



Department of Environmental Affairs and Development Planning
Ndivhuho Mudau
Development Management
Ndivhuho.Mudau@westerncape.gov.za | Tel.: 021 483 2881

REFERENCE: 16/3/3/1/B3/28/1051/20
DATE OF ISSUE: 05 May 2021

Drakenstein Municipality
P. O. Box 1
PAARL
7622

Attention: Mr. P. Pansegrouw

Tel: (021)807 6452
E-mail: phillip.pansegrouw@drakenstein.gov.za

Dear Sir

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: THE PROPOSED MIXED-USE DEVELOPMENT AND ASSOCIATED INFRASTRUCTURE ON ERVEN 21128 AND 13480, 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, the Competent Authority herewith **grants Environmental Authorisation** to the applicant to undertake the listed activities specified in section B below with respect to the Preferred alternative as described in the Basic Assessment Report ("BAR"), dated 29 January 2021.

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

Drakenstein Municipality

P. O. Box 1

PAARL

7622

Tel: (021)807 6452

E-mail: phillip.pansegrouw@drakenstein.gov.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	Project Description
Listing Notice 1 – Activity Number: 27 <i>The clearance of an area of 1 hectares of more, but less than 20 hectares of indigenous vegetation, except where such clearance of indigenous vegetation is required for –</i> <i>(i) the undertaking of a linear activity; or</i> <i>(ii) maintenance purposes undertaken in accordance with a maintenance management plan.</i>	The proposed development entails the clearance of more than 1ha of indigenous vegetation
Listing Notice 3 – Activity Number: 4 <i>The development of a road wider than 4 meters with a reserve less than 13.5 meters</i> i. Western Cape <i>i. Areas zoned for use as public open space or equivalent zoning;</i> <i>ii. 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> <i>iii. 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>	The proposed development will include the development of roads wider than 4 meters in areas zoned for use as public open space.

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

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

The proposed development will entail a mixed-use development and associated infrastructure on Erven 21128 and 13480, Paarl, which comprises the following:

- 158 Single Residential units;
- 371 Row houses / Duplexes;
- 3 Mixed Use erven;
- 2 community facilities;
- Public open spaces including a sport facility (soccer field) that will serve as a detention facility;
- Internal roads (approximately 5-6m wide)
- Two new access roads with a width of approximately 7.5m and a length of approximately 20m each;
- Boundary walls for single and double storey residences along the N1 and R101; and
- Associated infrastructure (water and sewage pipelines).

The development footprint of the proposed development will be approximately 13.066ha.

C. SITE DESCRIPTION AND LOCATION

The authorised listed activities will be undertaken on Erven 13480 and 21128, Paarl and has the following co-ordinates:

Latitude (S)	33°	44'	28.52"
Longitude (E)	18°	00'	10.68"

The SG digit codes are:

Erf 13480 : C05500080001348000000

Erf 21128 : C05500080002112800000

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
c/o Mr. G. Nel & Ms. E. Visagie
P.O. Box 2632
PAARL
7620

Tel: (021) 870 1874

E-mail: gn@gnec.co.za / eg@gnec.co.za

E. CONDITIONS OF AUTHORISATION

Scope of authorisation

1. The holder is authorised to undertake the listed activities specified in Section B above in accordance with and restricted to the preferred Alternative described in the BAR dated 29 January 2021 on the site as described in Section C above.
2. The holder must commence with the listed activities on the site within a period of **five years** from the date issue of this Environmental Authorisation.
3. The development must be concluded within **ten years** from the date of commencement of the listed activities.
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 detailed in Section F below;
- 7.3 draw the attention of all registered I&APs to the manner in which they may access the decision;
- 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,
 - 7.4.6 the 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.
- 8. The listed activities, including site preparation, may not commence within 20 (twenty) calendar days from the date of issue of this Environmental Authorisation. 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.

Management of activity

- 9. The draft or 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 provisions of 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 above 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, 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, that is not the ECO and must contain all the information required in Appendix 7 of the NEMA EIA Regulations, 2014.

The Environmental Audit Reports must be submitted to the Competent Authority every six months during the construction phase. A final Environmental Audit Report must be submitted to the Competent Authority within six 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

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. A search and rescue operation of all transplantable bulbs must be carried out by a suitably qualified person, before the commencement of any site clearing activities. The bulbs rescued from the site must be translocated to the Paarl Mountain Nature Reserve, or another suitable receptor site as identified by the Botanical Specialist.
18. The construction footprint must be demarcated prior to the commencement of construction activities. All areas outside the construction footprint must be demarcated as "no-go" areas.

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 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 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 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.

1. An appellant (if the holder of the decision) must, within 20 (twenty) calendar days from the date the 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 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 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 to the Appeal Administrator; and
 - 2.2. Submit a copy of the appeal to the holder of the decision, any registered I&AP, any Organ 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 Organ of State must submit their responding statements, if any, to the appeal authority and the appellant within 20 (twenty) calendar days from the date of receipt of the appeal submission.

4. The appeal and the responding statement must be submitted to the address listed below:

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

By facsimile: (021) 483 4174; or

By hand: Attention: Mr Marius Venter (Tel: 021 483 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 DEADP.Appeals@westerncape.gov.za.

5. A prescribed appeal form as well as assistance regarding the appeal processes is obtainable from Appeal Authority at: Tel. (021) 483 3721, e-mail DEADP.Appeals@westerncape.gov.za 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

**Zaahir
Toefy**

Digitally signed by
Zaahir Toefy
Date: 2021.05.05
09:03:32 +02'00'

MR. ZAAHIR TOEFY

DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)

DATE OF DECISION: 05 MAY 2021

CC: (1). Ms. E. Visagie (Guillaum Nel Environmental Consultants)
(2). Ms. C. Winter (Drakenstein Municipality)

Email: eg@gnec.co.za

Email: cindy.winter@drakenstein.gov.za

ANNEXURE 1: LOCALITY MAP

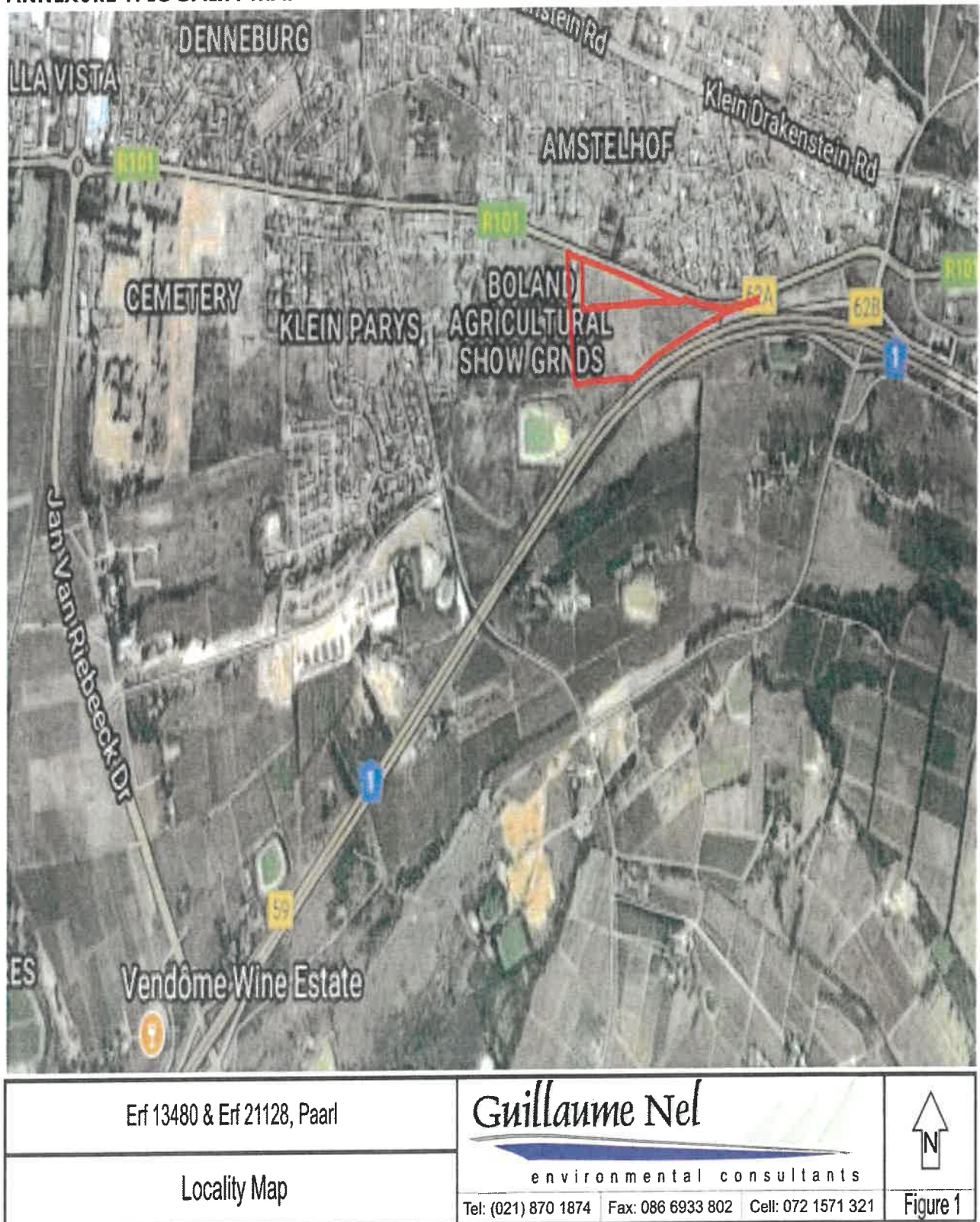


Figure 1: Location of the proposed mixed-use development.

ANNEXURE 2: SITE PLAN

Figure 2: Proposed layout plan

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 received by the Department on 12 October 2020, the EMPr submitted together with the Basic Assessment Report on 29 January 2021 and the additional information received by the Department on 24 February 2021, 16 March 2021 and 9 April 2021.
- 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 Basic Assessment Report received on 29 January 2021 and the additional information received; 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 in the consideration of the application for Environmental Authorisation. A summary of the issues that were 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 a notice board at the site where the listed activities are to be undertaken on 20 February 2019;
- the placing of a newspaper advertisement in the 'Paarl Post' on 21 February 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 20 February 2019, 9 July 2020 as well as on 23 October 2020; and
- making the pre-application draft BAR available to I&APs for public review from 20 February 2019 to 29 March 2019 and 9 June 2020 to 30 July 2020 and the in-process draft BAR from 23 October 2020 to 27 November 2020.

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

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

2. Alternatives

Preferred alternative – (Herewith authorised)

This alternative comprises the following:

- 158 Single Residential units;
- 371 Row houses / Duplexes;
- 3 Mixed Use erven;
- 2 community facilities;
- Public open spaces including a sport facility (soccer field) that will serve as a detention facility;
- Internal roads (approximately 5-6m wide)
- Two new access roads with a width of approximately 7.5m and a length of approximately 20m each;
- Boundary walls for single and double storey residences along the N1 and R101; and
- Associated infrastructure (water and sewage pipelines).

This alternative is preferred since it will achieve the optimal number of residential units on the site, while providing other community services as part of the mixed uses proposed. The layout takes into

consideration the comments received during the public participation process, as well as the recommendations made by the specialists assessing the site sensitivities.

Layout Alternative 1

This alternative comprises the following:

- 165 Single Residential units;
- 371 Row houses / Duplexes;
- 5 Mixed Use erven;
- 3 community facilities;
- Public open spaces including a sport facility (soccer field) that will serve as a detention facility in the wetter winter months and
- Public roads.

This alternative was not preferred as it did not address the local authority's requirements related to mitigating noise, visual and social impacts.

Layout Alternative 2

This alternative comprises the following:

- 396 Apartment units that will include 33 Apartment blocks consisting of 3 floor walk-ups each with 3 bedrooms and 12 units per apartment block;
- 4 mixed use erven; and
- 223 single residential units with erven sizes of 125m² and 205m².

This alternative was not preferred since the local authority was not in support of 3 storey apartment units and requested that duplex units (max 2 storeys) be developed. Furthermore, no provision was made for community facilities in this alternative.

The No-Go Alternative

The "No-Go" option of not proceeding with the mixed-use development was not preferred as it would not provide much needed housing opportunities for the area.

3. Impact Assessment and Mitigation measures

3.1. Activity needs and desirability.

The provision of housing and services to communities is considered a priority and is an ongoing issue of national importance. The proposed housing development will assist in alleviating the housing shortage in the Paarl area by providing approximately 529 new housing opportunities and other related facilities including sport facility and public road. The proposed site is located within the urban edge of Paarl. The proposed development is consistent with Drakenstein Municipality's Spatial Development Framework as the site has been earmarked for urban infill development.

3.2. Biophysical Impacts

According to the Botanical Impact Assessment Report (dated January 2018 and compiled by Bergwind Botanical Surveyors and Tours), the proposed site is highly degraded and is considered to

be transformed. The area no longer contains the originally occurring vegetation type, Boland Granite Fynbos. Further, the proposed site has not been identified as a Critical Biodiversity Area. No species of conservation concern occur on the proposed site, however, it is possible that some of the bulbs found on the site could be species of conservation concern. The specialist indicated that a search and rescue must be undertaken to translocate all suitable species (bulbs) to a suitable receptor site in the Paarl Mountain Nature Reserve. According to the specialist report, the impacts associated with the loss of vegetation and ecological processes are regarded to be of low negative significance.

3.3. Noise Impacts

According to the Noise Impact Assessment Report (dated 28 November 2019 and compiled by Jongens Keet Associates) the proposed site is bounded by the R101, Langenhoven Avenue, to the north, the N1 National Road to the south and the Boland Agricultural Show Grounds, also known as Eurolux Boland Park, to the west. The specialist report indicates that noise impacts associated with traffic from the R101 and N1 will be of low negative significance should the mitigation measures as included in the report be implemented. These mitigation measures have been included in the EMPr.

3.4. Heritage Impacts

Heritage Western Cape, in their final comment dated 18 January 2018, confirmed that there is no reason to believe that the proposed development will impact on heritage resources, therefore no further studies are required under Section 38(3) of the National Heritage Resources Act, 1999 (Act No. 25 of 1999).

The development will result in both negative and positive impacts.

Negative Impacts:

- Increased traffic;
- Loss of indigenous vegetation; and
- Noise impacts

Positive impacts:

- Provision of housing, commercial and educational opportunities in the area;
- Employment opportunities during construction;
- Optimal use of available land in the area; and
- Improving the living conditions of communities.

4. National Environmental Management Act Principles

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

- the effects of decisions on all aspects of the environment to be taken into account;

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

5. Conclusion

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

-----END-----

Our Ref: HM/PAARL/ERVEN 1348 AND 21128
 Case No.: 18012406AS0126E
 Enquiries: Andrew September
 E-mail: andrew.september@westerncape.gov.za
 Tel: 021 483 9543
 Date: 08 January 2018



Evonell Visagie
 Guillaume Nel Environmental Consultants
 PO Box 2632
 Paarl
 7620
eg@anec.co.za

RESPONSE TO NOTIFICATION OF INTENT TO DEVELOP: FINAL
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

NOTIFICATION OF INTENT TO DEVELOP: PROPOSED MIXED-USE DEVELOPMENT ON ERVEN 1348 AND 21128, PAARL, SUBMITTED IN TERMS OF SECTION 38(8) OF THE NATIONAL HERITAGE RESOURCES ACT (ACT 25 OF 1999)

CASE NUMBER: 18012406AS0126E

The matter above has reference.

Heritage Western Cape is in receipt of your application for the above matter received on 05 February 2018.

You are hereby notified that, since there is no reason to believe that the proposed development will impact on heritage resources, no further action under Section 38 of the National Heritage Resources Act (Act 25 of 1999) is required.


However, 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



 Mxolisi Dlamuka
 Chief Executive Officer, Heritage Western Cape

Reference: W11/4/3-1/1-37 Fax Number: +27 (0) 21 910 1699
 Date: 13 March 2020 Direct Line: +27 (0) 21 957 4618
 Email: dyerss@nra.co.za Website: www.nra.co.za

Mr S. Dreyer
 David Hellig and Abrahams Land Surveyors
 PO Box 7646
 PAARL
 4030



Dear Mr S. Dreyer,

NATIONAL ROUTE 1 SECTION 1: PROPOSED REZONING AND SUBDIVISION OF ERVEN 13480 AND 21128 TO ACCOMMODATE THE PAARL EAST IRDP HOUSING PROJECT, PAARL.

The above application has reference.

The South African National Roads Agency SOC Limited (SANRAL) herewith approves your application in terms of section 49 of the South African National Roads Agency Limited and National Roads Act, 1998 (Act 7 of 1998), subject to the following conditions:

1. The development as indicated on the Subdivision Plan, drawing number 3 Rev 1, dated March 2020, drawn by David Hellig and Abrahamse professional Land Surveyors is hereby approved.
2. A permanent 2m wall must be erected on the boundary of the land development area and the national road reserve. Detailed plans of the proposed wall must be submitted to the SANRAL for approval prior to the erection thereof. The maintenance of the wall will be the responsibility of the property owner/successor in title.
3. Where amendments to the subdivision plan are required, the written approval of the SANRAL shall be obtained.
4. Upon approval of a general plan over the site adjoining the national road, the layout may be amended or cancelled in terms of section 37 (2) of the Land Survey Act, (Act 8/1997) with the prior consent of the SANRAL.
5. No structure or other thing (including anything which is attached to the land on which it stands even though it does not form part of that land) shall be erected, laid or established within the land development area within a distance of 10 meters from the boundary of the national road without the written approval of the SANRAL.
6. No direct access to the national road will be allowed.
7. The SANRAL will not be liable for any damage or diminishment in value of the land development area arising out of any impact on the proposed development as result of existing or future storm water drainage from the national road.
8. Such facilities as are necessary for the control and disposal of storm water from the land development area shall be constructed to the satisfaction of the SANRAL. Prior to the establishment of the proposed development a storm water accommodation plan must be submitted to SANRAL for approval.
9. No free standing advertising signs will be allowed in terms of Regulations on Advertising on or visible from the National Road as published in Government Gazette no 6968 dated 22 December 2000.

10. The SANRAL shall not be held liable to any party should it be found at any time in the future that noise, air pollution and light pollution emanating from the national road presents a problem to the development adjacent to the national road. The developer/successor in title/local authority shall be responsible for taking such steps as may be necessary to reduce the impact of such noise, air and/or light pollution.
11. The aforementioned provisions shall be recorded in the title deeds of each of the properties.
12. The written confirmation of the SANRAL, that the conditions referred to herein have been fulfilled to its satisfaction, shall be required prior to occupation of the site. The applicant/developer shall provide SANRAL with a certificate from a professional consulting engineer certifying that the design and construction of all services and other improvements referred to in these conditions have been undertaken to the required standards.
13. The approval granted herein by the SANRAL does not exempt the developer from the provisions of any other legislation.
14. This approval shall bind any successor-in-title to the land on which the structures have been established. This approval shall bind any successor-in-title to the land on which the structures have been established. This approval does not exempt the applicant from the provisions of any other Act.
15. In terms of Section 50(1) of the South African National Roads Agency Limited and National Roads Act, 1998 (Act No.7 of 1998), no person may, unless authorised by SANRAL or otherwise in terms of Section 50(2), - display and advertisement on a national road, or permit it to be displayed; display, outside an urban area, any advertisement visible from a national road, or permit any advertisement which is so visible, to be displayed; display any advertisement visible from a national road in an urban area, on any land adjoining the national road or on land separated from the national road by a street, or permit it to be displayed.
16. SANRAL shall not be involved in any expenditure in connection with and shall not be responsible or liable for:
 - the erection of any structures
 - any financial expenditure or loss in the event of SANRAL ordering the removal or shifting or relocation of anything related to this approval
 - any financial responsibility or liability for any claim from the applicant which may occur from the lapsing of the approval.

Yours Sincerely



MR RANDALL CABLE
REGIONAL MANAGER

5844208



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TRANSPORT & PUBLIC WORKS: ROADS

Chief Directorate: Road Planning

Email: grace.swanepoel@westerncape.gov.za

Tel: +27 21 483 4669

Room 335, 9 Dorp Street, Cape Town, 8001

PO Box 2603, Cape Town, 8000

REFERENCE: 16/9/6/1-10/319 (Job 26794)**ENQUIRIES: Ms G Swanepoel****DATE: 11 February 2021**

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



Attention: Mr Earl Cyster

Dear Sir

ERVEN 13480 AND 21128 PAARL: PAARL EAST IRDP HOUSING PROJECT: MAIN ROAD 210 - TRUNK ROAD 9 SECTION 2 - DIVISIONAL ROAD 1113, SONSTRAAL ROAD AND LANGENHOVEN AVENUE

1. The following refer:
 - 1.1 Planning Report ref. P3587/17 by Messrs David Hellig & Abrahamse, dated April 2020 and
 - 1.2 Traffic Impact Assessment (TIA) report by Sturgeon Consulting, ref. STUR0227 dated April 2020.
2. The subject properties are located between the N1 to the south and Langenhoven Road to the north, ±1.2km west of Sonstraal Road (Main Road 210/Divisional Road 1113), with access via internal roads onto Langenhoven Avenue.
3. The application is for the following:
 - 3.1 Consolidation of erven 13480 and 21128 Paarl;
 - 3.2 Rezoning of the consolidated land unit from Open Space Zone to Subdivisional Area;
 - 3.3 Subdivision of the consolidated land unit into residential, mixed use, community facilities, public road and open space zones to provide 529 housing units (single residential, row houses and duplexes) and some mixed use (residential & commercial/retail) floorspace.

4. The only affected road within reasonably close proximity of the proposed development which is not a municipal street is Sonstraal Road. North of Langenhoven Avenue it is Main Road 210, immediately south and east of the intersection (on Sonstraal Road and the R101) it is Trunk Road 9 Section 2, while south of the N1, it becomes Divisional Road 1113.
5. The Sonstraal/Langenhoven intersection is currently a 4-way stop. The analyses carried out for the TIA indicate that with background traffic growth of 2.5% per annum from 2018 (available count data) to 2023, the north approach in the morning peak and the south approach in the evening peak will be at level of service F, and with traffic demand exceeding capacity, leading to delays. With signalization, the intersection will function well. While the proposed development traffic does not of itself trigger the need for signals, it is likely to exacerbate problems. However, with changing travel patterns and reduced demand resulting from the Covid-19 pandemic, it may be some years later that the need for traffic signals meets signal warrants. Traffic conditions at the Sonstraal/Langenhoven intersection should be monitored and in the interim, a management plan be devised for the section of Sonstraal Road from Keerweder Street in the north to the N1 westbound ramps in the south, as there are four intersections in relatively close proximity along this stretch of road.
6. This Branch offers no objection to the proposed consolidation, rezoning and subdivision in respect of Erven 13480 and 21128 Paarl.
7. In terms of Act 21 of 1940, this Branch approves the subdivision of Erven 13480 and 21128 Paarl.

Yours Sincerely



SW CARSTENS

For DEPUTY DIRECTOR-GENERAL: ROADS



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Memo

To: EXECUTIVE DIRECTOR: PLANNING & ECONOMIC DEVELOPMENT
(ATTENTION: E. CYSTER)

From: MANAGER: INFRASTRUCTURE MANAGEMENT

Enquiries: L. PIENAAR

Collaborator number: 1676855

Reference number: 15/4/1 (13480 & 21228) P (2010)

Date: 19 January 2021

Subject: APPLICATION FOR CONSOLIDATION, REZONING AND SUBDIVISION FOR
PAARL EAST IRDP HOUSING PROJECT: ERVEN 13480 AND 21228 PAARL

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 *Access is onto a proclaimed main road, approval from the Provincial Roads Engineer is required; and*
- 1.3 *All conditions of the SANRAL approval referenced W11/4/3-1/1-37 dated 13 March 2020 must be adhered to by the developer.*

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 as detailed in the Traffic Impact Assessment (TIA) of Sturgeon Consulting dated April 2020.***

3 STORMWATER

- 3.1 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;
- 3.2 Any new stormwater networks will be the responsibility of the developer, including all internal and bulk connectors;
- 3.3 Pollution control measures to mitigate chemical and solid pollution must be provided at inlet and outlet structures as may be relevant;
- 3.4 Only pre-development run-off of a 1:5 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;
- 3.5 ***The Stormwater Management Plan (SWMP) OF Graeme McGill Consulting dated 18 February 2020 must be adhered too; and***
- 3.6 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.

4 WATER

- 4.1 ***The bulk service capacity of the surrounding water network must be analysed by council's master planning consultants, GLS Engineers. Confirmation must be provided that the network has sufficient bulk capacity to accommodate the development. Should any upgrades be required it will be the responsibility of the developer;***
- 4.2 ***All individual portions (which includes every single residential unit, each duplex unit, mixed-use unit and community facilities) must be provided with a separate water connection and a separate water meter to municipal specifications;***
- 4.3 All the metered connections must be installed one meter inside the erf boundary of each portion;
- 4.4 Water saving devices shall be installed in toilets, bathrooms and basins;
- 4.5 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
- 4.6 Any existing system that is to remain shall be upgraded to minimum municipal standards.

5 WASTEWATER SERVICES

- 5.1 *The bulk service capacity of the surrounding wastewater network must be analysed by council's master planning consultants, GLS Engineers. Confirmation must be provided that the network has sufficient bulk capacity to accommodate the development. Should any upgrades be required it will be the responsibility of the developer;*
- 5.2 *All individual portions (which includes every single residential unit, each duplex unit, mixed-use unit and community facility) must be provided with a separate wastewater connection;*
- 5.3 *The developer must install adequately sized fat traps in the commercial and community units as approved by Drakenstein Municipality: Civil Engineering department;*
- 5.4 All the connections must be installed one meter inside the erf boundary of each portion;
- 5.5 A connection manhole must be constructed at each connection point to a maximum depth of 1m; and
- 5.6 Any existing system that is to remain shall be upgraded to minimum municipal standards.

6 SOLID WASTE

- 6.1 The Municipality undertakes to remove household refuse in accordance with its by-laws;
- 6.2 Such collection shall be from individual erven for the development;
- 6.3 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;
- 6.4 Provision should be made for a waste disposal facility at the entrances of the commercial- and community facilities, with lockable gate for wheelie bins (240l bins) and recyclable bags equal to the number 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 Additional space must be made available for mini drop-off facilities;
- 6.7 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; and
- 6.8 Municipal refuse trucks will not enter the township (complex) to collect wheelie bins on collection days.

7 DEVELOPMENT CHARGES

- 7.1 Based on the information provided in the application, Development Charges are payable by the developer. Development Charges will be calculated when a more detailed site developmenta plan is submitted.

8 GENERAL

- 8.1 ***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.***
- 8.2 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;
- 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 bulk service capacity analysis carried out by councils consultant GLS Engineers, needs to be implemented simultaneously with the development;
- 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 whole of the works shall fall under the control of a single project manager;
- 8.7 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;
- 8.8 All works where applicable shall be constructed to at least the minimum standards as set out in, Engineering Services: Municipal Standards;
- 8.9 A comprehensive operational infrastructure management plan shall be drawn up and submitted for approval by the Civil Services Department;
- 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.



LP PIENAAR (Pr. Eng)
MANAGER: INFRASTRUCTURE MANAGEMENT

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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: 13480 & 21228
Date: 27 November 2020
Subject: APPLICATION FOR REZONING, SUBDIVISION AND CONSOLIDATION, ERF 13480 & 21228, 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. In the case where other existing services crosses the adjacent erven, it will have to be removed or relocate at the cost of the owner.
- 2.5. The developer or owner will be responsible for all cost in the case where he or she request any infrastructure to be moved or relocated to new propose positions.
- 2.6. A service level agreement between the municipality and the owner or developer of above mentioned erf have to be arrange at Electro-Technical Service Department (Planning and Design division - Chief Engineering Technician) for any request to upgrade of existing supply.

3. GENERAL

- 3.1. NRS069 Network recovery cost will apply and will be calculated according to the following as indicated in approved tariffs: **R 4 051.25 per KVA (V.A.T. included)**. The cost as mentioned above is valid until 30 June 2021 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. The developer will be responsible for all designs, installation of reticulation and linkage up to the existing infrastructure as determine by the Manager: Planning and Customer Services.
- 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. 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.
- 3.6. A certificate of compliance and occupational certificate has to be handed over to the Electro-Technical Services Department (Service section) on the day the service is rendered or as the case may be.
- 3.7. 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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Memo

To: Manager: Land Use Planning
(Attention: E. Cyster)

From: Environmental Officer: Environmental Management

Enquiries: C. Winter

Collaborator number: N/A

Reference number: 15/4/1/ (13480) P

Date: 21 September 2020

Subject: COMMENTS – PROPOSED CONSOLIDATION, REZONING AND SUBDIVISION
OR ERVEN 13480 AND 21228, PAARL – PAARL EAST IRDP HOUSING
PROJECT

Reference is made to the above application for the development of the Paarl East IRDP Housing Project which consists of the following:

a. Consolidation

Consolidation in terms of Section 15(2)(e) of the Drakenstein Municipal Land Use Planning By-Law, 2018 of erven 13480 and 21228, Paarl to form a land unit measuring 13,0666 hectares in extent, which represents the outside figure of the entire development site.

b. Rezoning

Rezoning in terms of Section 15(2)(a) of the Drakenstein Municipal Land Use Planning By-Law, 2018 of the consolidated land unit from Open Space Zone to Subdivisional Area.

c. Subdivision

Subdivision in terms of Section 15(2)(d) of the Drakenstein Municipal Land Use Planning By-Law, 2018 of the rezoned land unit into portions of Single Residential, Row Houses/Duplexes, Mixed Use, Community Facilities, Public Road and Open Space land uses.

Based on the information provided, this Division notes the following:

1. Noise Management

- 1.1 The Noise Impact Assessment of the Acoustic Specialist, Jongens Keet Associates, dated November 2019 is noted. It is also noted that the possible noise sources from traffic on the N1 and R101 as well as noise emanating from activities from the Eurolux Boland Park were taken into consideration when the noise impacts were assessed.
- 1.2 It is also noted that the SANS rating level of noise in an urban district will be exceeded if no mitigation measures are to be applied to the proposed development.
- 1.3 This division is also of the view that screening the proposed development with noise barriers like appropriate trees would be the only practical solution to mitigate the possible noise sources.

- 1.4 The mitigation measures of the Acoustic Specialist shall be adhered to. This is aligned with the proposed Landscape Master Plan for the development as well as the species of trees and shrubs that the Landscape Architect is proposing for screening purposes.

2. Landscaping

- 2.1 The species of trees and shrubs that are proposed for screening purposes in the Landscape Master Plan supports the recommendations of the Acoustic Specialist.
- 2.2 It is important that the screening on especially the boundaries of the development is implemented, not only to mitigate the visual impact of the development from the traffic routes but also to serve as noise barrier to the future inhabitants of the housing units.
- 2.3 When the search and rescue for any remaining bulbs and shrubs is undertaken, the relocation of these species to the Wellington Industrial Park Municipal Conservation Site shall be done in consultation with the Environmental Management Division. This is to be undertaken before construction commences, during the most appropriate time of the year.

Having reviewed the above application, the Environmental Management Division finds the application in order. Please note that this Division reserves the right to revise its initial comments based on any new or revised information that might be received.

Yours faithfully



.....
C. WINTER
MANAGER: ENVIRONMENTAL MANAGEMENT