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Erf Zoning Schedule

Even	Zoning
1-30/4	Multi Unit Housing Zone
305-329	Transport Zone - Private Road
330	Transport Zone - Public Road
331-333	Mixed Use Zone - Private Open Space
335-337	Mixed Use Zone - Apartments
338	Mixed Use Zone - Place of Instruction
339	Mixed Use Zone - Fuel retail with consent
340	Mixed Use Zone - Big Box Retail
341	Mixed Use - Liquor Outlet
342-370	Mixed Use

APPROVED:
ARCHITECT:
CLIENT:



CLIENT NAME

RECURVEX (Pty) Ltd.

PROJECT

Sence de Lieu

ADDRESS

Ptn 3 of Farm 845, Paarl

SHEET NAME

SITE DEVELOPMENT PLAN

PROJECT NO
HS 100319

PROJECT DATE
Feb 2021

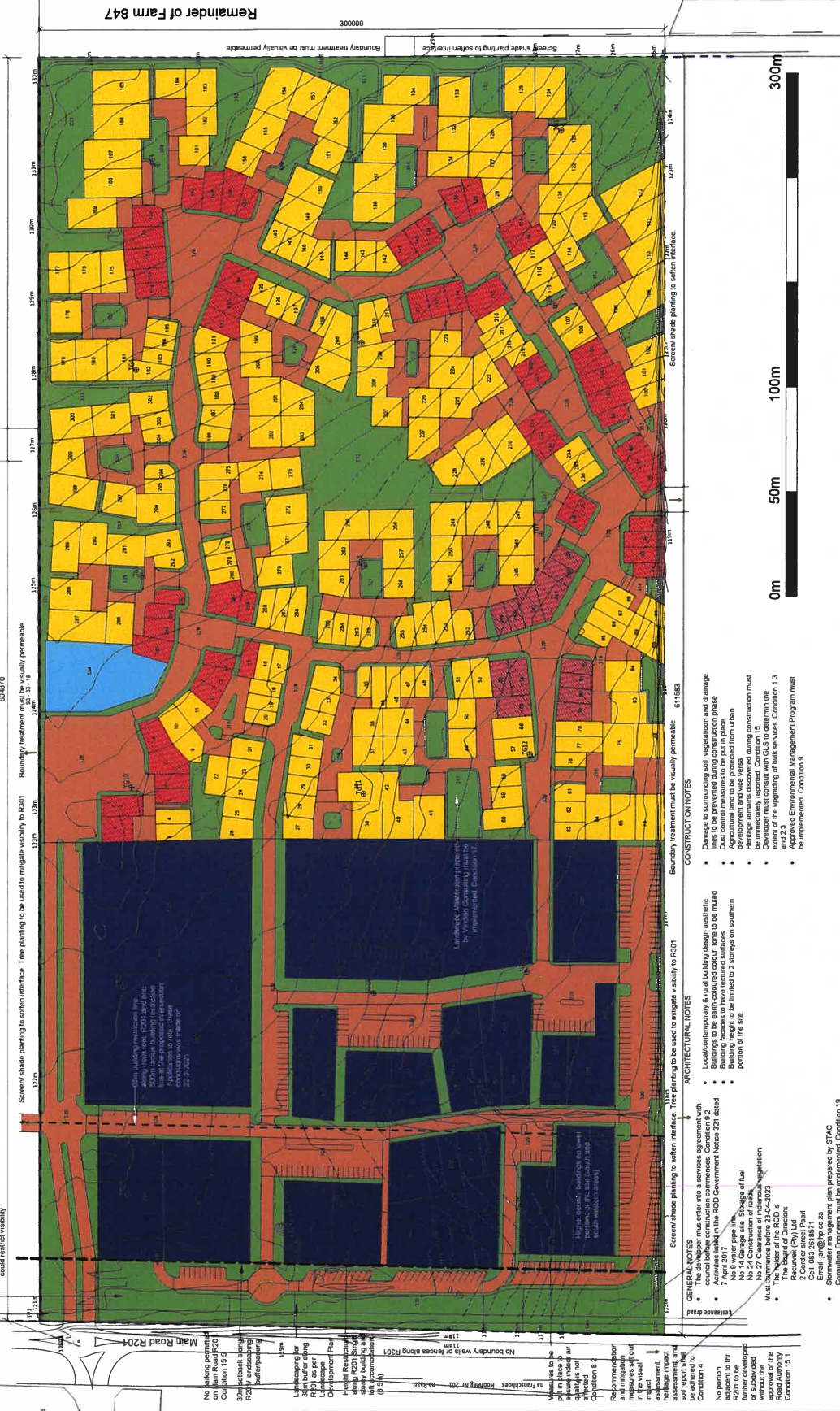
FILE
HS 100319

ISSUE DATE
19-03-2021

DRAWING NO
HS 100 318/01

FOR REUSE IN THE RELEVANT SCHEDULE ABOVE

Portion 9 of Farm 851



SCHEDULE

- Mixed-Use Zone
- Multi-Unit Housing Zone
- Transport Zone 1
- Private Open Space Zone
- Neighbourhood Business Zone
- Community Use Zone

CONSTRUCTION NOTES

- Damage to surrounding landscape, vegetation and drainage lines to be prevented during construction phase
- Dust control measures to be put in place
- Heritage remains to be protected from urban development and view walls
- Heritage remains discovered during construction must be reported to the relevant authorities
- Developer must consult with GLS to determine the extent of the upgrading of bulk services. Condition 1.3
- Approved Environmental Management Program must be implemented. Condition 9

ARCHITECTURAL NOTES

- Landscaping and street building design aesthetic to be earth-toned colour. To be muted
- Buildings to have treated surfaces
- Roofing to be muted to 2 storeys on southern portion of the site

GENERAL NOTES

- The developer must enter into a services agreement with the relevant utility companies. Condition 3.2
- 7 April 2017 - The RCD Government Notice 541 dated 7 April 2017
- No 4 of the RCD Government Notice 541 dated 7 April 2017
- No 24 of the RCD Government Notice 541 dated 7 April 2017
- No 27 of the RCD Government Notice 541 dated 7 April 2017
- The Number of the RCD is 100319
- The RCD is 100319
- 2 Corridor street Paarl
- Call: 082 3618571
- Stormwater management plan prepared by STAC
- Consulting Engineers must be implemented. Condition 19

SITE DEVELOPMENT PLAN

Scale 1: 1000 on A1



ANNEXURE C



+27 21 807 4500 +27 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: C VAN DER BANK)
From:	MANAGER: INFRASTRUCTURE MANAGEMENT
Enquiries:	L. PIENAAR
Collaborator number:	1735744 & 1203307
Reference number:	15/4/1 (F845/3) P (1403)
Date:	05 August 2021
Subject:	APPLICATION FOR REZONING AND SUBDIVISION FOR PORTION 3 OF FARM HARTEBEEKRAAL NO. 845, PAARL DIVISION

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 several engineering 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

THE FOLLOWING CONDITIONS WILL APPLY

1 STREETS & TRAFFIC

- 1.1 Any new roads/streets and accesses will be the responsibility of the developer, including all internal and bulk connectors;
- 1.2 ***All conditions as set out by the Provincial Roads Engineer in their letters with reference 16/9/6/1-10/68 (Job 22785) dated 25 July 2018 and 19 April 2021 are applicable; and***
- 1.3 ***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 as detailed in the Traffic Impact Assessment (TIA) by iCE Group (Pty) Ltd dated 20 July 2018.***

2 STORMWATER

- 2.1 ***A detailed Stormwater Management Plan (SWMP) has to be submitted to this department before the approval of any civil or building plans;***
- 2.2 No development is allowed within the 1:50 year flood line and any construction within the 1:100 year flood line must be 1m above the 1:100 year flood line;
- 2.3 Any new stormwater networks will be the responsibility of the developer, including all internal and bulk connectors;
- 2.4 Pollution control measures to mitigate chemical and solid pollution must be provided at inlet and outlet structures as may be relevant;
- 2.5 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
- 2.6 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.

3 WATER

- 3.1 ***All required upgrades as per the bulk services capacity analysis by GLS Engineers dated 8 March 2019 are to be implemented simultaneously with the development;***
- 3.2 The development will be provided with a bulk metered connection at actual cost;
- 3.3 All individual portions must be provided with a separate water connection and a separate water meter to municipal specifications;
- 3.4 All the metered connections must be installed one meter inside the erf boundary of each portion;
- 3.5 Water saving devices shall be installed in toilets, bathrooms and basins;
- 3.6 A water demand management plan must be submitted to the Civil Engineering Department and must include and indicate the measures to be put in place to conserve and manage water; and
- 3.7 Any existing system that is to remain shall be upgraded to minimum municipal standards.

4 WASTEWATER SERVICES

- 4.1 ***All required upgrades as per the bulk services capacity analysis by GLS Engineers dated 8 March 2019 are to be implemented simultaneously with the development;***
- 4.2 All individual portions must be provided with a separate wastewater connection;

- 4.3 All the connections must be installed one meter inside the erf boundary of each portion;
- 4.4 A connection manhole must be constructed at each connection point to a maximum depth of 1m; and
- 4.5 Any existing system that is to remain shall be upgraded to minimum municipal standards.

5 SOLID WASTE

- 5.1 The Municipality undertakes to remove household refuse in accordance with its by-laws and shall make its own arrangements with the body corporate for the removal of such household refuse;
- 5.2 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;
- 5.3 Such collection shall be from a single centralised waste collection site for the development;
- 5.4 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 number of dwellings per development;
- 5.5 A key should be provided to Drakenstein Municipality to be able to unlock door/gate to garbage area on collection days, from the kerbside;
- 5.6 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;
- 5.7 Municipal refuse trucks will not enter the township (complex) to collect wheelie bins on collection days; and
- 5.8 The developer shall submit an Integrated Solid Waste Management Plan for approval by the department before the completion of the civil works.

6 DEVELOPMENT CHARGES

- 6.1 Based on the information provided in the application, Development Charges are payable by the developer. Development Charges will be calculated when a more detailed SDP is submitted; and
- 6.2 ***The developer is required to contribute an additional 10% of the Development Contribution towards the upgrading of R301.***

7 GENERAL

- 7.1 ***A services agreement shall be entered into, prior to the start of construction, wherein 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;***

- 7.2 ***When any service is to be taken over by Drakenstein Municipality, any damage 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;***
- 7.3 The developer is responsible for the payment of a Developers Charge (water, sewer, stormwater, solid waste and roads) which can be discounted against the bulk service cost needed for the development;
- 7.4 The developer is responsible for the funding of all connections to the bulk services and all internal works;
- 7.5 The findings of the bulk service capacity analysis carried out by councils consultant GLS Engineers, needs to be implemented simultaneously with the development;
- 7.6 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 the 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;
- 7.7 The whole of the works shall fall under the control of a single project manager;
- 7.8 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;
- 7.9 All works where applicable shall be constructed to at least the minimum standards as set out in, Engineering Services: Municipal Standards;
- 7.10 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;
- 7.11 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;
- 7.12 A comprehensive operational infrastructure management plan shall be drawn up and submitted for approval by the Civil Services Department;
- 7.13 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
- 7.14 The above conditions are to be complied with in stages.

- 7.14.1 Requirements associated with the preparation of plans, drawings, permits, agreements and approvals, shall be complied with prior to construction;
- 7.14.2 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
- 7.14.3 Proof of compliance for the requirements associated with long term operations must be available on request.



LP PIENAAR (Pr. Eng)

MANAGER: INFRASTRUCTURE MANAGEMENT

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LP/rv

Memo

To: Senior Manager: Spatial Planning & Development
For attention: W Hendricks/H Strijdom/C van der Bank

From: Manager: Planning and Customer Services

Enquiries: L Laing

Reference number: 845_3

Date: 8 July 2021

Subject: **APPLICATION FOR REZONING AND SUBDIVISION, ERF 845/3, 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. None.

2. THE FOLLOWING CONDITIONS WILL APPLY

- 2.1. Only one service cable connection per erf is allowed.
- 2.2. No trees or any type of structures may be erected under or near any new or existing electrical infrastructure.
- 2.3. All electrical equipment shall comply with Drakenstein Municipality standards and have twenty four hour access for maintenance purposes.
- 2.4. Existing and or new electrical services must be allocated in a registered services servitude or as the case may be.
- 2.5. All municipal services on the proposed precinct will have to be removed at the cost of the developer and transport to the municipal stores or location as determine by the Senior Project Implementation Agent.
- 2.6. In the case where existing services crosses the adjacent erf, it will have to be removed or relocate at the cost of the owner.
- 2.7. The developer is required to include measures to improve energy efficiency for this development to reduce consumption of electricity.

- 2.8. Applications for the installation of any photo voltaic (PV) systems must be submitted to the Electro-Technical Services Department (Energy and Efficiency Section).
- 2.9. A service level agreement between the municipality and the owner or developer of the development have to be arrange at Electro-Technical department (Planning and Design division - Chief Engineering Technician).

3. GENERAL

- 3.1. NRS069 Network recovery cost will apply for this development and will be calculated according to the following as indicated in approved tariffs: **R 4 294.00 per KVA (V.A.T. included)**. The cost as mentioned above is valid until 30 June 2022 and will escalate thereafter for each upcoming financial year which is between 1 July and 30 June.
- 3.2. The developer will be responsible to carry all cost of the electrical installation.
- 3.3. It must be noted that reference must be made to the previous electricity capacity availability letter, dated 9 November 2017, reference Cor340_2017 with regards to the provision of land for the construction of a new 132/66/11KV substation and comments to the provision of electricity for the development. The previous mentioned also refer to the availability of capacity which is subject to available developers contribution cost and external loans for the installation of infrastructure to provide the development(s) of power.
- 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. 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..2. A reseller must comply with the licensing and registration requirements set out in the ERA.
 - 3.5..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..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..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..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:

- 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 electrical consultant as well as an installation electrician shall be used to do all designs, installations and alterations according to SANS 10142, Occupational Health and Safety Act (Act 85 of 1993) and Drakenstein Municipal by-laws prior to the development.

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 but cannot support the approval as proposed due to insufficient availability of power.

Yours faithfully


L. LAING

MANAGER: PLANNING AND CUSTOMER SERVICES

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Enquiries: L. Laing
Contact number: 021 807 4660/4684
Reference: 8/2/5
Date: 09 November 2017

Attention: Louis le Grange

Dear Sir

**CONFIRMATION OF ELECTRICAL CAPACITY FOR THE PROPOSED DEVELOPMENT:
SENCE DE LIEU, WILMMELSHOFF ROAD, ERF 845/3, PAARL:**

Your request dated 17 October 2017 refers.

The proposed development's capacity requirement as stipulated by you is 3.07MVA.

Drakenstein Municipality confirm that there is not sufficient power available for 3.07MVA.

Network upgrades to the existing electrical bulk infrastructure needs to be done in order to provide the new load requirement of 3.07MVA for this development. The network has reached its full capacity and a new proposed 132/66/11KV substation will have to be constructed in order to accommodate future development in the area. Drakenstein Municipality thus request the developer of Sence De Lieu or developers in the direct vicinity to provide accommodation for a new proposed 132/66/11KV substation (150mx150m). Service servitudes will also have to be included in the layout of the development plans, which can only be indicated after a suitable position for the new proposed 132/66/11KV substation has been determined. The best suitable proposed position for the 132/66/11KV substation is at Fraaigelegen Development or near its location.

The developer will be responsible to pay NRS069 network recovery cost charges for this development at R 5 592.30 per KVA (V.A.T. included). The cost per KVA as mentioned is valid until 30 June 2018 and will escalate thereafter for each upcoming financial year which is between 1 July and 30 June. The developer will be responsible to carry all cost of the electrical installation for the proposed development. All upgrade and service costs must be paid at the finance section in cash before any service connection may be rendered. NRS069 network recovery cost shall can be offset against bulk infrastructure installed on behalf of Drakenstein Municipality by the developer or as the case may be.

Please note that there are existing services on erf 845/3 with available capacity that can be utilized for the proposed development should the rightful owner/developer of the property choose to use the existing capacity of 100KVA for this development. As the case may be, the existing 11KV medium voltage overhead line situated more or less in the middle of erf 845/3, as



indicated on attached plan, can be used to supply the development of temporary power only up and till 100KVA provided that the approval of such temporary supply be consulted with and approved by the Manager: Planning, Design and Construction. Also note that the available capacity of 100KVA can only be supplied ones the new owner/developer of the property has transferred the accounts to his name. In future, ones the owner/developer installed his/her electrical reticulation in such manner that the temporary supply is no more needed he/she shall be responsible to bear all costs to demolish all existing infrastructure belonging to Drakenstein Municipality not forming part of the development.

A consultant will have to make contact with the Electro-Technical Services (Manager: Planning, Design and Construction Section) regarding the electrical reticulation as well as the 132/66/11KV substation and the position thereof.

Should the development proceed provided that all relevant approvals has been given, a formal quotation for NRS069 network recovery cost with conditions on application shall be provided to the developer.

The developer is required to include measures to improve energy efficiency for this development to reduce consumption of electricity.

Yours faithfully


L LAING

Acting MANAGER: PLANNING, DESIGN AND CONSTRUCTION

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LL

PAARL

A1



- Existing poles
- Existing trf./mini-sub
- Existing LV feeder cables (400 V)
- - - Existing MV feeder cables (11 500 V)





REFERENCE: 16/9/6/1-10/68 (Job 22785)

ENQUIRIES: Ms G Swanepoel

DATE: 19 April 2021

The Municipal Manager

Drakenstein Municipality

PO Box 1

PAARL

7622

Attention: Ms Cornelia van der Bank

Dear Madam

**PORTION OF PORTION 3 OF FARM HARTEBEESTEKRAAL 845, PAARL (SENSE DE LIEU): MAIN ROAD 201:
RELAXATION OF BUILDING RESTRICTION LINE**

1. The following refer:
 - 1.1 This Branch's letter 16/9/6/1-10/68 (Job 22785) dated 25 July 2018;
 - 1.2 E-mail from Mr Jan Hanekom to Mr Schalk Carstens of this Branch dated 22 February 2021.
2. In his e-mail (ref. 1.2 above), Mr Hanekom applied for the relaxation of the condition included in paragraph 17 of our letter dated 25 July 2018, regarding the requirement of a 95m building restriction line along Main Road 201 (the R301 Wemmershoek Road) and a 500m radius building restriction line at the proposed access intersection.
3. This Branch offers no objection to the relaxation of the 95m building line along Main Road 201 and the 500m building restriction line at the access intersection, subject to the retention of all the conditions contained in paragraph 15 of our 25 July 2018 letter (ref. 1.1 above).
4. It is noted that the widening of the road reserve as defined in terms of paragraph 15.1 of our letter dated 25 July 2018 shall be established in consultation with this Branch's Chief Directorate: Design (Ms MK Hofmeyr, e-mail: Melanie.Hofmeyr@westerncape.gov.za).
5. It is further noted that Drakenstein Municipality's Engineering Department should be consulted regarding any potential additional land requirements for trunk services along Main Road 201.

6. At the time of writing of our 25 July 2018 letter, it was proposed that the development and the Boschenmeer access opposite would be served by a 2-lane roundabout. It has since been determined that signalised intersections will be required along the route, as roundabouts would not provide sufficient capacity in the long term. While a stop-controlled access to Farm 845/3 may be sufficient initially, it is anticipated that the signalization of the intersection will be required in time. The planning and design of the access intersection should be discussed with this Branch's Chief Directorate: Design.

Yours Sincerely



SW CARSTENS

For DEPUTY DIRECTOR-GENERAL: ROADS



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

PO Box 2603, Cape Town, 8000

REFERENCE: 16/9/6/1-10/68 (Job 22785)

ENQUIRIES: Ms G D Swanepoel

DATE: 25 July 2018

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

Attention: Ms C van der Bank

Dear Madam

PORTION OF PORTION 3 OF FARM HARTEBEESTEKRAAL 845 PAARL DIVISION: MAIN ROAD 201: APPLICATION FOR REZONING AND SUBDIVISION

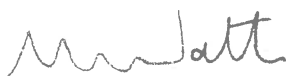
1. The following refer:
 - 1.1 Your letter ref. 15/4/1 (F845/3) P dated 9 November 2017;
 - 1.2 Revised Site Development Plan (SDP), Drawing No. HS 100 318/08 by Jan Hanekom Partnership dated March 2018;
 - 1.3 Revised Traffic Impact Assessment (TIA) report by ICE Group (Pty) Ltd dated 20 July 2018.
2. This application is for:
 - 2.1 Rezoning of a portion of Portion 3 of Farm Hartebeestekraal 845 Paarl, from Agricultural Zone I to Subdivisional Area to establish a residential and business development, as shown on Drawing No. HS 100 318 – 08 dated 20 July 2018 by Jan Hanekom Partnership, comprising the following:
 - 2.1.1 Residential Zone I: 301 single residential dwelling houses;
 - 2.1.2 Residential Zone IV: high density residential: 90 units;
 - 2.1.3 Business Zone I: 6 000m² GLA retail floorspace;
 - 2.1.4 Business Zone V: one erf for service station purposes;

- 2.1.5 Other: Institutional Zones for places of instruction and of worship; open space (public and private); and transport zone for public and private streets and
- 2.2 Subdivision area is for a total of ±18ha.
3. The subject property is located on the east side of the R301 Wemmershoek Road (Main Road 201) opposite the Boschenmeer Golf Estate.
4. A single access onto Main Road 201 directly opposite the main access to Boschenmeer Golf Estate is proposed to serve as the sole access from the subject property onto the public road network. This is proposed to have two lanes in each direction, with the intersection being a roundabout with a two lane circulatory. The first access point from this road will be via a roundabout located ±100m from Main Road 201.
5. The access on Main Road 201 is located ±520m south of the T-intersection with Divisional Road 1110 (Drakenstein Road, which links with Lustigan Road). While a Class 2 road in a suburban environment would require a spacing between full signalized intersections or roundabouts of 800m, the position of the existing access to Boschenmeer directly opposite cannot be changed, which makes it reasonable to permit the access to the subject property to be located directly opposite.
6. A Traffic Impact Assessment (TIA) report was prepared in support of the land use application. Following discussions between Harry Thompson of this Branch and Piet van Blek of iCE Engineers, the applicant's Traffic Engineer, the TIA was revised using traffic forecasts from the TIA for Erf 26158 Paarl (Bretagna Estate), which included traffic generated by the full development of Erf 26158, Val de Vie, De Hoop and Fraaigelegen.
7. Traffic analyses were carried out for the intersections of Main Road 201 with the access to the development, and with Lustigan Road (Divisional Road 1110), assuming a dual carriageway road with roundabouts at the two intersections, each with two-lane circulatories. The results were as follows:
- 7.1 For the Lustigan Road intersection, with background growth and full development of the subject property and taking into account other planned developments as indicated in paragraph 6 above, level of service (LOS) B or better is forecast for all movements and LOS A overall in the 2022 morning peak. The LOS in the evening peak was C overall, D on Main Road 201 southbound and E on Lustigan Road. The southbound movement is at capacity in the pm peak.
- 7.2 For the Sence de Lieu site access, in the 2022 morning (am) peak with all development traffic included, LOS C and above is expected on the side streets with LOS A on the southbound approach on Main Road 201 and E on the northbound approach; intersection LOS is C.
- 7.3 In the evening (pm) peak at the site access, LOS C or better is expected for all movements except the westbound approach, ie. from Sence de Lieu, where the right lane has LOS E and the overall approach D.

8. While the analyses of the forecast flows indicate Main Road 201 being at capacity when Sence de Lieu, Fraaigelegen, Bretagna Estate, De Hoop and Val de Vie are fully developed, in reality it will be many years before this point is reached. Over the past 15 years, the average annual growth rate along the Main Road 201 corridor south of the N1 has been 4%. If this trend continues, capacity will only be reached in about 25 to 30 years' time. Even with a 6% growth rate, capacity will only be reached in about 20 years' time. It is therefore reasonable to consider the development of the subject property to be acceptable from a road capacity perspective.
9. The land use application implies that the present application is for Phase 1 of development on Portion 3 of Farm 845 and indicates that for later phases a second access point is planned opposite Gate 3 of Boschenmeer Golf Estate. This letter deals only with the proposed Phase 1 and the absence of any further comment on this should not be taken to indicate that this Branch tacitly approves such further development in principle.
10. It would nevertheless be desirable to plan for other parallel lower order roads to connect communities, give access to local schools, shops and businesses via routes other than Main Road 201 and thus relieve the pressure on Main Road 201 that will inevitably occur in the long term. The applicant has made provision for potential access to adjacent lands at two points each on the north and south sides of the site.
11. Provision should be made as proposed in the revised TIA for public transport pull-offs on Main Road 201 downstream of the site access roundabout, in each direction and space should also be made available for minibus taxi pick-up and drop-off in the commercial area of the site.
12. The TIA proposes a roundabout at the main access, with two circulatory lanes and an inscribed circle diameter of $\pm 50\text{m}$. Until the design of the upgrading of Main Road 201 has progressed to an appropriate stage, sufficient land should be retained for a larger roundabout suitable for accommodating SU + T trucks, or for a possible left slip lane in the southbound direction into the subject property to avoid blocking through traffic movements. The $\pm 50\text{m}$ inscribed circle diameter proposed in the TIA may or may not be adequate and cannot be accepted without testing the proposed layout using turning vehicle templates or software.
13. Pedestrian and cyclist facilities and provision for public transport should receive careful attention in the planning and design of the development and interconnection between these facilities within the development and on Main Road 201 should be co-ordinated between the Developer and the Road Authority.
14. An agreement has been signed between Drakenstein Municipality and the Western Cape Department of Transport and Public Works for the future upgrading of Main Road 201 to meet the requirements for additional capacity resulting from traffic generated by the subject property and other planned developments along Main Road 201 south of the N1. The timing of upgrades has not yet been determined.

15. In light of this agreement, this Branch offers no objection to the proposed rezoning and subdivision of a portion of Portion 3 of Farm 845 in order to establish a residential and business development subject to the following:
- 15.1 Any land required for widening of the road reserve within the subject property shall be provided by the applicant at no cost to the Road Authority. No portion of the subject property adjacent to Main Road 201 shall be developed or subdivided further without the approval of the Road Authority, to ensure that land required for road widening purposes is secured;
- 15.2 The 5m building line on Divisional Road 1095 in terms of Roads Ordinance 19 of 1976 is to be maintained; this applies also to at grade surfaced parking bays and relates to land outside the required road reserve as per 15.1 above;
- 15.3 The required shoulder sight distance at and approaching the intersection giving access to the site shall be maintained by not permitting any planting which could when fully grown restrict visibility;
- 15.4 The Applicant shall submit a programme indicating the anticipated timelines of development through the construction phase so that the Department of Transport and Public Works can co-ordinate this with its programme of upgrades to Main Road 201. In particular, safe provision for turn movements from Main Road 201 into and out of the property will be required quite early in the implementation programme, so the Applicant shall ensure that regular liaison is maintained between his Traffic Engineer and the Design Directorate (Ms MKHofmeyr 021 483 3999) of this Branch;
- 15.5 Sufficient on-site parking shall be provided in accordance with Drakenstein Municipality's required parking standards: no parking will be permitted on Main Road 201 and
- 15.6 Deliveries and refuse collection shall take place within the site and will not be permitted directly from Main Road 201.
16. In terms of the Advertising on Roads and Ribbon Development Act 21 of 1940 this Branch approves the subdivision of a portion of Portion 3 of Farm 845.
17. In terms of Act 21 of 1940 a 95m building restriction line along Main Road 201 and a 500m radius building restriction line at the proposed access intersection apply. Application would need to be made to relax these.

Yours faithfully



ML WATTERS
For CHIEF DIRECTOR: ROAD NETWORK MANAGEMENT



Our Ref: HM/CAPE WINELANDS/DRAKENSTEIN/PAARL/PTN 3 FARM 845
Case No.: 14101401JW1017M
Enquiries: Jonathan. Windvogel
E-mail: jonathan.windvogel@westerncape.gov.za
Tel: 021 483 9736
Date: 20 July 2016

Cindy Postlethwyat
7 Ritchie Avenue
KENILWORTH
7708
csnaude@absamail.co.za

INTERIM COMMENT

In terms of Section 38(8) of the National Heritage Resources Act (Act 25 of 1999) and the Western Cape Provincial Gazette 6061, Notice 298 of 2003

HERITAGE IMPACT ASSESSMENT: PORTION OF PORTION 3 FARM 845, PAARL, SENSE DE LIEU, SUBMITTED IN TERMS OF SECTION 38(8) OF THE NATIONAL HERITAGE RESOURCES ACT (ACT 25 OF 1999)

CASE NUMBER: 14101401JW1017M

DEADP Reference: 16/3/3/6/7/1/B3/28/1076/16

The matter above has reference.

Heritage Western Cape is in receipt of your application for the above matter received on **13 June 2016**. This matter was discussed at the Impact Assessment Committee (IACom) meeting held on **13 July 2016**.

The Committee noted that:

- The site is located within the amended Drakenstein SDF urban edge. No visual indicators have been identified by the visual specialist yet and would be important in informing the development proposal. Consideration should be given to the location of the site on the urban periphery and development should respond to the scenic qualities of the R301 and protection of mountain views. Although at a preliminary stage, the Committee felt the indicative development proposal, as tabled, does not appear to respond to the initial heritage resource indicators, or the Grade IIIc heritage context within which the site is located.

INTERIM COMMENT

- The Committee supported the identification of heritage resources and heritage indicators contained in the scoping report.

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

**ANNEXURE K**

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

Directorate: Development Management
(Region 2)

EIA REFERENCE: 16/3/3/1/B3/28/1034/17
NEAS REFERENCE: WCP/EIA/0000306/2017
ENQUIRIES: Lorretta Osborne
DATE OF ISSUE: 2018 -04- 23

The Board of Directors
Recurvex (Pty) Ltd
60 Mill Street
PAARL
7646

Attention: Mr J Hanekom

Tel: (021) 871 1751
E-mail: jan@jhp.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 REGULATIONS, 2014, (AS AMENDED): THE "SENCE DE LIEU" MIXED USE DEVELOPMENT ON PORTION 3 OF FARM HARTEBEESTEKRAAL NO. 845, 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 Environmental Impact Assessment Regulations, 2014, (as amended), 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 National Appeal Regulations, 2014 (as amended), which prescribes the appeal procedure to be followed. This procedure is summarized in the attached Environmental Authorisation.

Yours faithfully

DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 2)
DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

CC: (1) Ms E Visagie/ Mr G Nel (Guillaume Nel Environmental Consultants)
(2) Cindy.Winter@drakenstein.gov.za (Drakenstein Municipality)

Fax: (021) 870 1873

2nd Floor, 1 Dorp Street, Cape Town, 8001
Tel: +27 21 483 3696 Fax: +27 21 483 3633
E-mail: Lorretta.Osborne@westerncape.gov.za

Private Bag X9086, Cape Town, 8000
www.westerncape.gov.za/eadp



Directorate: Development Management
(Region 2)

REFERENCE: 16/3/3/1/B3/28/1034/17
NEAS REFERENCE: WCP/EIA/0000306/2017
ENQUIRIES: Loretta Osborne
DATE OF ISSUE: 2018-04-23

ENVIRONMENTAL AUTHORISATION

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 (AS AMENDED): THE "SENCE DE LIEU" MIXED USE DEVELOPMENT ON PORTION 3 OF FARM HARTEBEESTEKRAAL NO. 845, 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 Layout Alternative 2 and Activity Alternative 3, described in the Basic Assessment Report ("BAR"), dated 14 December 2017.

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

The Board of Directors
Recurvex (Pty) Ltd
% Mr. J Hanekom
60 Mill Street
PAARL
7646

Tel: (021) 871 1751
E-mail: jan@jhp.co.za

2nd Floor, 1 Dorp Street, Cape Town, 8001
Tel: +27 21 483 3696 Fax: +27 21 483 3633
E-mail: Loretta.Osborne@westerncape.gov.za

Private Bag X9086, Cape Town, 8000
www.westerncape.gov.za/eadp

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

B. LIST OF ACTIVITIES AUTHORISED

Listed Activity	Activity/Project Description
<p>Government Notice No. 327 of 7 April 2017 -</p> <p>Activity Number: 9</p> <p>The development of infrastructure exceeding 1000 metres in length for the bulk transportation of water or storm water –</p> <p>(i) with an internal diameter of 0,36 metres or more; or (ii) with a peak throughput of 120 litres per second or more;</p> <p>excluding where—</p> <p>(a) such infrastructure is for bulk transportation of water or storm water drainage inside a road reserve or railway line reserve; or</p> <p>(b) where such development will occur within an urban area.</p>	<p>The construction of water pipelines will exceed the diameter threshold and be longer than 1000m.</p>
<p>Government Notice No. 327 of 7 April 2017 -</p> <p>Activity Number: 14</p> <p>The development and related operation of facilities or infrastructure for the storage or for the storage and handling of a dangerous good, where such storage occurs in containers with a combined capacity of 80 cubic metres or more but not exceeding 500 cubic metres.</p>	<p>The storage of a dangerous good with a combined capacity of 80 cubic metres or more.</p>
<p>Government Notice No. 327 of 7 April 2017 -</p> <p>Activity Number: 24</p> <p>The development of a road-</p> <p>(i) for which an environmental authorisation was obtained for the route determination in terms of activity 5 in Government Notice 387 of 2006 or activity 18 in Government Notice 545 of 2010; or</p> <p>(ii) with a reserve wider than 13.5 metres, or where no reserve exists where the road is wider than 8 metres;</p> <p>but excluding a road-</p> <p>(a) which is identified and included in activity 27 in Listing Notice 2 of 2014; or</p> <p>(b) where the entire road falls within an urban area; or</p> <p>(c) which is 1 kilometre or shorter.</p>	<p>The construction of roads outside an urban area.</p>

<p>Government Notice No. 327 of 7 April 2017 -</p> <p>Activity Number: 27</p> <p><i>The clearance of an area of 1 hectares or more, but less than 20 hectares of indigenous vegetation, except where such clearance of indigenous vegetation is required for —</i></p> <p>(i) <i>the undertaking of a linear activity; or</i> (ii) <i>maintenance purposes undertaken in accordance with a maintenance management plan.</i></p>	<p>The proposed development will result in the clearance of more than 1ha of indigenous vegetation.</p>
<p>Government Notice No. 327 of 7 April 2017 -</p> <p>Activity Number: 28</p> <p><i>Residential, mixed, retail, commercial, industrial or institutional developments 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; or</i> (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 site was previously used for agricultural purposes. The proposed development is larger than 1ha and is located outside an urban area.</p>
<p>Government Notice No. 324 of 7 April 2017 -</p> <p>Activity Number: 4</p> <p><i>The development of a road wider than 4 metres with a reserve less than 13.5 metres.</i></p> <p>(i) <i>Western Cape:</i></p> <p>i. <i>Areas zoned for use as public open space or equivalent zoning</i> ii. <i>Areas outside urban areas;</i> <i>(aa) Areas containing indigenous vegetation;</i> <i>(bb) Areas on the estuary side of the development setback line or in an estuarine functional zone where no such setback line has been determined; or</i> iii. <i>Inside urban areas:</i> <i>(aa) Areas zoned for conservation use; or</i> <i>(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority.</i></p>	<p>The proposed development, which is located outside an urban area and comprises areas of indigenous vegetation, includes an internal road network where some roads will exceed 4m in width.</p>
<p>Government Notice No. 324 of 7 April 2017 -</p> <p>Activity Number: 12</p> <p><i>The clearance of an area of 300 square metres or more of indigenous vegetation except where such</i></p>	

clearance of indigenous vegetation is required for maintenance purposes undertaken in accordance with a maintenance management plan.

(f) Western Cape:

- 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;**
- ii. *Within critical biodiversity areas identified in bioregional plans;*
- 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 line on even in urban areas; or*
- iv. *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.*
- v. *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.*

Although largely disturbed and transformed, the site has been fallow for the past 10 years. The site is considered to constitute indigenous vegetation, where more than 300m² of vegetation will be cleared.

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 proposal entails a mixed use development comprising of various elements, as well as associated infrastructure. The development will comprise residential, commercial and institutional facilities covering an area of approximately 18ha which include the following:

- A religious institution of approximately 0.2ha;
- A retail component of approximately 1.9ha;
- A petrol station of approximately 1.8ha;
- An institutional component of approximately 0.5ha;
- Shared space squares of approximately 0.5ha;
- A high-density residential component of approximately 1.6ha with a maximum density of 50 units/ha;
- A single residential component of approximately 7.5ha with a maximum density of 25 units/ha;
- Village squares paved area of approximately 0.8ha;
- Roads of approximately 1.6ha;
- An access servitude area of approximately 1.1ha;
- An Open Space Network of approximately 1.6ha; and
- Bulk service infrastructure (potable water, sewerage and stormwater) that include:

- A 400mm diameter water supply pipeline in the road reserve of the R301. This pipeline will connect the "Sence de Lieu" development with the existing municipal bulk water distribution network.
- A 160mm diameter sewer pipeline in the road reserve of the R301. This pipeline will connect the "Sence de Lieu" development with the existing municipal bulk sewer distribution network.
- A major stormwater system that includes roads and open channels to ensure overland escape routes for the larger storm run-offs.
- A minor stormwater system that includes kerb inlet catch pits and underground stormwater pipes.

Access to the development will be from the R301 opposite the existing second entrance to Boschenmeer Golf Estate. Electricity will be gained from an existing substation that is located on Portion 3 of Farm Hartebeestekraal No. 845, Paarl.

C. SITE DESCRIPTION AND LOCATION

The listed activities will be undertaken on Portion 3 of Farm Hartebeestekraal No. 845, Paarl.

The central co-ordinates of the mixed-use development are:

Latitude (S)	Longitude (E)
33° 46' 12.59" South	18° 59' 10.45" East

The co-ordinates of the water and sewer pipelines are:

	Latitude (S):			Longitude (E):		
Starting point	33°	45'	48.14"	18°	59'	1.52"
Middle point	33°	46'	0.79"	18°	59'	0.27"
End point	33°	46'	13.45"	18°	58'	59.08"

The SG digit codes are: C05500130000084500003

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

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

D. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER

Guillaume Nel Environmental Consultants (Pty) Ltd
 % Ms Euronell Visagie/ Mr G Nel
 PO Box 2632
PAARL
 7620

Tel: (021) 870 1874
 Fax: (021) 870 1873

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 preferred Layout Alternative and Activity Alternative 3, described in the BAR, dated 14 December 2017, on 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 construction phase of the development must be concluded within **ten (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.
 - 6.1 The notice must make clear reference to the site details and EIA Reference number given above.
 - 6.2 The notice must also include proof of compliance with the following conditions described herein:

Conditions: 7, 8 and 11.

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 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

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

Monitoring

11. 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 EMPr and the conditions contained herein.
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 and the EMPr and submit Environmental Audit Reports to the Competent Authority. The 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 quarterly for the duration of the construction phase) and submit Environmental Audit Reports to the Competent Authority (once every six months during the construction phase. The final Environmental Audit Report must be submitted to the Competent Authority six months after operation commenced.

The holder must, within 7 days of the submission of the report 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 Landscape Master Plan and Landscape Design Motivation prepared by Viridian Consulting Landscape Architects, dated February 2017, must be implemented.
18. Services for potable water and sewage from the development may only connect to the existing municipal infrastructure once Drakenstein Municipality has confirmed that all future upgrades to the existing water and sewer reticulation networks have been completed.
19. The Stormwater Management Plan, as part of the Civil Services Report, compiled by STAC Consulting Engineers, dated January 2017, must be implemented.

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 and EMPr may render the holder liable to criminal prosecution.
3. If the holder does not commence with a listed activity 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 GN No. 326 of 7 April 2017 or any relevant legislation that may be applicable at the time.

Please note that to ensure the EMPr sufficiently provides for avoidance, management and mitigation of environmental impacts associated with the undertaking of the activity, the Competent Authority may request amendments to the EMPr, as deemed necessary.

F. 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.

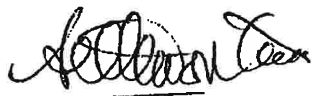
5. A prescribed appeal form as well as assistance regarding the appeal processes is obtainable from Appeal Authority at: Tel. (021) 483 3721, E-mail Jaap.DeVilliers@westerncape.gov.za or URL <http://www.westerncape.gov.za/eadp>.

G. 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. HENRI FORTUIN
DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 2)

DATE OF DECISION: 23-4-18

CC: (1) Ms. E Visagie/ Mr G Nel (Guillaume Nel Environmental Consultants)
(2) Cindy.Winter@drakenstein.gov.za (Drakenstein Municipality)

Fax: (021) 870 1873

ANNEXURE 1: LOCALITY MAP

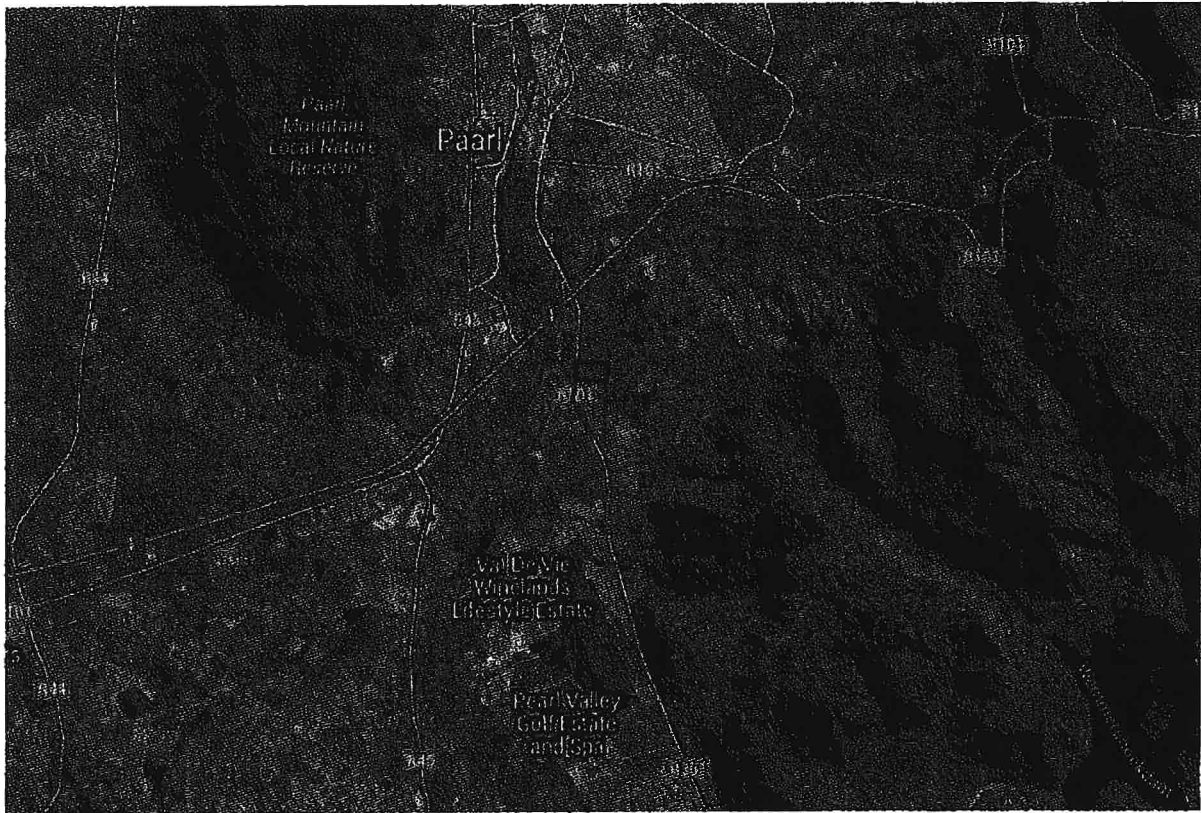


Figure 1: Locality map of a Portion 3 of Farm Hartebeestekraal No. 845, Paarl

ANNEXURE 2: SITE PLAN

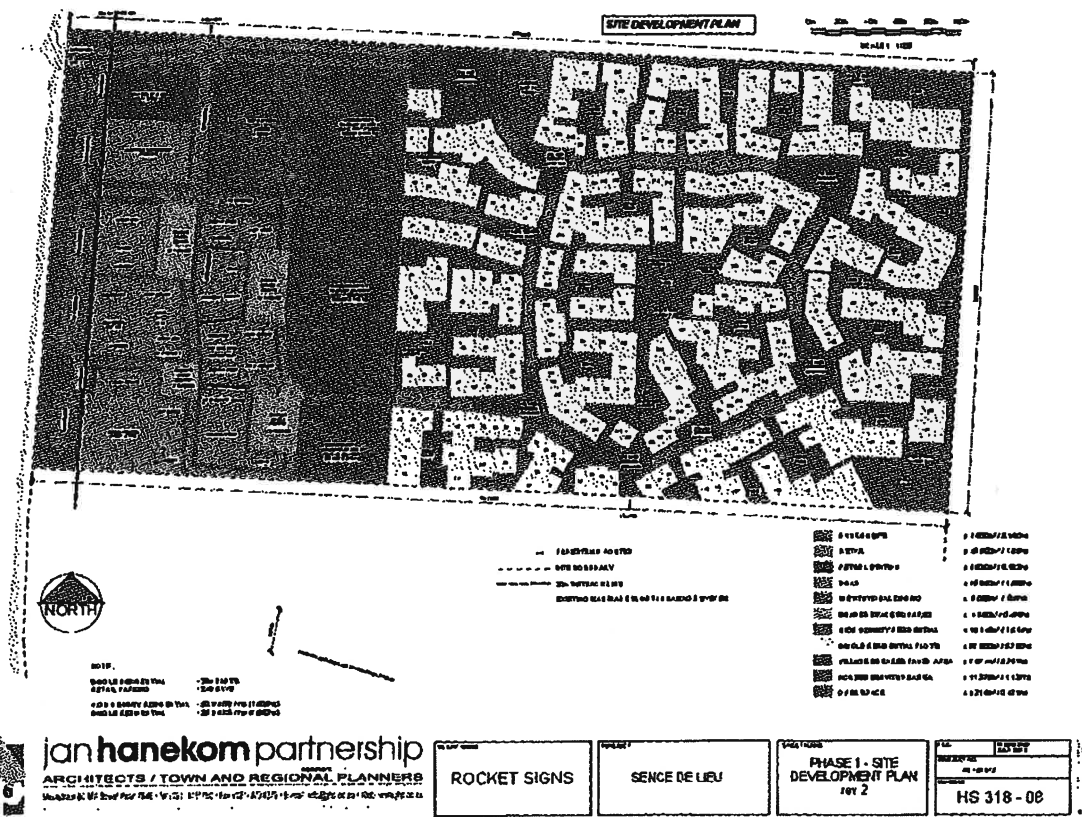


Figure 2: Site Plan of the proposed mixed use development

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 submitted on 22 September 2017, the BAR dated 14 December 2017, the EMPr submitted together with the BAR on 14 December 2017 and the additional information dated 13 April 2018;
- 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 14 December 2017;
- e) The balancing of negative and positive impacts and proposed mitigation measures; and
- f) The site visit conducted on 6 July 2016, attended by officials of this Department and officials from Drakenstein Municipality.

This application was submitted in terms of the NEMA Environmental Impact Assessment ("EIA") Regulations, 2014. This decision takes into account the relevant amendments to the text of the said regulations promulgated on 7 April 2017.

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;
- 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 3 June 2016, 5 June 2017 and 22 September 2017;
- The placing of newspaper advertisement in the 'Paarl Post' on 3 June 2016;
- Fixing notice boards at the site where the listed activities are to be undertaken on 3 June 2016;
- Circulating the pre-application draft BAR to I&APs for public review from 3 June 2016 and a second pre-application draft BAR from 5 June 2017;
- The report was made available at Paarl Public Library and on the company's website at www.gnec.co.za;
- Circulating the in-process draft BAR to I&APs for public review from 22 September 2017.

The Competent Authority notes the Environmental Assessment Practitioner's responses to the issues raised during the public participation process. Specific management and mitigation measures have been considered in this Environmental Authorisation and EMP to adequately address the concerns raised.

2. Alternatives

Various development proposals for the subject property have been considered over time, with a focus on the concept of a village. Through an iterative process, with specialist input and public and authority consultation, some development proposals were either discarded as they were not considered viable, feasible or reasonable by the project team, or taken forward for consideration and refinement. The following alternatives were considered:

Activity Alternative 1:

This alternative entails agricultural activities on Portion 3 of Farm Hartebeestekraal No. 845, Paarl.

This alternative was not preferred for the following reason:

- The proposal was seen unviable since the clay content of the farm is not at optimal level where crop cultivation will be successful.

Activity Alternative 2:

This alternative entails the development of self-storage units on Portion 3 of Farm Hartebeestekraal No. 845, Paarl.

This alternative was not preferred for the following reasons:

- It did not take into consideration the heritage and the cultural value of the area.
- It will not blend in with the surrounding land uses.

Activity Alternative 3 (Herewith authorised):

This alternative entails a mixed use development comprising on Portion 3 of Farm Hartebeestekraal No. 845, Paarl.

This alternative is preferred for the following reasons:

- It will blend in with the surrounding land uses.
- It takes into consideration the heritage and cultural value of the area.

The following two layout alternatives were assessed as part of the preferred activity alternative:

Layout Alternative 1:

The alternative entails a mixed use development comprising of various elements, as well as associated infrastructure. The development will comprise residential, commercial and institutional facilities covering an area of approximately 18ha which include the following:

- A religious institution of approximately 0.2ha;
- A retail component of approximately 1.9ha;
- A petrol station of approximately 1.8ha;

- An institutional component of approximately 0.5ha;
- Shared space squares of approximately 0.5ha;
- A high-density residential component of approximately 1.6ha with a maximum density of 50 units/ha;
- A single residential component of approximately 7.5ha with a maximum density of 25 units/ha;
- Village squares paved area of approximately 0.8ha;
- Roads of approximately 1.6ha;
- An access servitude area of approximately 1.1ha;
- An Open Space Network of approximately 1.6ha;
- Bulk service infrastructure (potable water and stormwater) that include:
 - A 400mm diameter water supply pipeline in the road reserve of the R301. This pipeline will connect the Sence De Lieu development with the existing municipal bulk water distribution network.
 - A major stormwater system that includes roads and open channels to ensure overland escape routes for the larger storm run-offs.
 - A minor stormwater system that includes kerb inlet catch pits and underground stormwater pipes; and
- An on-site wastewater treatment works.

Access to the development will be from the R301 opposite the existing second entrance to Boschenmeer Golf Estate. Electricity will be gained from an existing substation that is located on Portion 3 of Farm Hartebeestekraal No. 845, Paarl.

This alternative was not preferred since the on-site wastewater treatment works was not supported by Drakenstein Municipality.

Layout Alternative 2 (Herewith authorised):

This alternative is the same as Layout Alternative 1, except that the sewage from the development will be transferred by means of a 160mm pipeline to connect with the existing municipal bulk sewer distribution network.

This alternative is preferred for the following reason:

- From a visual perspective, this alternative is the preferred option.

"No-Go" Alternative:

The "no-go" option was also investigated and was not preferred as the *status quo* would be maintained, where the development site would continue to be largely underutilised. The no-go alternative would result in the loss of employment and business opportunities associated with both the construction and operational phases of the development as well as the loss of residential, retail and community opportunities within a node identified for development by Drakenstein Municipality. Housing for middle income households would not be provided. Through implementing the no-go alternative, the property would remain unused and employment, economic, housing and social opportunities would be forfeited.

3. Impact Assessment and Mitigation measures

3.1 Activity need and desirability

Portion 3 of Farm Hartebeestekraal is zoned Agriculture Zone I. The development is located within an existing development node, where the development will contribute towards opportunities for economic growth as it promotes densification in an undeveloped area, and by providing for a mixed use cluster in an area where newly residential developments are being established. The development falls within both the Water and Sewage Master Planning for the area, which is a further indication that there is a development trend in this direction. The need for affordable housing in Paarl as well as a filling station on the R301 has been identified in the Spatial Development Plan for Drakenstein Municipality. In addition, the development can be accommodated by the existing transport network. The development will also provide employment opportunities in both the construction and operational phases. The Drakenstein Spatial Development Framework indicates the proposed site as urban infill as well as the poor soil quality which eliminates sustainable agriculture as a viable land use option.

3.2 Services

Bulk infrastructure upgrades are required, however, the service provider has confirmed that sufficient bulk service capacity is available to service the proposed new village development upon completion of said upgrades. Water will be obtained from the existing Paarl Lellefontein reservoir. A new bulk sewer reticulation system will be constructed to link the development with the Paarl bulks sewer adjacent to the Berg River. Stormwater is to be managed on-site and provision has been made within the design and layout. This is to ensure the difference between pre- and post-development storm water runoff is detained on-site and stormwater is managed to prevent any major impact on the surrounding areas. The Stormwater Management Plan for the development, compiled by the STAC Consulting Engineers, dated January 2017 will be implemented. Drakenstein Municipality has confirmed sufficient capacity to handle solid waste. Furthermore, electricity will be supplied from the existing substation on Portion 3 of Farm Hartebeestekraal No. 845.

3.3 Biophysical Impacts

Historically, the proposed development site would have been covered with Boland Granite Fynbos and Swartland Alluvium Fynbos, which are considered vulnerable and critically endangered in terms of the National Environmental Management: Biodiversity Act (Act No. 10 of 2004). Although, the site has been completely transformed by agricultural activities, it has been fallow for the past 10 years. A Soil Study conducted by B Scholms also confirmed that the soil has low potential for agricultural activities. The letter from CapeNature dated 15 June 2016 states that no wetlands exist on the site. A small river is located more than 32m south from the proposed development. A Landscape Master Plan and Landscape Design Motivation has been compiled, which must be implemented.

3.4 Traffic Impacts

A Traffic Impact Statement was undertaken by ICE Group, dated 2 June 2016. The statement assessed the potential transport impacts associated with the proposed mixed use development resulting in the finding that the proposed village will have a low negative potential traffic impact. The specialist identified that the existing road network has sufficient capacity to accommodate the traffic generated during the construction phase, although some upgrades are required to cater for the development.

3.5 Heritage and Visual Impacts

A Heritage Assessment was undertaken by Cindy Postlethwayt in August 2017. A Visual Impact Assessment ("VIA"), dated March 2017, was compiled by Antoinette de Beer. The VIA noted that the development may have a potential visual impact of medium significance with mitigation. This could be reduced to medium-low significance over time with landscaping and vegetation growth, particularly trees. Visual mitigation includes aspects associated with minimising the effects of parking areas, lighting, signage and construction activities. Given the sensitive nature of the immediate surroundings in visual and heritage terms, the implementation of the Landscape Framework Plan is integral to the development. The heritage specialists formulated a set of heritage indicators and directives. It is stated that the preferred alternative, as authorised, may improve the area. The overall potential impact of the village development is considered to be medium-high positive, with the implementation of the mandatory controls and guidelines, as specified in the urban design report, along with recommended mitigation measures, including *inter alia* retention of mature trees, limitation of building heights, inclusion of landmark buildings, significant landscaping, provision of green open spaces, and permeable fencing. The potential impacts that may result from the proposed development will be mitigated by the implementation of the conditions in this environmental authorisation and EMPr.

The development will result in both negative and positive impacts.

Negative Impacts:

- The proposed development will result in construction related impacts such as dust, visual, security and noise during the construction period.
- The development will result in a temporary increase in heavy vehicle and construction related traffic.
- The village development will result in a visual impact with visual intrusion during construction and permanent development following completion.
- Existing operations in the vicinity of the development will be impacted upon.

Positive impacts:

- The development will provide temporary employment opportunities during the construction phase.
- Residential, retail, business and community facilities will be provided within the local area.
- Business and employment opportunities facilities will be provided within the local community.
- Employment, training, and skills development opportunities will result from the operational phase of the development.

3 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.

4 Conclusion

In view of the above, the NEMA principles, compliance with the conditions stipulated in this Environmental Authorisation, and compliance with the EMPr and 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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