED BUSINESS DEVELOPMENT ON ERF NO. 34 AND SERVICES SERVITUDE OVER ERVEN 13772 AND 13184, WELLINGTON

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 Design Alternative D1 and Activity Alternative A2 described in the Basic Assessment Report ("BAR"), dated January 2020.

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

Diemersfontein Properties (Pty) Ltd
% Mr. D. Sonnenberg
P.O. Box 41
WELLINGTON
7654

Tel: 021 864 5050
E-mail: sonnenberg@diemersfontein.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

Listed activities	Activity/Project Description
<p>EIA Regulations Listing Notice 1 of 2014: Activity 19 of Listing Notice 1: <i>"The infilling or depositing of any material of more than 10 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 10 cubic metres from a watercourse;</i> <i>but excluding where such infilling, depositing, dredging, excavation, removal or moving—</i></p> <ul style="list-style-type: none"> <i>a) will occur behind a development setback;</i> <i>b) is for maintenance purposes undertaken in accordance with a maintenance management plan;</i> <i>c) falls within the ambit of activity 21 in this Notice, in which case that activity applies;</i> <i>d) occurs within existing ports or harbours that will not increase the development footprint of the port or harbour; or</i> <i>e) where such development is related to the development of a port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies."</i> 	<p>The development includes the removal of more than 10 cubic metres of material from a wetland for the installation of a sewer pipeline over Erf No. 13772.</p>
<p>EIA Regulations Listing Notice 1 of 2014: Activity 12 of Listing Notice 3: <i>"The clearance of an area of 300 square metres or more of indigenous vegetation except where such clearance of indigenous vegetation is required for maintenance purposes undertaken in accordance with a maintenance management plan.</i></p> <p>i. Western Cape</p> <ul style="list-style-type: none"> <i>i. Within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA or prior to the publication of such a list, within an area that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004;</i> <i>ii. Within critical biodiversity areas identified in bioregional plans;</i> <i>iii. Within the littoral active zone or 100 metres inland from high water mark of the sea or an estuarine functional zone, whichever distance is the greater, excluding where such removal will occur behind the development setback</i> 	<p>The development includes the removal of approximately 0.4ha of critically endangered indigenous vegetation.</p>

<p><i>line on erven in urban areas;</i></p> <p>iv. <i>On land, where, at the time of the coming into effect of this Notice or thereafter such land was zoned open space, conservation or had an equivalent zoning; or</i></p> <p>v. <i>On land designated for protection or conservation purposes in an Environmental Management Framework adopted in the prescribed manner, or a Spatial Development Framework adopted by the MEC or Minister."</i></p>	
--	--

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

The holder is herein authorised to undertake the following alternative:

The development proposal entails the rezoning of a portion of Erf No. 34, Wellington to a sub-divisional area and the subdivision of Erf No. 34, Wellington into a business erf, a public street and a remainder, as well as the creation of a services servitude over Erven 13772 and 13184 Wellington.

The proposed development is comprised of the following components:

- One general business erf of approximately 1,3 ha on Erf No. 34, Wellington;
- A 16m wide public street on Erf No. 34, Wellington; and
- A 3m wide services servitude over Erven 13772 and 13184, Wellington to allow for the internal gravitational sewer network to be linked to the existing municipal connection manhole on Diemersfontein Estate. This link will be a 160mm diameter sewer pipe running southwards from the southern corner of the development across Erven 13772 and 13184, Wellington; and
- A minor underground stormwater pipe that will collect stormwater via a system of catch pits, manholes and pipes. The system will be able to accommodate the runoff of a 1-in-5-year storm event. The stormwater pipe system will discharge into an open gravel channel at the southern corner of the development. This new channel will cross Erf No. 13184, Wellington to discharge at the existing culvert crossing of Main Road 201.

C. SITE DESCRIPTION AND LOCATION

The listed activities will take place on Erven 34, 13772 and 13184, Wellington.

The co-ordinates for the business development on Erf No. 34, Wellington are:

Latitude: 33° 39' 11.48" S

Longitude: 19° 0' 10.08" E

The co-ordinates for the servitude area over Erven 13772 and 13184 are:

	Latitude	Longitude
The starting point of the activity	33° 39' 10.01" S	19° 0' 11.50" E
The middle point of the activity	33° 39' 11.88" S	19° 0' 12.24" E
The middle point of the activity	33° 39' 14.65" S	19° 0' 9.72" E
The end point of the activity	33° 39' 37.43" S	19° 0' 8.12" E

The SG digit codes are: C0550010000003400000
C05500100001377200000
C05500100001318400000

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

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

D. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER

GroenbergEnviro (Pty) Ltd
% Ms. H. Botha
P. O. Box 1058
WELLINGTON
7654

Cell: 076 800 4959
E-mail: Helene@groenbegenviro.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, Alternative 2, as described in the BAR dated January 2020 at the site as described in Section C above.
2. The holder must commence with the listed activities on site within a period of **five (5) years** from the date of issue of this Environmental Authorisation.
3. The development must be concluded within **10 years** from the date of commencement of the first listed activity.
4. 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.
5. 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

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

Conditions: 7, 8, 10, 12 and 20

Notification and administration of appeal

7. The holder must in writing, within 14 (fourteen) calendar days of the date of this decision—
 - 7.1 notify all registered Interested and Affected Parties ("I&APs") of –
 - 7.1.1 the outcome of the application;
 - 7.1.2 the reasons for the decision as included in Annexure 3;
 - 7.1.3 the date of the decision; and
 - 7.1.4 the date when the decision was issued.
 - 7.2 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;
 - 7.3 draw the attention of all registered I&APs to the manner in which they may access the decision; and
 - 7.4 provide the registered I&APs with:
 - 7.4.1 the name of the holder (entity) of this Environmental Authorisation;
 - 7.4.2 name of the responsible person for this Environmental Authorisation;
 - 7.4.3 postal address of the holder;
 - 7.4.4 telephonic and fax details of the holder;
 - 7.4.5 e-mail address, if any, of the holder; and
 - 7.4.6 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).
8. The listed activities, including site preparation, must not commence within 20 (twenty) calendar days from the date the applicant notifies 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

9. The draft Environmental Management Programme ("EMPr") submitted as part of the application for Environmental Authorisation, excluding the MMP component thereof, is hereby approved and must be implemented.
10. The MMP component of the draft EMPr must be amended to provide the appropriate information relating to the future maintenance activities related to the service infrastructure to be constructed through the wetland on Erf No. 13722. The amended MMP must be submitted to this Department for adoption within 6 months from the date of this authorisation.
11. The EMPr must be included in all contract documentation for all phases of implementation.

Monitoring

12. The holder must appoint a suitably experienced environmental control officer ("ECO"), or site agent where appropriate, before commencement of any land clearing or construction

activities to ensure compliance with the provisions of the EMPr and the conditions contained herein. The ECO must conduct compliance monitoring as described in the EMPr (accepted as per Condition 9 of this EA) and compile the associated compliance monitoring reports, accordingly.

13. The ECO must conduct fortnightly compliance monitoring inspections during the construction phase. Monthly Environmental Compliance Reports must be compiled and quarterly Environmental Compliance Reports must be submitted to the Competent Authority for the duration of the construction phase. The final Environmental Compliance Report must be submitted to the Competent Authority within six months after construction has been complete.
14. A copy of the Environmental Authorisation, EMPr, MMP (once adopted), 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 on a publicly accessible website.
15. 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

16. 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 and must contain all the information required in Appendix 7 of the NEMA EIA Regulations, 2014 (as amended).

The holder must undertake an environmental audit at the completion of the construction phase of the development and submit the Environmental Audit Report to the Competent Authority within three months after operation commenced.

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

17. 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 paleontological remains (including fossil shells and trace fossils); coins; indigenous and/or colonial ceramics; any articles of value or antiquity; marine shell heaps; stone artefacts 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.

18. 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.
19. The recommendations made in the Traffic Impact Assessment dated February 2016 compiled by Sturgeon Consulting must be implemented.
20. A "search and rescue" operation must be undertaken by a suitably qualified ecologist/botanist, to translocate all species of conservation concern, such as bulbs and shrubs, to a suitable reception area at the nearby Diemersfontein Estate, before the commencement of construction activities.

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 that activity, 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 Jaap de Villiers (Tel: 021 483 3721)
Room 809
8th 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 Jaap.DeVilliers@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 Jaap.DeVilliers@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)

DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

DATE OF DECISION: 11/06/2020

Cc: (1) C. Winter (Drakenstein Municipality)
(2) H. Botha (Pieter Badenhorst Professional Services)
(3) W. Dreyer (Department of Water and Sanitation)
(4) P. Huntly (CapeNature)

E-mail: cindy.winter@drakanetein.gov.za

E-mail: Helene@groenbergenviro.co.za

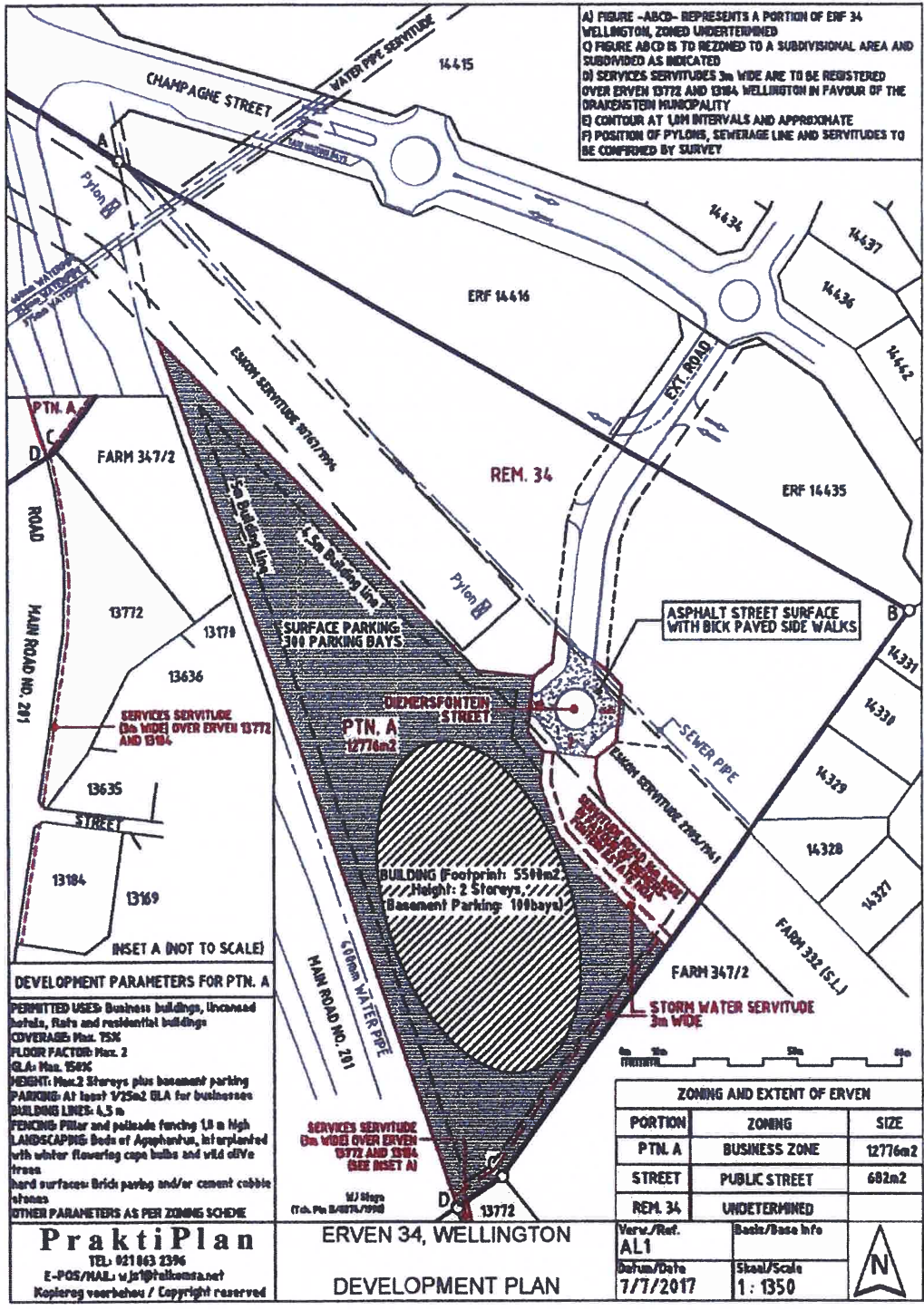
E-mail: dreyerw@dws.gov.za

E-mail: phuntly@capenature.co.za

ANNEXURE 1: LOCALITY MAP



ANNEXURE 2: SITE DEVELOPMENT PLAN



A) FIGURE -ABCD- REPRESENTS A PORTION OF ERF 34 WELLINGTON, ZONED UNDETERMINED
 C) FIGURE ABCD IS TO BE ZONED TO A SUBDIVISIONAL AREA AND SUBDIVIDED AS INDICATED
 D) SERVICES SERVITUDES 3m WIDE ARE TO BE REGISTERED OVER ERVEN 13772 AND 13184 WELLINGTON IN FAVOUR OF THE DRAKENSTEN MUNICIPALITY
 E) CONTOUR AT 1M INTERVALS AND APPROXIMATE POSITION OF PYLONS, SEWERAGE LINE AND SERVITUDES TO BE CONFIRMED BY SURVEY

Praktiplan
 TEL: 021 863 2396
 E-POS/MAIL: v.jr@praktiplan.net
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ERVEN 34, WELLINGTON
 DEVELOPMENT PLAN

ANNEXURE 3: REASONS FOR THE DECISION

In reaching its decision, the Competent Authority considered, amongst others, the following:

- a) The information contained in the Application Form and the draft BAR dated 4 November 2019, the final BAR dated January 2020 and the EMPr and MMP submitted together with the final BAR;
- 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 NEMA;
- d) The comments received from I&APs and responses to these, included in the BAR dated January 2020; and
- e) The balancing of negative and positive impacts and proposed mitigation measures.

No site visits were conducted. The Competent Authority had sufficient information before it to make an informed decision without conducting a site visit.

All information presented to the Competent Authority was taken into account during 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;
- fixing notice boards at strategic locations where the listed activities are to be undertaken on 7 November 2019;
- the placing of a newspaper advertisement in the 'Paarl Post' on 24 October 2019;
- 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 4, November 2019, 5 November 2019 and 7 November 2019.
- making the draft BAR available to I&APs for public review from 8 November 2019.

The concerns raised by I&APs were responded to and addressed during the public participation process. Specific management and mitigation measures have been considered in this Environmental Authorisation and in the EMPr, in order to address the concerns raised.

The Competent Authority notes the Environmental Assessment Practitioner's responses to the issues raised during the public participation process and has included appropriate conditions in this Environmental Authorisation and in the EMPr.

2. Alternatives

Two activity alternatives and two design alternatives were considered for the development on Portion A of Erf No. 34 and Erven 13772 and 13184, Wellington. It should be noted that the development on the proposed site will form part of a greater development, for which approval on Portions B, C and D of Erf 34 has already been granted. This fact influenced the alternatives available for the development of Portion A of Erf 34.

Activity Alternative A1

This alternative entails the proposed site to be developed for residential purposes. It is not preferred, since the site forms part of a larger business development that was previously approved in an EA with reference number: 16/3/3/1/B3/38/1032/17 issued on 14 March 2018. This alternative is further not preferred because a residential development will have a larger impact on the natural water resources found on site and on municipal services.

Activity Alternative A2 (herewith approved)

This alternative entails the rezoning of Portion A of Erf No. 34, Wellington to a Sub-Divisional Area and the subdivision of Erf No. 34, Wellington into a business erf, a public street and a remainder, including the development of a services servitude over Erven 13772 and 13184, Wellington.

The proposed development is comprised of the following components:

- One general business erf of approximately 1,3 ha on Erf No. 34, Wellington;
- A 16m wide public street on Erf No. 34, Wellington; and
- A 3m wide services servitude over Erven 13772 and 13184, Wellington to allow for the internal gravitational sewer network to be linked to the existing municipal connection manhole on Diemersfontein Estate. This link will be a 160mm diameter sewer pipe running southwards from the southern corner of the development across Erven 13772 and 13184, Wellington; and
- A minor underground stormwater pipe that will collect stormwater via a system of catch pits, manholes and pipes. The system will be able to accommodate the runoff of a 1-in-5-year storm event. The stormwater pipe system will discharge into an open gravel channel at the southern corner of the development. This new channel will cross Erf No. 13184, Wellington to discharge at the existing culvert crossing of Main Road 201.

This alternative is preferred as it considers the surrounding land uses and the development will link to existing municipal service infrastructure. The impact on the wetland will be minimal since the construction activities will be restricted to a 6m wide working buffer over Erven 13772 and 13184, Wellington as recommended by the freshwater specialist.

Design Alternative D1 (herewith approved)

This alternative entails the proposed construction of an access road that runs along the property boundaries of Erven 14416 and 14435, Wellington.

It is preferred since an access point through Erf No. 14416, Wellington to the adjacent site has already been approved as part of a previous EA, referenced 16/3/3/1/B3/38/1032/17 issued on 14 March 2018. This alternative provides an additional access road, which will aid in a lesser probability of traffic congestion resulting from the entire development, which also includes the components previously approved.

Design Alternative D2

This alternative entails the construction of an access road that traverses the centre of Erf No. 14416, Wellington to gain access to Erf No. 34, Wellington. It is not preferred as it would not align with the internal road infrastructure on the adjacent properties. The alternative further entails that only one access will be available to Portion A of Erf No. 34, Wellington which will result in a greater probability of traffic congestion. In addition, this alternative will traverse the ESKOM servitude area, which is not supported by ESKOM and will 'land-lock' Portion 2 of Farm No. 342, Wellington, which is not supported by the Western Cape Government: Department of Transport and Public Works.

"No-Go" Alternative

The "no-go" alternative was considered and is not preferred as it would not allow the applicant to utilise this portion of undeveloped land located within an urban area by developing it to its full potential.

3. Impact Assessment and Mitigation measures

3.1 Activity Need and Desirability

The proposed development will contribute towards the revitalisation and strengthening of urban economic opportunities, in an area that is close to residential neighbourhoods in Wellington. In addition, the development will facilitate urban infill, will utilize underutilised land and will link to existing services in the area. It should also be noted that the development will form part of a bigger business development where Portions B, C and D of Erf No. 34, Wellington has already been approved. The development will contribute to the creation of temporary and permanent employment opportunities, which positively affects the socio-economics of the Wellington area.

3.2 Biodiversity and Biophysical Impacts

The site falls within an area that historically comprised of Swartland Shale Renosterveld, an ecosystem classified as critically endangered in terms of Section 52 of the National Environmental Management Biodiversity Act, 2004 (Act No. 10 of 2004) ("NEMBA"). However, it is evident that most of the study area is highly transformed from its original state due to previous land use activities, as well as regular use as a thoroughfare. Based on the findings of the Botanical Impact Assessment dated September 2016 compiled by Gregory Nicholson of Bergwind Botanical Surveys and Tours, the area of botanical significance, present on the northern section of the proposed site, is very small in extent (less than half a hectare), and contains a number of indigenous bulbs and shrubs including species of conservation concern. Furthermore, it is surrounded by urban development (both developed and in the process of being developed) and transformed land. As a result, conservation of this small patch of vegetation will create a biodiversity island, which will have very little, if any, conservation value or long-term chance of survival in terms of sustainability. A "search and rescue" operation will be undertaken prior to the commencement of construction activities by a suitably qualified ecologist/botanist, to translocate all species of conservation concern, such as bulbs and shrubs, to a suitable reception area at the nearby Diemersfontein Estate. With the implementation of mitigation measures included in the draft EMPr (approved as per Section E: Condition 9), the impact significance of the proposed development on the indigenous vegetation on site will be reduced.

According to the freshwater opinion, dated 28 October 2019, compiled by Jeanne Snyman from everWater Freshwater Consulting Services, the seasonal wetland on site is highly modified due to the surrounding land use activities. It is also noted that the area has been actively cleared of all vegetation in the past few years. Therefore, the area offers limited ecological functionality from a freshwater perspective. With the implementation of the 6m wide construction corridor, which limits the construction activities associated with the servitude on Erf No. 13372, Wellington and the rest of the area regarded as a 'no-go' area, the impacts will be low (forms part of the EMPr approved as per Condition: 9).

Furthermore, a Water Use Licence Application ("WULA") in terms of the National Water Act, 1998 (Act 38 of 1998) has been submitted to the Department of Water and Sanitation, for the proposed development.

The development will result in both negative and positive impacts.

Negative Impacts:

- The development will result in impacts such as noise and dust during the construction phase and traffic during operational phase.
- The development will result in a low negative impact on indigenous vegetation on site. However, with the effective implementation of the recommended mitigation measures of the specialist, this impact can be reduced to low.

Positive impacts:

- Employment opportunities will be created during the construction and operation phases of the development.
- A 'search and rescue' operation will be undertaken by a suitably qualified ecologist/botanist to translocate all conservation-worthy species such as bulbs and shrubs to a suitable receptor area on the nearby Diemersfontein Estate.
- A 6m wide construction corridor will be implemented to limit the impact of construction activities on the hillslope seep wetland located on Erf 13772.

4. National Environmental Management Act Principles

The NEMA 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 NEMA and that any potentially detrimental environmental impacts resulting from the listed activities can be mitigated to acceptable levels.

-----END-----

DRAKENSTEIN MUNICIPALITY
Per email: Jaime.Meyer@drakenstein.gov.za

Date:
10 May 2018

Enquires:
Mr. Antonio Coerecuis
Tel: 021 980 3866
Fax: 021 980 3053
antonio.coerecuis@eskom.co.za

Attention: Jaime Meyer

Dear Sir/Madam

PLEASE NOTE: THIS IS NOT A WORKING PERMIT. OBTAIN WORKING PERMIT FROM CUSTOMER NETWORK CENTRE – MALMESBURY CNC

WAYLEAVE APPLICATION: APPLICATION FOR LAND DEVELOPMENT: ERVEN 34, 13772 AND 13184 WELLINGTON

YOUR REF:
OUR REF: 01361/18

I refer to your application dated 20 April 2018.

I hereby inform you that Eskom has no objection on the proposed development. This approval is valid for **12 months** only, after which reapplication must be made if the work has not been completed.

This application affects the following Eskom power lines and servitudes.

- KLOOF / WELLINGTON 1 66kV OVERHEAD POWERLINE
- WELLINGTON F1 11kV OVERHEAD POWERLINE

THIS IS NOT AN APPROVAL TO UNDERTAKE ANY WORK WITHIN ESKOM RIGHTS.

- a) The following Servitude widths / building and tree restriction on **either side of centre line** of overhead power line must be observed:

Voltage	Servitude / Building restriction either side of centre line
11kV	9.0 m
66kV	11.0 m
132kV	15.5 m

Western Region
Eskom Road, Brackenfell, 7561 P.O. Box 222, Brackenfell, 7560 SA
Tel 00 27 (0)86 003 7566 www.eskom.co.za

Eskom Holdings SOC Limited Reg No 2002/015527/30



- b) No construction work may be executed closer than 6 (SIX) metres from any Eskom structure or structure-supporting mechanism.
- c) No building may be erected within 3 (THREE) metres from any Eskom underground cable.
- d) No work or no machinery nearer than the following **distances from the conductors**:

Voltage	Not closer than:
11kV	3.0 m
66kV	3.2 m
132kV	3.8 m

- e) Natural ground level must be maintained within Eskom reserve areas and servitudes.
- f) That a **minimum ground clearance** of the overhead power line must be maintained to the following clearances:

Voltage	Safety clearance above road:
11kV	6.3 m
66kV	6.9 m
132kV	7.5 m

- g) That existing Eskom power lines and infrastructure are acknowledged as established infrastructure on the properties and **any rerouting or relocation would be for the cost of the applicant/developer.**
- h) That Eskom rights or servitudes, including agreements with any of the landowners, obtained for the operation and maintenance of these existing power lines and infrastructure be acknowledged and honoured throughout its lifecycle which include, but are not limited to:
 - i. Having 24 hour access to its infrastructure according to the rights mentioned in (a) above,
 - ii. To perform maintenance (structural as well as servitude – vegetation management) on its infrastructure according to its maintenance programmes and schedules,
 - iii. To upgrade or refurbish its existing power lines and infrastructure as determined by Eskom,
 - iv. To perform any other activity not listed above to ensure the safe operation and maintenance of the Eskom power lines or infrastructure.
- i) Eskom must have at least a 10m obstruction free zone around all pylons (not just a 10m radius from the centre).
- j) Eskom shall not be liable for the death or injury of any person, or for loss of or damage to any property, whether as a result of the encroachment or use of the area where Eskom has its services, by the applicant, his/her agent, contractors, employees, successors in title and assignee.
- k) The applicant indemnifies Eskom against loss, claims or damages, including claims pertaining to interference with Eskom services, apparatus or otherwise.
- l) Eskom shall at all times have unobstructed access to and egress from its services.
- m) **Any development which necessitates the relocation of Eskom's services will be to the account of the developer.**
- n) **PLEASE CONTACT AND MAKE APPOINTMENT: MALMESBURY CNC – SANDILE FALTEIN – 073 247 5270, BEFORE WORKING IN CLOSE PROXIMITY TO ANY ESKOM OVERHEAD POWER LINES!**



The above is a requirement under the **Occupational Health and Safety Act (Act No. 85 of 1993)** to ensure safety.

Should it be necessary to move any of the Eskom services a written request must be given to the local Eskom office. It must be noted that it will take 3 month or longer to move any power line and that the cost of moving a power line will be for the applicant's account.

Kindly contact **Antonio Coerecuis** at Tel: 021 980 3866, should you require any further information.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Antonio Coerecuis'.

Antonio Coerecuis
LAND DEVELOPMENT (BRACKENFELL)





LEGEND

- - - - - ESKOM HV 66kV OVERHEAD POWERLINE & SERVITUDE EXTENT
- SERVITUDE AREA
- — — — — ESKOM MV 11kV OVERHEAD POWERLINE
- - - - - ESKOM MV 11kV UNDERGROUND CABLE
- CADASTRAL BOUNDARY
- SERVITUDE AREA & LINE
- AREA OF INTEREST

ALL CABLE POSITIONS ARE APPROXIMATE AND SHOULD BE VERIFIED ON SITE
LAND DEVELOPMENT SECTION
 TEL: 201-849 3728 FAX: 011-001 3353



SCALE 1 : 3000

THIS DRAWING IS THE PROPERTY OF ESKOM

REV	REVISION DESCRIPTION	BY	CHKD	DATE
MALMESBURY CNC WELLINGTON, ERF 34, 13772 AND 13184 APPLICATION FOR REZONING AND SUBDIVISION DRAKENSTEIN MUNICIPALITY WAYLEAVE REQUEST 01361/18				
DATE:	DATE:	DATE:	DATE:	DATE:
BY:	BY:	BY:	BY:	BY:
DATE:	DATE:	DATE:	DATE:	DATE:
			SET	SHEET
				REVISION

GRAPH: S. ALBERTS
 DATE: 2018/05/02

01361/18

SET SHEET REVISION

SHEET A2L



Western Cape
Government

Transport and Public Works

ANNEXURE N

ROAD NETWORK MANAGEMENT

Email: Grace.Swanepoel@westerncape.gov.za

tel: +27 21 483 4669

Rm 335, 9 Dorp Street, Cape Town, 8001

P.O. Box 2603, Cape Town, 8000

REFERENCE: 16/9/6/1-10/144 (Job 24053)

ENQUIRIES: Ms G D Swanepoel

DATE: 8 September 2016

The Municipal Manager
Drakenstein Municipality
PO Box 1
Main Street
PAARL
7622

Attention: Mr J Meyer

Dear Sir

APPLICATION FOR SUBDIVISION, REZONING AND REGISTRATION OF SERVITUDES: ERVEN 34, 13772 & 13184, WELLINGTON

1. The following refer:
 - 1.1 Your letter 15/4/1 (34) W dated 9 June 2016 to the Winelands Regional Office and the attached application;
 - 1.2 Your letter 15/4/1 (34) W dated 9 June 2016 to the Winelands Regional Office including the application for subdivision, rezoning and registration of servitude: erven 34, 14416 and 14435 Wellington.
2. The application referred to in paragraph 1.1 proposes the following:

Rezoning of a portion of Erf 34 Wellington and Erf 14435 Wellington from Undetermined to Subdivisional Area for purposes of a commercial development, with a maximum floor area of $\pm 25552\text{m}^2$ and a maximum gross leasable area of $\pm 19164\text{m}^2$;

Subdivision of the above rezoned portion into three portions: Portions A zoned as Business Zone, an area zoned as Public Street and the Remainder of Erf 34 zoned as Undetermined;

Registration of a right-of-way servitude over Erven 13772 and 13184 Wellington in favour of Drakenstein Municipality.

3. Erf 34, Wellington is a triangular parcel of land located between erven 14416 and 14435 to the north-east and Main Road 201 (Piet Retief Street) to the west. In the present application, a development site/subdivisional area is being created from part of erf 34. The "middle" south-east to north-west strip of land in erf 34 is designated as an Eskom servitude, with a road, designated as Diemersfontein Street in this application, passing across the servitude. This road originates at Champagne Street, crosses erf 14435 to the east of erf 14416, then crosses the portion designated in this application as Remainder Erf 34 (with access at a proposed roundabout within the Eskom servitude), before continuing through Portion A southwards to give access to the undeveloped Farm 347/2.
4. The servitudes which form part of the present application consist of 3m wide strips of land along the western boundaries of Erven 13772 and 13184 Wellington which are services servitudes. A 3m wide storm water servitude connects with this servitude and follows the south-eastern boundary of Portion A and then the south-western boundary of Diemersfontein Street northwards from the boundary of Farm 347/2.
5. In both applications (paragraph 1.1 and paragraph 1.2 above), a Traffic Impact Assessment (TIA) report has been included which takes into account both applications and assesses the impacts on intersections along Champagne Street (ie. at Fifth Avenue/Diemersfontein Street, the access to Welgelee Mall and at Main Road 201 (Piet Retief Street)/Main Road 27 (Champagne Street west of Main Road 201).
6. Whilst the nature of future development on the subdivisional areas has yet to be determined, the TIA assumed that they would all (except for the Eskom servitude) be zoned for business and developed as shopping centres with maximum 75% coverage, two stories of shops and basement parking. The resultant leasable area is forecast to generate the following new vehicle trips in 2020, with full development of the subject sites and also allowing for a background growth rate of 2.5% and taking into account residential development (200 units) served by Diemersfontein Road:

am peak hour: 102 in, 55 out, 156 total
pm peak hour: 360 in, 360 out, 720 total
Saturday peak hour: 485 in, 485 out, 970 total
7. The TIA report indicates that the signalised intersection of Main Road 27/Main Road 201 (Piet Retief Street)/Champagnes Street operates at level of service (LOS) C in all peaks (am and pm commuter peaks and Saturday peak), with no approach worse than LOS D. The only movement to reach LOS E (still within capacity) is the right turn from Champagne Street (east arm) into Main Road 201 northbound (North arm), ie. no undesirable impact on Main Roads 27 or 201. It is also noted that the two developments analysed in the TIA plus the 200 units on Farm 347/2 are the only future developments which will take access from Main Road 201 via Champagne Street.
8. In terms of the Advertising on Roads and Ribbon Development Act (Act 21 of 1940), this Branch approves the rezoning, subdivision and registration of servitudes as detailed in 2 above, subject to the following:

- 8.1 The area of Erf 14435 Wellington and Erf 34 Wellington designated as Public Street in terms of the subdivision shall include the entire length of road shown in Drawing ref AL1 of the present application, ie. from Champagne Street to the boundary of Farm 347/2; alternatively 16m wide servitude rights of way shall be registered over Erf 14435 Wellington, Portion A and Remainder Erf 34 Wellington (including the Eskom Servitude) in favour of Farm 347/2 and over Erf 14435 Wellington, Rem. Erf 34 and the Eskom Servitude in favour of Portion A.
- 8.2 The gross leasable area provided shall not exceed the areas approved in terms of the application without the permission of this Branch;
- 8.3 In terms of the Roads Ordinance no 19 of 1976, no structure may be provided within the 5m building line along Main Road 201 without the permission of this Branch. This includes parking bays.
9. It was noted that in places, the present application refers to Erf 14419, where from the context it appears that Erf 14416 is intended. It has been assumed that this is an error and the correct Erf no is 14416.

Yours faithfully,



ML WATTERS
For CHIEF DIRECTOR: ROAD NETWORK MANAGEMENT



Western Cape
Government

Transport and Public Works

ROAD NETWORK MANAGEMENT

Email: Grace.Swanepoel@westerncape.gov.za

tel: +27 21 483 4669

Rm 335, 9 Dorp Street, Cape Town, 8001

P.O. Box 2603, Cape Town, 8000

REFERENCE: 16/9/6/1-10/144 (Job 24053)

ENQUIRIES: Ms G D Swanepoel

DATE: 14 July 2017

The Municipal Manager
Drakenstein Municipality
PO Box 1
Main Street
PAARL
7622

Attention: Mr J Meyer

Dear Sir

ERVEN 34, 13772 AND 13184, WELLINGTON: APPLICATION FOR SUBDIVISION, REZONING AND REGISTRATION OF SERVITUDES

1. The following refer:
 - 1.1 Your letter 15/4/1 (34) W dated 9 June 2016 to the Winelands Regional Office and the attached application;
 - 1.2 This Branch's letter 16/9/6/1-10/144 (Job 24053) to Drakenstein Municipality dated 8 September 2016;
 - 1.3 Letter from Mr W J Steyn of Praktiplan to the Chief Director: Road Network Management dated 19 June 2016.
2. This Branch's letter dated 8 September 2016, under the heading in bold type "Rezoning", incorrectly refers in Paragraph 2 to "a portion of Erf 34 and Erf 14435". This should refer only to "a portion of Erf 34". Please note this amendment to our letter.

Yours faithfully

ML WATTERS
For **CHIEF DIRECTOR: ROAD NETWORK MANAGEMENT**



Western Cape
Government

Transport and Public Works

ROAD NETWORK MANAGEMENT

Email: Lyle.Martin@westerncape.gov.za

tel: +27 21 483 2419

Rm 335, 9 Dorp Street, Cape Town, 8001

PO Box 2603, Cape Town, 8000

REFERENCE: TPW/CFS/RP/LUD/REZ/SUB-10/144(Job 24053)

ENQUIRIES: Mr L Martin

DATE: 04 September 2019

Willie Steyn Land Use Planner
1 Flambeau Street North
PAARL
7646

Attention: Mr W Steyn

Dear Sir

**APPLICATION FOR SUBDIVISION, REZONING AND REGISTRATION OF SERVITUDE:
ERVEN 34, 13772 & 13184, WELLINGTON**

1. The following refer:
 - 1.1 Letter from Drakenstein Municipality, ref. 15/4/1 (34) W dated 9 June 2016 and attached application;
 - 1.2 This Branch's letter ref. 16/9/6/1-10/144 (Job 240523) to Drakenstein Municipality dated 8 September 2016;
 - 1.3 Your letter ref. SD1 dated 2 August 2019;
 - 1.4 Your emails dated 20 and 28 August 2019.
2. This Branch was concerned that Farm 347/2 might be landlocked unless servitude access or a public street was available linking the property with Champagne Street. In order to address this concern, the Applicant has proposed to register a 16m servitude over Erf 13635 in favour of Erf 13772 and Farm 347/2, and a 16m servitude over Erf 13772 in favour of Farm 347/2.

3. Since access from Champagne Street will no longer be the only option for access to Farm 347/2, the conditions set in paragraph 8.1 of this Branch's letter of 8 September 2016 (ref. 1.2 above) can be replaced with less onerous conditions. It is noted that the original application proposed the creation of a roundabout intersection in the Eskom servitude at the end of the public street created by the subdivision process for Erf 14435 and the portion of Rem. Erf 34 to the north of the Eskom servitude. From that roundabout, a servitude road is proposed to the boundary of Farm 347/2. While the servitude should be registered, development of the portion of Erf 34 located between the northern boundary of the Eskom servitude and Farm 347/2 can only commence when a public street has been developed over Erf 14435 Wellington and the portion of Erf 34 Wellington located between Erf 14435 and the northern boundary of the Eskom servitude over Erf 34 Wellington.
4. Paragraph 8.1 of this Branch's letter dated 8 September 2016 (see 1.2 above) is rescinded, and replaced with the following:

"A 16m wide servitude road right of way shall be registered over the portion of Remainder Erf 34 between the southern side of the Eskom servitude and the northern boundary of Farm 347/2. The developer of the portion of Erf 34 south of the northern boundary of the Eskom servitude shall be responsible for the provision of a roundabout to provide access to that portion of Erf 34, Wellington.

Concurrently with the subdivision, rezoning and registration of a road servitude over Erf 34 as detailed above, the Applicant shall register a 16m servitude over Erf 13635 in favour of Erf 13772 and Farm 347/2, and a 16m servitude over Erf 13772 in favour of Farm 347/2, as shown on Inset A of the Plan of Subdivision and Servitudes for Erven 34, 13372, 13635 and 13184 Wellington, ref. SD1 by Praktiplan dated 28/8/2019 (copy attached)."

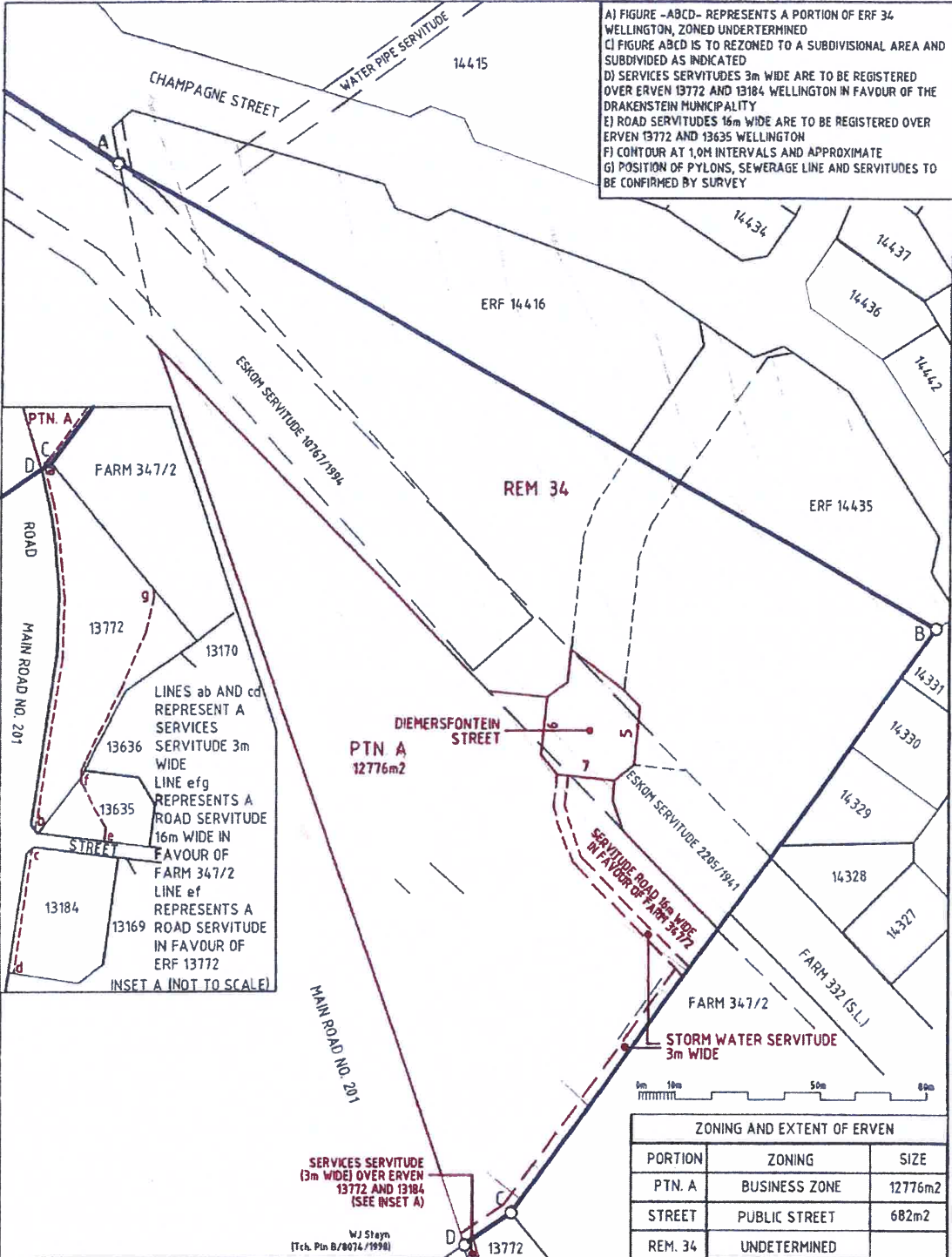
Yours faithfully



SW CARSTENS

For CHIEF DIRECTOR: ROAD NETWORK MANAGEMENT

A) FIGURE -ABCD- REPRESENTS A PORTION OF ERF 34 WELLINGTON, ZONED UNDERTERMINED
 C) FIGURE ABCD IS TO REZONED TO A SUBDIVISIONAL AREA AND SUBDIVIDED AS INDICATED
 D) SERVICES SERVITUDES 3m WIDE ARE TO BE REGISTERED OVER ERVEN 13772 AND 13184 WELLINGTON IN FAVOUR OF THE DRAKENSTEIN MUNICIPALITY
 E) ROAD SERVITUDES 16m WIDE ARE TO BE REGISTERED OVER ERVEN 13772 AND 13635 WELLINGTON
 F) CONTOUR AT 1,0M INTERVALS AND APPROXIMATE
 G) POSITION OF PYLONS, SEWERAGE LINE AND SERVITUDES TO BE CONFIRMED BY SURVEY



PTN. A
 D
 C
 FARM 347/2
 13772
 13170
 13636
 13635
 STREET
 13184
 13169
 LINES ab AND cd REPRESENT A SERVICES SERVITUDE 3m WIDE
 LINE efg REPRESENTS A ROAD SERVITUDE 16m WIDE IN FAVOUR OF FARM 347/2
 LINE ef REPRESENTS A ROAD SERVITUDE IN FAVOUR OF ERF 13772
 INSET A (NOT TO SCALE)

SERVICES SERVITUDE (3m WIDE) OVER ERVEN 13772 AND 13184 (SEE INSET A)

ZONING AND EXTENT OF ERVEN		
PORTION	ZONING	SIZE
PTN. A	BUSINESS ZONE	12776m ²
STREET	PUBLIC STREET	682m ²
REM. 34	UNDETERMINED	

WJ Steyn
 (Tch. Pin B/8074/1998)

PraktiPlan
 TEL: 021 863 2396
 E-POS/MAIL: wjs1@telkomsa.net
 Kopiereg voorbehou / Copyright reserved

ERVEN 34, 13372, 13635 and 13184
 WELLINGTON
 PLAN OF SUBDIVISION AND SERVITUDES

Verw./Ref. SD1	Basis/Base Info
Datum/Date 28/8/2019	
Skaal/Scale 1: 3500	





Western Cape
Government

Transport and Public Works

ROAD NETWORK MANAGEMENT

Email: Lyle.Martin@westerncape.gov.za

tel: +27 21 483 2419

Rm 335, 9 Dorp Street, Cape Town, 8001

PO Box 2603, Cape Town, 8000

REFERENCE: TPW/CFS/RP/LUD/REZ/SUB-10/145 (Job 24052)

ENQUIRIES: Mr L Martin

DATE: 04 September 2019

Willie Steyn Land Use Planner
1 Flambeau Street North
PAARL
7646

Attention: Mr W Steyn

Dear Sir

**APPLICATION FOR SUBDIVISION, REZONING AND REGISTRATION OF SERVITUDE:
ERVEN 34, 14416 & 14435, WELLINGTON**

1. The following refer:
 - 1.1 Letter from Drakenstein Municipality, ref. 15/4/1 (34) W dated 9 June 2016 and attached application;
 - 1.2 This Branch's letter ref. 16/9/6/1-10/145 (Job 24052) to Drakenstein Municipality dated 8 September 2016;
 - 1.3 Your letter ref. AL1 dated 2 August 2019;
 - 1.4 Your emails dated 20 and 28 August 2019.
2. This Branch was concerned that Farm 347/2 might be landlocked unless servitude access or a public street was available linking the property with Champagne Street. However, the subdivision which this Branch commented on in its 8 September 2016 letter (see 1.2 above) created a public street from Champagne Street to the northern boundary of the Eskom servitude, but left the zoning of the Eskom servitude and the part of Rem. Erf 34 to the south-west of it as undetermined. Access to Rem. Erf 34 is therefore guaranteed by the public street zone through Erf 14435 and the area between Portion B and Portion C, and servitude access across Rem. Erf 34 to Farm 347/2 can be addressed in the rezoning of that portion.

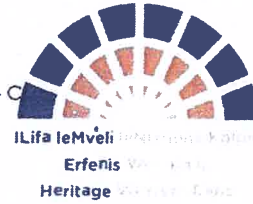
3. In light of the above, this Branch rescinds paragraph 9.2 of its letter ref. 16/9/6/1-10/145 (Job 24152) dated 8 September 2016.
4. In Paragraph 1.2 of this Branch's letter ref. 16/9/6/1-10/145 (Job 24052) dated 8 September 2016, reference to "Erven 13772 and 13184, Wellington" shall be replaced by "Erven 14435 and 14416, Wellington".

Yours faithfully



SW CARSTENS
For CHIEF DIRECTOR: ROAD NETWORK MANAGEMENT

ANNEXURE O



Our Ref: HM/ CAPE WINELANDS/ DRAKENSTEIN/ WELLINGTON/ PORTIONS A – C OF ERF 34; ERVEN 14416 AND 14335
Case No.: 15071416WD0916E
Enquiries: Waseefa Dhansay
E-mail: waseefa.dhansay@westerncape.gov.za
Tel: 021 483 9533
Date: 23 September 2016

Cindy Postlethwayt
7 Ritchie Avenue
Kenilworth
7708
csnaude@absamail.co.za

LETTER

In terms of Section 38(2) of the National Heritage Resources Act (Act 25 of 1999) and the Western Cape Provincial Gazette 6061, Notice 298 of 2003

LETTER: PROPOSED DEVELOPMENT ON PORTIONS A – C OF ERF 34; ERVEN 14416 AND 14335, WELLINGTON: SUBMITTED IN TERMS OF SECTION 38(1) OF THE NATIONAL HERITAGE RESOURCES ACT (ACT 25 OF 1999)

CASE NUMBER: 15071416WD0916E

The matter above has reference.

Heritage Western Cape issued a Record of Decision dated 21 September 2015 pertaining to the proposed development, on Portions A – C of Erf 34; Erven 11416 and 14335, Wellington tabled at the Heritage Officers meeting held on the 14 September 2015.

The Record of Decision dated 21 September states that "You are hereby notified that, since there is no reason to believe that proposed development, on Farm 34; Erven 11416 and 14335, Wellington, will impact on heritage resources, no further action under Section 38 of the National Heritage Resources Act (Act 25 of 1999) is required." However, Heritage Western Cape noted that the proposed development area was incorrect and the Record of Decision should state the following:

- You are hereby notified that, since there is no reason to believe that proposed development, on Portions A – C of Erf 34; Erven 11416 and 14335, Wellington, will impact on heritage resources, no further action under Section 38 of the National Heritage Resources Act (Act 25 of 1999) is required.

Should any heritage resources, including evidence of graves and human burials, archaeological material and paleontological material be discovered during the execution of the activities above, all works must be stopped immediately and Heritage Western Cape must be notified without delay.

This letter does not exonerate the applicant from obtaining any necessary approval from any other applicable statutory authority.

HWC reserves the right to request additional information as required.

Should you have any further queries, please contact the official above and quote the case number.

Yours faithfully


.....
Mr/Mxolisi Dlamuka
Chief Executive Officer, Heritage Western Cape

www.westerncape.gov.za/cas

Street Address: Unit 104 Assurance Building, Green Market Square, Cape Town, 8001 • Postal Address: Private Bag 91002, Cape Town, 8001
• Tel: +27 (0)21 483 5799 • E-mail: hwc@westerncape.gov.za

Straatadres: Unit 104 Assurance Gebou, Groenmarktplaas, Kaapstad, 8001 • Posadres: Privaatsak 91002, Kaapstad, 8001
• Tel: +27 (0)21 483 5799 • E-pos: hwc@westerncape.gov.za



DRAKENSTEIN
MUNISIPALITEIT • MUNICIPALITY • UMASIPALA
Paarl | Wellington | Gouda | Saron | Simondium

ANNEXURE P

+27 21 807 4500 +77 21 872 8054
www.drakenstein.gov.za
customer@drakenstein.gov.za
Civic Centre, Berg River Boulevard, Paarl 7646

Memo

To: EXECUTIVE DIRECTOR: PLANNING & ECONOMIC DEVELOPMENT
(ATTENTION: J MEYER)

From: MANAGER: INFRASTRUCTURE MANAGEMENT

Enquiries: L. PIENAAR

Collaborator number:

Reference number: 15/4/1 (34, 13772, 13184) W (0716)

Date: 03 May 2021

Subject: SUBDIVISION, REZONING AND REGISTRATION OF SERVITUDES: ERVEN 34, 13772 AND 13184 WELLINGTON

Time Limit on Conditions: These conditions will be limited to a period of 2 (two) years from the date as on the covering memo from this department. If after this period no construction has commenced (this excludes any preparatory work or site clearance) all the studies carried out for the proposed development need to be updated and revised accordingly, this shall include compliance with the latest legislation, amended legislation, latest or amended standards and revised master planning.

NOTE: This comment covers a number of disciplines and each section needs to be dealt with by a competent specialist in that field co-ordinated by the consultant managing the application. No correspondence will be entered into with individual consultants

INFORMATION REQUIRED/OUTSTANDING

Nil

THE FOLLOWING CONDITIONS WILL APPLY

1 STREETS

- 1.1 Any new roads/streets and accesses will be the responsibility of the developer, including all internal and bulk connectors;
- 1.2 *The applicant will arrange in conjunction with the Diemersfontein Estate HOA that the proposed servitude road is constructed to a standard that is acceptable to the municipality (approved by the CES department); and*
- 1.3 *The proposed new traffic circle must be equal in size to the one constructed along Champagne Street at the entrance to erf 14416W.*

2 TRAFFIC

- 2.1 Any alterations to the existing road network will be the responsibility of the developer which includes design, approval and construction of any additional traffic control and or traffic calming measures; and
- 2.2 *The developer will be responsible to submit an amended Traffic Impact Assessment (TIA) prior to the approval of any building or civil plans on portion A.*

3 STORMWATER

- 3.1 Any new stormwater networks will be the responsibility of the developer, including all internal and bulk connectors;
- 3.2 Pollution control measures to mitigate chemical and solid pollution must be provided at inlet and outlet structures as may be relevant;
- 3.3 Only pre-development run-off of a 1:2 year storm event will be accepted into the existing system. Provision must be made to accommodate the detention of run-off for a 1:50 year storm event; and
- 3.4 Provision must be made for an effective rainwater harvesting system to be planned and designed for all roof water. The volume of the storage facilities should be based on 0.02m³/m² roof area.

4 WATER

- 4.1 Any upgrading of the bulk water supply, including, but not limited to, reservoir and bulk supply pipe lines shall be in accordance with Drakenstein Municipality's Water Management Plan for the area;
- 4.2 Connections to the existing municipal water mains will be done by the municipality at the developers cost;
- 4.3 *Any development on portion A will be provided with a bulk metered connection 1m inside the erf boundary;*
- 4.4 *Each individual unit within portion A must be metered and managed by a HOA/body corporate;*
- 4.5 *Each individual unit within portion A must be provided with water saving devices in the toilets including but not limited to no flush urinals;*
- 4.6 All individual portions must be provided with a separate water connection with a maximum size of 15mm;
- 4.7 *The developer will be responsible to submit an amended GLS report prior to the approval of any building or civil plans on portion A;*
- 4.8 *No trees, shrubs or any construction will be allowed inside the servitude of erven 13772 and 13184 W; and*
- 4.9 Any existing system that remains must be upgraded to municipal standards.

5 WASTEWATER SERVICES

- 5.1 *The developer will be responsible to submit an amended GLS report prior to the approval of any building or civil plans on portion A;*
- 5.2 Each individual unit within portion A must be provided with a separate wastewater connection;
- 5.3 All the connections must be installed one meter inside the erf boundary of each portion;
- 5.4 A connection manhole must be constructed at each connection point to a maximum depth of 1m; and
- 5.5 Any existing system that is to remain shall be upgraded to minimum municipal standards.

6 SOLID WASTE

- 6.1 The Municipality undertakes, after the proclamation of the township/development on portion A, to remove household refuse in accordance with its by-laws and shall make its own arrangements with the occupants of erven/home owner's organisation/body corporate in the township/development, for the removal of such household refuse;
- 6.2 A waste recovery/recycling initiative has been implemented in Drakenstein and the development will have to be prepared to comply with any requirements as the project is rolled out.
- 6.3 Such collection shall be from individual erven/a single centralised waste collection site for the development;
- 6.4 Provision should be made for a waste disposal facility and entrance to the township, with lockable gate for wheelie bins (240l bins) and recyclable bags equal to the quantity of dwellings per development;
- 6.5 A key should be provided to Drakenstein Municipality to be able to unlock door/gate to garbage area on collection days, from the kerbside;
- 6.6 The garbage area should be enclosed with a 1.8m high fence and need to consist of the following;
- Tap with running water;
 - A gully which is connected to an approved sewer connection;
 - Concrete floor;
- 6.7 Municipal refuse trucks will not enter the township (complex) to collect wheelie bins on collection days; and
- 6.8 The developer shall submit an Integrated Solid Waste Management Plan for approval by the department before the completion of the civil works.

7 DEVELOPMENT CHARGES

- 7.1 Development Charges will be calculated on portion A when a more detailed SDP is submitted.

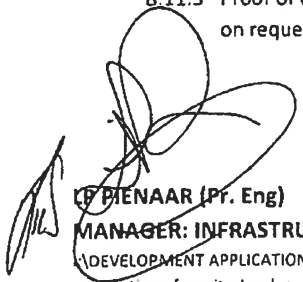
8 GENERAL

- 8.1** *Depending on the outcome of the amended studies, a services agreement shall be entered into, prior to the start of construction, where in shall be detailed the apportionment of funding of any new works common to the area, including but not limited to road network upgrading, sewerage treatment works upgrading, bulk water supply upgrading, sewage network upgrading;*
- 8.2** *When any service is to be taken over by Drakenstein Municipality, any damaged caused due to the construction of houses or any other construction activity shall be repaired by the Developer. Failure to do so will result in clearances and occupation certificates being withheld and remedial works shall be done by Drakenstein Municipality for the cost of the developer;*
- 8.3** The developer is responsible for the funding of all connections to the bulk services and all internal works;
- 8.4** *The findings of the amended bulk service capacity analysis carried out by councils consultant GLS Engineers, needs to be implemented simultaneously with the development of portion A;*
- 8.5** All of the works, including but not limited to; roads, stormwater, water, sewers, landscaping, irrigation, etc. shall be designed by a suitably registered (ECSA registration for the civil works and SACLAP registration for the landscaping) person and any such works shall be constructed under supervision of such registered person. All such design plans shall be submitted to the Civil Engineering Services Department of Drakenstein Municipality for approval prior to the commencement of construction;
- 8.6** The municipality shall be represented at all site meetings for the duration of the construction of the works and to this end timeous notification of such meetings shall be supplied to the Civil Engineering Services Department;
- 8.7** All works where applicable shall be constructed to at least the minimum standards as set out in, Engineering Services: Municipal Standards;
- 8.8** Where applicable all water network, sewer network, stormwater network and road network components (downstream of the valve immediately upstream of the bulk water meter, upstream of the connection to the existing system or intersection point with the existing road) shall be a private combined system and shall be indicated as such on all documents and plans;
- 8.9** All private combined systems (including but not limited to water, sewer, stormwater, roads, irrigation, etc.) shall be the joint and severalty responsibility (including but not limited to the administration of the joint account and operation and maintenance of the system) of the members of the homeowners association/body corporate and must be noted as such in any constitution of any such body and any such constitution must be submitted for approval by council. This constitution shall be notarially linked to each separate title deed;
- 8.10** A set of accurate as-built drawings as per Drakenstein Municipality: Civil Engineering Department's Standards must be submitted at the practical completion inspection; and
- 8.11** The above conditions are to be complied with in stages.

8.11.1 Requirements associated with the preparation of plans, drawings, permits, agreements and approvals, shall be complied with prior to construction;

8.11.2 Requirements associated with the completion of construction, development charges, as-built drawings, maintenance management plans, agreements, etc. These will be complied with prior to the transfer of any property or occupation of any property/building in the phase; and

8.11.3 Proof of compliance for the requirements associated with long term operations must be available on request.



P. PIENAAR (Pf. Eng)
MANAGER: INFRASTRUCTURE MANAGEMENT

\\DEVELOPMENT APPLICATIONS\15 town planning\15-4-1\2021\comments\Erf 34, 13772, 13184, Wellington_Subdivision, rezoning & registration of servitudes.docx



Memo

To: Manager: Land Use Planning & Survey
For attention: J Meyer

From: Manager: Planning and Customer Services

Enquiries: L Laing

Reference number: 34 (13772 & 1384)

Date: 21 September 2018

Subject: **APPLICATION FOR SUBDIVISION, REZONING AND REGISTRATION OF SERVITUDE OF LAND, ERF 34 (13772 & 13184), PAARL**

Time Limit on Conditions: These conditions will be limited to a period of one (2) years from the date as on the covering memo from this department. After this period a re-application has to be submitted for approval by this department.

1. INFORMATION REQUIRED/OUTSTANDING

1.1 An engineering report will be required for the medium and / or low tension reticulation of the proposed development.

2. THE FOLLOWING CONDITIONS WILL APPLY

- 2.1 Only one service cable connection per erf is allowed.
- 2.2 A service level agreement between the municipality and the owner of the subdivided erf have to be arrange at Electro-Technical department (Planning and Design division - Chief Engineering Technician).
- 2.3 No trees or any type of structures may be erected under or near any new or existing electrical infrastructure.
- 2.4 In the case where existing services crosses the adjacent proposed subdivided erf, it will have to be removed at the cost of the owner.
- 2.5 The developer will need to appoint a private consultant to design all internal electrical reticulation with respect to the development and be submitted for approval by the Electro Technical Services department (Planning and Design division).
- 2.6 All electrical equipment shall comply with Drakenstein Municipality standards and have twenty four hour access for maintenance purposes.

3. GENERAL

- 3.1 NRS069 Network recovery cost will only apply if the developer or owner require more than the existing ADMD and will be calculated according to the following as indicated in approved tariffs:
R 4 623.10 per KVA x KVA needed (V.A.T. included).
- 3.2 The cost as mentioned above is valid until 30 June 2019 and will escalate thereafter for each upcoming financial year which is between 1 July and 30 June.
- 3.3 The owner will be responsible to carry all cost of the electrical installation.
- 3.4 All upgrade and service costs must be paid at the finance section in cash before any service connection may be rendered.
- 3.5 Your attention is drawn to the following electricity by-law:
- 3.5.1.1 Unless authorised by the municipality, no person may sell or supply electricity supplied to his or her premises or generated by him or her under an agreement with the municipality, to any other person or persons for use on any other premises, or permit or allow such resale or supply to take place.
 - 3.5.1.2 A reseller must comply with the licensing and registration requirements set out in the ERA.
 - 3.5.1.3 If electricity is resold for use upon the same premises, the electricity resold must be measured by a sub meter of a type which has been approved by South African Bureau of Standards and supplied, installed and programmed in accordance with the standards of the municipality.
 - 3.5.1.4 The tariff at which and the conditions of sale under which electricity is thus resold, shall not be less favourable to the purchaser than those that would have been payable and applicable had the purchaser been supplied directly with electricity by the municipality.
 - 3.5.1.5 Every reseller must furnish the purchaser with monthly accounts that are at least as detailed as the relevant billing information details provided by the municipality to its electricity customers.
 - 3.5.1.6 The municipality may request audited reports from resellers to prove that the above resale conditions are met. The cost to obtain audited reports will be borne by the reseller.
- 3.6 Authorization to re-sell electricity can be obtained by council approval only.
- 3.7 Applications to be submitted in writing to the Senior Manager: Electro Technical Services indicating the following:
- 3.7.1 The application must also include a load profile to indicate the power usage per month with peak, standards, off peak loads, etc.



3.8 A private registered installation electrician shall be used to do all installations and alterations after the council meter or point of supply according to SANS 10142, Occupational Health and Safety Act (act 85 of 1993) and Drakenstein Municipal by-law legislation.

3.9 A certificate of compliance and occupational certificate has to be handed over to the Electro-Technical department (Service section) on the day the service is rendered or as the case may be.

The Manager: Planning and Customer Services with reference to the services and conditions has no objection to this application.

Yours faithfully



L. LAING

MANAGER: PLANNING AND CUSTOMER SERVICES
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