



Col no: 1994756
Enquiries: J Daniels
Tel no: (021) 807 4581
Date: 20 March 2024

JD/JA
15/4/1 (F 852/1 & 4) P

Terraplan Associates
Town and Regional Planners
P.O. Box 1756
DURBANVILLE
7551

Email: mispa@terraplan.co.za

Madam

APPLICATION FOR SUBDIVISION, ACCEPTANCE AND SUPPORT OF THE PROPOSED PHASING PLAN, AMENDMENT OF CONDITIONS AND AN EXEMPTION CERTIFICATION IN TERMS OF SECTION 15(2) OF THE DRAKENSTEIN BYLAW ON MUNICIPAL LAND USE PLANNING, 2018: PORTIONS 1 & 4 OF FARM 852 AND REMAINDER FARM 849 PAARL

Your above - mentioned application refers.

1. **Approval has been granted** in terms of Section 60(1)(a) of the Drakenstein Bylaw on Municipal Land Use Planning, 2018, for the following:-

1.1 **Subdivision** of Portions 1 & 4 of Farm 852 and Remainder Farm 849 Paarl, in order to facilitate a mixed-use development to be known as Zandrif Lifestyle Estate, as indicated on the Subdivision Plan drawn by Terraplan Town and Regional Planners, Plan No. 886-3 Rev 6, dated 07/08/2023 (**Annexure B**), for the following:

Portions	Zoning	Land Use	Units	Area (ha)	%
1-9	Conventional Housing Zone (Dwelling House)	Single Residential Lifestyle Units	9	0.43	1
12-67	Conventional Housing Zone (Dwelling House)	Single Residential Lifestyle Units	56	3.28	7
69-82	Conventional Housing Zone (Dwelling House)	Single Residential Lifestyle Units	14	0.79	2
84-108	Conventional Housing Zone (Dwelling House)	Single Residential Lifestyle Units	25	1.92	4
118-140	Conventional Housing Zone (Dwelling House)	Single Residential Lifestyle Units	23	1.23	3

143-282	Multi-Unit Housing Zone (Group Housing)	Retirement Village Units	140	4.55	10
10-11	Open Space Zone (Private Open Space)	Private Open Space	2	0.22	0
68	Open Space Zone (Private Open Space)	Private Open Space	1	0.06	0
83	Open Space Zone (Private Open Space)	Private Open Space	1	0.03	0
109-112	Open Space Zone (Private Open Space)	Private Open Space	2	7.69	17
114	Open Space Zone (Private Open Space)	Private Open Space	4	0.15	0
283-284	Open Space Zone (Private Open Space)	Private Open Space	1	3.14	7
286	Community Use Zone (Frail Care Facility)	Retirement Centre with Associated Services Retirement Cottages / Apartments Frail Care	150	1.62	4
287-288	Mixed-Use Zone (Mixed Use Commercial and Tourism)	75 Apartments 3000m ² GLA	75	3.39	8
289	Agriculture Zone (Agriculture)	Farmyard		8.87	20
113	Utility Zone (Substation Site)	Substation		0.06	0
115-117	Transport Zone (Private Road)	Internal Roads		2.37	5
142	Transport Zone (Private Road)	Internal Roads		0.40	1
285	Transport Zone (Private Road)	Internal Roads		2.52	6
290-292	Transport Zone (Public Road)	Internal Roads		1.56	4
Total				44.28	100

1.2 **Amendment** of the Subdivision Plan for Portions 1 & 4 of Farm 852 and Remainder Farm 849 Paarl, for slight amendments to the previously approved SDP and access configuration, as indicated on the Subdivision Plan drawn by Terraplan Town and Regional Planners, Plan No. 886-3 Rev 6, dated 07/08/2023 (**Annexure B**);

1.3 In terms of Section 24(1)(f) of the Drakenstein Bylaw on Municipal Land Use Planning, 2018, it **be certified** that the proposed services servitudes **be exempted** from the provisions of Sections 15 and 20 to 23 of the Drakenstein Bylaw on Municipal Land Use Planning, as indicated on the proposed Subdivision Plan, drawn by

Terraplan Town and Regional Planners, Plan No. 886-3 Rev 6, dated 07/08/2023
(Annexure B);

2. The approvals mentioned in Paragraphs 1.1 to 1.3 above be subject to the following conditions, laid down in terms of Section 66 of the Drakenstein Bylaw on Municipal Land Use Planning, 2018;
 - 2.1 Adherence to the conditions laid down by the Drakenstein Municipality: Civil Engineering Services Division in its memorandum 15/4/1 (F849/2, 852/1 & 4) P (1305) dated 31 August 2023, **(Annexure F);**
 - 2.2 Adherence to the conditions laid down by the Drakenstein Municipality: Electro-Technical Engineering Services Division in its memorandum 852/1 & 4, 849, dated 14 October 2022, **(Annexure G);**
 - 2.3 The applicant takes note of the conditions laid down by Western Cape Department of Water and Sanitation, in its letter dated 28 September 2022 **(Annexure L);**
 - 2.4 The applicant takes note of the conditions laid down by Western Cape Department of Environmental Affairs and Development Planning, as set out in its letter dated 16 August 2023 **(Annexure M);**
 - 2.5 The phasing of the development to be known as Zandrif Lifestyle Estate, as indicated on the Phasing Plan, drawn by Terraplan Town and Regional Planners, Plan No. 886-4 Rev 1, dated 07/08/2023 **(Annexure C),** be accepted and supported;
 - 2.6 The Development Framework on Portions 1 & 4 of Farm 852 and Remainder Farm 849 Paarl, to be known as the Zandrif Lifestyle Estate, as indicated on the Development Framework Plan drawn by Dennis Moss Partnership, dated 2022-01-28 **(Annexure D),** be accepted and supported;
3. Adherence to the following conditions from a town planning perspective:
 - 3.1 This approval only applies to the application in question, and shall not be construed as authority to depart from any other legal prescriptions or requirements;
 - 3.2 An application for the establishment of a Master Homeowners Association and Constitution name for the proposed dwelling residential (lifestyle units), group housing development (retirement village), retirement centre (associated services, retirement cottages, apartments, frail care unit, assisted living units), Mixed-Use Zone (75 apartments) with design guidelines, together with an application for the private roads be submitted to the Manager: Land Development Management, so that the Private Roads/Private Open Spaces can be registered in the name of the Master Homeowners Association simultaneously with the first registration of any erf, prior to building plan submission phase;

- 3.3 An application for the establishment of Homeowner Associations and Constitution names for the proposed dwelling residential (lifestyle units) and group housing development (retirement village) components with design guidelines, together with an application for the Private Roads/Private Open Spaces be submitted to the Manager: Land Development Management, so that the Private Roads/Private Open Spaces can be registered in the name of the respective Homeowner Associations simultaneously with the first registration of any erf, prior to building plan submission phase;
- 3.4 An application for the establishment of a Body Corporate and Constitution name for the proposed Mixed-Use Zone (75 apartment) with design guidelines, together with an application for the Private Roads/Private Open Spaces be submitted to the Manager: Land Development Management, so that the Private Roads/Private Open Spaces can be registered in the name of the Body Corporate simultaneously with the first registration of any erf, prior to building plan submission phase;
- 3.5 A detailed Site Development Plan for the components mentioned in points 3.2 to 3.4 above, indicating refuse areas and access thereto for waste management services, together with the position of any security access control room(s), should each of the components be considered to be gated developments, to the Manager: Land Development Management, prior to building plan submission phase;
- 3.6 A copy of the Surveyor-General diagram be submitted to Council for record keeping purposes;
- 3.7 An application for the installation of any photo-voltaic (PV) system be submitted to the Manager: Electro-Technical Engineering Services Division (Planning and Customer Services Section), prior to building plan submission stage;
- 3.8 Energy-saving devices such as are contained in the Drakenstein Municipality's Green Building Manual be made use of as far as possible;
- 3.9 The applicant institute water conservation measures such as rainwater harvesting, grey water recycling and similar technical advancements such as low flow shower heads, dual flush toilets and water-wise gardens;
- 3.10 The proposal complies with all health requirements;
- 3.11 No new buildings or boundary walls are to be erected or existing structures altered without the approval of building plans by Council;
- 3.12 Any amendments to the application are subject to the relevant approval;
- 3.13 Should the applicant fail to comply with any of the above conditions, Council reserves the right to impose further conditions in future if deemed necessary or even revoke the approval;

4. The following be regarded as the reasons for the decision:
 - 4.1 The proposal is to acquire the necessary land use rights, in order to facilitate the proposed development, with slight amendments to the previously approved SDP and access configuration;
 - 4.2 The proposal includes an amendment of approval conditions, so as to facilitate the development;
 - 4.3 The property is located within the delineated urban edge and earmarked for urban infill, which encourages a range of mix-uses of varying densities;
 - 4.4 The property is located within the delineated urban edge, encouraging urban compaction and reducing urban sprawl;
 - 4.5 The proposal is not expected to detract from the character of the area, as sensitivity has been exercised and incorporated in the design layout;
 - 4.6 The proposal is of such a nature that it is not expected to have a significant negative impact on the existing surrounding built and natural environment;
 - 4.7 The application is not expected to have a significant negatively impact on the health, safety and wellbeing of the surrounding community;
 - 4.8 No objections were received during the public participation and stakeholder engagement process;
 - 4.9 All relevant internal and external departments consented to the proposal; and
 - 4.10 The proposal is line with the Drakenstein Spatial Development Framework, as well as other forward planning policies and frameworks.

Your attention is drawn to the general right of appeal to the Executive Mayor being the Appeal Authority in terms of Section 79(3) of the Drakenstein Bylaw on Municipal Land Use Planning, 2018, by any person whose rights are affected by the decision, within **21 days** of notification of decision.

This provisional approval is therefore suspended until further notice. Please also notify (**email or per hand**) the **surrounding property owners** who were notified of the application during the initial public participation process and **objectors** (if any), of their right of appeal – proof of notification **must** be provided.

Should there be any appeals against the decision, **the application title (heading)** must be used as reference. The appeal procedures are set out in Section 80 of the above-mentioned bylaw (attached).

Your attention is drawn to the fact that all correspondence must be directed to the City Manager and also sent via our official email address.

Yours faithfully



H. G. STRIJDOM (PR. PLN A/1058/1998)

MANAGER: LAND DEVELOPMENT MANAGEMENT

Please address all correspondence to the City Manager, P O Box 1, Main Street, Paarl, 7622, or Customer care, e-mail, customercare@drakenstein.gov.za, and Henk Strijdom, henks@drakenstein.gov.za

ZANDRIFT SUBDIVISION PLAN			
Portions	Zoning	Land Use	Units Area (ha) %
1-9	Conventional Housing Zone (Dwelling Houses)	Single Residential Lifestyle Units	9 0.43 1
10-12	Conventional Housing Zone (Dwelling Houses)	Single Residential Lifestyle Units	56 3.28 7
13-15	Conventional Housing Zone (Dwelling Houses)	Single Residential Lifestyle Units	34 0.79 2
16-18	Conventional Housing Zone (Dwelling Houses)	Single Residential Lifestyle Units	25 1.92 4
19-22	Conventional Housing Zone (Dwelling Houses)	Single Residential Lifestyle Units	23 2.23 3
23-25	Multi-unit Housing Zone (Group Housing)	Retirement Village Units	240 4.55 10
26-28	Open Space Zone (Private Open Space)	Private Open Space	2 0.22 0
29	Open Space Zone (Private Open Space)	Private Open Space	1 0.06 0
30	Open Space Zone (Private Open Space)	Private Open Space	1 0.08 0
31-33	Open Space Zone (Private Open Space)	Private Open Space	2 7.69 17
34	Open Space Zone (Private Open Space)	Private Open Space	4 0.15 0
35-37	Open Space Zone (Private Open Space)	Private Open Space	1 3.14 7
38	Community Use Zone (Retail Care Unit)	Retirement Center with Retirement Cottages/ Apartments/ Frail Care Assisted Living	150 1.62 4
39-41	Mixed Use Commercial and Tourism (Mixed Use Commercial and Tourism)	75 Apartments 500m ² G.A.	75 3.39 8
42	Agriculture Zone (Agriculture)	Remyard	8.87 20
43	Substation Site (Substation Site)	Substation	0.06 0
44-46	Transport Zone (Private Road)	Internal Roads	2.37 5
47	Transport Zone (Private Road)	Internal Roads	0.40 1
48	Transport Zone (Private Road)	Internal Roads	2.52 6
49-51	Transport Zone (Public Road)	Internal Roads	1.55 4
			44.28 100

ANNEXURE B



PROJECT
Zandrif Development

DRAWING
Subdivision Plan

CLIENT
Combined Developers

SCALE
1 : 3000 (A3)

Plan No
886-3 Rev6

APPLICANT
Terraplán
Operative Areas 28
P.O. Box 1000
1001

COMPLETED
07/06/2023

CHECKED
Tina Scott

DATE
07/06/2023



Memo

To: EXECUTIVE DIRECTOR: PLANNING & ECONOMIC DEVELOPMENT
(ATTENTION: C. VAN DER BANK)

From: ACTING MANAGER: INFRASTRUCTURE DEVELOPMENT

Enquiries: LH. SMITH

Collaborator number: 1946856

Reference number: 15/4/1 (F 849/2, 852/1 & 4) P (1305)

Date: 31 August 2023

Subject: SUBDIVISION, APPROVAL OF PHASING AND AMENDMENT OF CONDITIONS OF APPROVAL: PTN 1 & 4 OF FARM 852 AND REM FARM 849, 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

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 *The developer will be liable for the total costs associated with the demolishing and closing of the existing Boschenmeer Estate entrance, including construction of a new guardhouse and entrance road from the proposed intersection to Boschenmeer Estate as detailed in the memorandum of agreement between the parties; 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 Statement (TIS) dated 25 March 2022, referenced: 2973.1.*

2 STORM WATER

- 2.1 Any new storm water networks will be the responsibility of the developer, including all internal and bulk connectors
- 2.2 Pollution control measures to mitigate chemical and solid pollution must be provided at inlet and outlet structures as may be relevant
- 2.3 Only pre-development run-off of a 1:2 year storm event will be accepted into the existing system. Provision must be made to accommodate the detention of run-off for a 1:50 year storm event;
- 2.4 Provision must be made for an effective rainwater harvesting system to be planned and designed for all roof water. The volume of the storage facilities should be based on 0.02m³/m² roof area; and
- 2.5 ***Prior to the approval of any building/ civil plan, a detailed stormwater management plan must be submitted to this department for approval.***

3 WATER

- 3.1 **A large portion of the required bulk infrastructure upgrades per GLS report has already been completed since the previous approval. The remaining portion of bulk infrastructure upgrades must be implemented by the developer and will be offset against payable Bulk Infrastructure Contribution Levies;**
- 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 ***The package plant will be restricted to connect only 161 residential units in the development. If the developer wishes to expand and exceed the above set threshold, they will be required to connect to the bulk infrastructure and will be responsible for the implementation of wastewater upgrades as per the GLS bulk services report;***
- 4.2 The applicant shall ensure adherence to the various conditions in the Drakenstein Municipality, Water Services By-law (2014) relating to wastewater effluent discharge;
- 4.3 All individual portions must be provided with a separate wastewater connection;

- 4.4 All the connections must be installed one meter inside the erf boundary of each portion; 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, after the proclamation of the development, to remove household refuse in accordance with its by-laws and shall make its own arrangements with the occupants of erven/home owner's organisation/body corporate in the development, 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 the 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 provided with 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;
- 5.8 *The developer and the Home Owners Association or Body Corporate, shall indemnify the Drakenstein Municipality from any damages or spillage caused as a result in rendering the refuse removal service on the private property area in front of the development's main entrance,*
- 5.9 *Refuse truck movement around the main entrance must be confirmed with the Drakenstein Municipality's Manager: Roads, Traffic and Stormwater prior to the approval of any civil engineering drawings; and*
- 5.10 The developer shall submit an Integrated Solid Waste Management Plan for approval by the department before the completion of the civil works.

6 BULK INFRASTRUCTURE CONTRIBUTION LEVY

- 6.1 Based on the information provided in the application, the Bulk Infrastructure Construction Levy payable by the developer is **R 28,192,944 (Incl. VAT)**. The levy is valid until **30 June 2023** where after a new calculation is required. The value has been calculated as follows:
- Retirement Village: 150 units @ R13,554.30 x 4 services = R8,132,580.00
 - Frail Care: 150 units @ R13,554.30 x 4 services = R8,132,580.00
 - Life style village: 145 units @ R13,554.30 x 4 services = R7,861,494.00
 - Communal area: 75 units @ R13,554.30 x 4 services = R4,066,290.00

6.2 Note that the BULK Infrastructure Construction Levies calculated will only be applicable to the approved SDP provided in the application. If the developer wishes to increase the Gross Leasable Area of the development in future, resulting in an additional impact on engineering services, this department will investigate whether the developer is liable for the payment of additional Bulk Infrastructure Construction Levies within the given legislative and policy frameworks; and

6.3 ***The developer is required to contribute an additional 10% of the Development Contribution towards the upgrading of R301.***

7 GENERAL

7.1 ***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;***

7.2 ***When at any stage in future the municipality is required to take over ownership and maintenance of civil infrastructure, it will be the responsibility of the property owners to ensure all water and waste water connections adhere to municipal standards and by-laws;***

7.3 A services agreement shall be entered into, prior to the start of construction, where in shall be detailed the apportionment of funding of any new works common to the area, including but not limited to road network upgrading, sewerage treatment works upgrading, bulk water supply upgrading, sewage network upgrading;

7.4 The developer is responsible for the payment of a BULK Infrastructure Construction Levies (water, sewer, stormwater, solid waste and roads) which can be discounted against the bulk service cost needed for the development;

7.5 The developer is responsible for the funding of all connections to the bulk services and all internal works;

7.6 The findings of the bulk service capacity analysis carried out by councils consultant GLS Engineers, needs to be implemented simultaneously with the development;

7.7 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;

7.8 The whole of the works shall fall under the control of a single project manager;

7.9 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;

7.10 All works where applicable shall be constructed to at least the minimum standards as set out in, Engineering Services: Municipal Standards;

- 7.11 Where applicable all water network, (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), sewer network, stormwater network and road network components shall be a private combined system and shall be indicated as such on all documents and plans;
- 7.12 All private combined systems (including but not limited to water, sewer, stormwater, roads, irrigation, etc.) shall be the joint and several 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;
- 7.13 Where applicable any use of effluent from the WWTW shall be dealt with in the services agreement but shall be limited to a maximum of 90% of the discharged effluent that can be attributed to inflow from the development;
- 7.14 A comprehensive operational infrastructure management plan shall be drawn up and submitted for approval by the Civil Services Department;
- 7.15 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
- 7.16 The above conditions are to be complied with in stages.
- 7.16.1 Requirements associated with the preparation of plans, drawings, permits, agreements and approvals, shall be complied with prior to construction;
- 7.16.2 Requirements associated with the completion of construction, Bulk Infrastructure Construction Levies, 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
- 7.16.3 Proof of compliance for the requirements associated with long term operations must be available on request.



LH. SMITH

ACTING MANAGER: INFRASTRUCTURE DEVELOPMENT

I:\DEVELOPMENT APPLICATIONS\15 town planning\15-4-1\2023\comments\Farm 849-2, 852-1 & 4, Paarl - Subdivision , approval of phasing and amendment of conditions of approval.docx

LHS/lis



Memo

To:	Senior Manager: Land Development Management For attention: H Strijdom/C van der Bank/E Cyster
From:	Manager: Planning and Customer Services
Enquiries:	L Laing
Reference number:	852/1 & 4, 849
Date:	14 October 2022
Subject:	APPLICATION FOR SUBDIVISION, APPROVAL OF PHASING PLAN AND AMENDMENT OF CONDITIONS OF APPROVAL FOR PORTION 1 & 4 OF FARM 852 AND REMAINDER FARM 849, PAARL

Time Limit on Conditions: These conditions will be limited to a period of one (1) year from the date as on the covering memo from this department. After this period a re-application must 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.
- 2.5. The existing 11kV overhead line situated within the above-mentioned property boundaries will have to be removed at the cost of the owner or developer.
- 2.6. The developer is required to include measures to improve energy efficiency for this development to reduce consumption of electricity.
- 2.7. All conditions, prior to the implementation of services and maintenance management will form part of the development electrical reticulation approval and service level agreement.
- 2.8. A service level agreement between the municipality and the owner or developer of the development must be arrange at Electro-Technical Services Department (Planning and Design division - Chief Engineering Technician).

3. GENERAL

- 3.1. NRS069 Network recovery cost will apply and will be calculated according to the following as indicated in approved tariffs: **R 4 500.11 per kVA (V.A.T. included)**. The cost as mentioned above is valid until 30 June 2023 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. All upgrade and service costs must be paid at the finance section in cash before any service connection may be rendered.
- 3.4. Your attention is drawn to the following electricity by-law:
 - 3.4..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.
 - 3.4..2. A reseller must comply with the licensing and registration requirements set out in the ERA.
 - 3.4..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.
 - 3.4..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.
 - 3.4..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.
 - 3.4..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.
- 3.5. Authorization to re-sell electricity can be obtained by council approval only.
- 3.6. A private registered electrical consultant as well as an installation electrician shall be used to do all designs, installation(s) and alterations according to SANS 10142, Occupational Health and Safety Act (Act 85 of 1993) and Drakenstein Municipal by-laws prior to the development.
- 3.7. A certificate of compliance and occupational certificate must be handed over to the Electro-Technical Services Department (Service section) on the day the service is rendered, or case may be.

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

Yours faithfully



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MANAGER: PLANNING AND CUSTOMER SERVICES

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water & sanitation

Department:
Water and Sanitation
REPUBLIC OF SOUTH AFRICA

ANNEXURE L

WESTERN CAPE PROVINCE

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

Enquiries : B. Mtandana
Tel # : (021) 941 6136
Email : MtandanaB@dws.gov.za
Reference : 16/27/G10C/A/8

Attention: Mrs. Mispa Coetzee

TERRAPLAN TOWN PLANNERS
P.O. BOX 1756
DURBANVILLE
7550

Dear Madam

APPLICATION FOR SUBDIVISION, APPROVAL OF PHASING PLAN AND AMENDMENT OF CONDITIONS OF APPROVAL FOR PORTIONS 1 & 4 OF FARM 852 AND REMAINDER FARM 849, PAARL

Reference is made to the above-mentioned document dated 29 June 2022 with your reference number 886-10-PP.

The Department has perused the document and has the following comments;

- The proposed development will trigger water uses in terms of *Section 21 (c) impeding or diverting the flow of water in a watercourse AND (i) altering the bed, banks, course and characteristics of a water course* of the National Water Act, 1998 (Act 36 of 1998) (NWA).
- Page 9, subsection 5.13.2 with heading "Sewer drainage" of your motivation document states "If sufficient funds are not sourced timeously for the installation of the bulk sewer outfall, the Zandrift development will install a temporary sewer (package) plant for the treatment of the sewer generated by the development to acceptable water quality levels before discharge." The use of a private package plant may trigger the following water uses in terms of Section 21 of the NWA:
 - (e) engaging in a controlled activity identified as such in section 37(1) or declared under section 38(1);
 - (f) discharging waste or water containing waste into a water resource through a pipe, canal, sewer, sea outfall or other conduit; &
 - (g) disposing of waste in a manner which may detrimentally impact on a water resource.
- A Risk Matrix indicating that the impact of the proposed activity must be submitted as per Government Gazette No. 40229 in Government Notice 509 dated 28 August 2016.



NATIONAL DEVELOPMENT PLAN
Our Future - make it work



water & sanitation

Department:
Water and Sanitation
REPUBLIC OF SOUTH AFRICA

- If any property that receives water from an Irrigation Board or Water User Association is subdivided, sold or consolidated, the Board or Association and this Department must be notified within sixty (60) days after the said transaction took place.
- The Irrigation Board or Water User Association must supply this Department with their correspondence in support of the application and/or their conditions regarding the proposed subdivision and consolidation.
- Please note that if the subdivision will affect the allocation of a water use as registered by this Department, the owner(s) of the new property (ies) must enter into a written mutual agreement to determine each property's share in any allocated water or water use and this must be communicated to this Department.
- If this subdivision (or consolidation) will affect the allocation of a water use as licensed by this Department, the Licensee must contact the Department for the amendment of this license. This will also be necessary if the property description changes. The Licensee must provide full details of all changes in respect of the properties to the Responsible Authority within 60 days of said change taking place.
- No abstraction of surface water or ground water may take place without the prior authorisation from this Department, unless it is a Schedule 1 use or an Existing Lawful Use.
- You are hereby advised to submit a Water use application by following <https://www.dws.gov.za/ewulaas/> and then click on "online portal".
- No commencement of activities may take place without an authorisation from this Department.
- All relevant sections of the NWA regarding water use, water resource management, and pollution management must be adhered to.

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

Yours faithfully

PROVINCIAL HEAD : WESTERN CAPE
Signed by : Nelisa Ndobeni
Designation : Control Environmental Officer
Date : 28 September 2022



NATIONAL DEVELOPMENT PLAN
Our Future - make it work

REFERENCE: 16/3/3/1/B3/28/1023/23
NEAS REFERENCE: WCP/EIA/0001254/2023
ENQUIRIES: Bernadette Osborne
DATE OF ISSUE: 16 AUGUST 2023

The Board of Directors
Combined Developers (Pty) Ltd.
PO Box 3667
TYGERVALLEY
7530

Attention: Mr Marco Kriek

Cell: 083 467 3545
E-mail: marco@combineddev.co.za

Dear Sir

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT ("EIA") REGULATIONS, 2014: THE ZANDDRIFT LIFESTYLE ESTATE, RETIREMENT VILLAGE, FRAIL CARE FACILITY AND ASSOCIATED INFRASTRUCTURE ON THE REMAINING EXTENT OF FARM NO. 849, PORTIONS 1 AND 4 OF FARM NO. 852, THE REMAINING EXTENT OF FARM NO'S: 13535, 15199 AND 14275, PORTION 1 OF FARM NO. 1766 AND ERVEN 29181, 29182 AND 27430, ZANDDRIFT, PAARL.

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

Yours faithfully

Zaahir Toefy
Digitally signed by Zaahir Toefy
Date: 2023.08.16 15:25:10
+02'00'

MR. ZAAHIR TOEFY
DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)

Cc: (1) Ms Euronell Visagie (Guillaume Nel Environmental Consultants)
(2) Ms Cindy Winter (Drakenstein Municipality)

E-mail: eg@gnec.co.za
E-mail: Cindy.Winter@drakenstein.gov.za



REFERENCE: 16/3/3/1/B3/28/1023/23

NEAS REFERENCE: WCP/EIA/0001254/2023

ENQUIRIES: Bernadette Osborne

DATE OF ISSUE: 16 AUGUST 2023

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 ZANDDRIFT LIFESTYLE ESTATE, RETIREMENT VILLAGE, FRAIL CARE FACILITY AND ASSOCIATED INFRASTRUCTURE ON THE REMAINING EXTENT OF FARM NO. 849, PORTIONS 1 AND 4 OF FARM NO. 852, THE REMAINING EXTENT OF FARM NO'S: 13535, 15199 AND 14275, PORTION 1 OF FARM NO. 1766 AND ERVEN 29181, 29182 AND 27430, ZANDDRIFT, 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 Layout Alternative 2 described in the Basic Assessment Report ("BAR"), dated 9 June 2023.

In terms of the NEMA, viz, the EIA Regulations, 2014 (Listing Notices 1 and 3 of 2014 in Government Gazette No. 40772 of 7 April 2017) the Competent Authority hereby **adopts the Maintenance Management Plan** for the maintenance activities associated with the Zanddrift Lifestyle Estate, Retirement Village and Frail Care Facility on the Remainder Extent of Farm No. 849 and Portions 1 and 4 of Farm No. 852, Zanddrift, Paarl.

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

Combined Developers (Pty) Ltd.
 c/o Mr Marco Kriek
 PO Box 3667
TYGERVALLEY
 7530
 Cell: 083 467 3545
 E-mail: marco@combineddev.co.za

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

B. ACTIVITY AUTHORISED

Listed Activity	Project Description
<p>Listing Notice 1 – Activity Number: 9 The development of infrastructure exceeding 1000 metres in length for the bulk transportation of water or storm water- (i) with an internal diameter of 0.36 metres or more (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 or storm water drainage inside a road reserve; or (b) where such development will occur within an urban area.</p>	<p>The water and stormwater pipelines will have a diameter that ranges between 0.25 to 0.4 metres and will be located outside an urban area.</p>
<p>Listing Notice 1 – Activity Number: 10 The development and related operation of infrastructure exceeding 1 000 metres in length for the bulk transportation of sewage, effluent, process water, wastewater, return water, industrial discharge or slimes – (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 the bulk transportation of sewage, effluent,</p>	<p>The sewer pipeline will be approximately 1700 metres long with a diameter that ranges between 0.35 to 0.4 metres and will be located outside an urban area.</p>

<p>process water, waste water, return water, industrial discharge or slimes</p> <p>(b) inside a road reserve or railway line reserve; or</p> <p>(c) (b) where such development will occur within an urban area.</p>	
<p>Listing Notice 1 – Activity Number: 12 The development of—</p> <p>(i) dams or weirs, where the dam or weir, including infrastructure and water surface area, exceeds 100 square metres; or</p> <p>(ii) infrastructure or structures with a physical footprint of 100 square metres or more;</p> <p>where such development occurs—</p> <p>(a) within a watercourse; (b) in front of a development setback; or (c) if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse; —</p> <p>excluding—</p> <p>(aa) the development of infrastructure or structures within existing ports or harbours that will not increase the development footprint of the port or harbour;</p> <p>(bb) where such development activities are related to the development of a port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies;</p> <p>(cc) activities listed in activity 14 in Listing Notice 2 of 2014 or activity 14 in Listing Notice 3 of 2014, in which case that activity applies;</p> <p>(dd) where such development occurs within an urban area;</p> <p>(ee) where such development occurs within existing roads, road reserves or railway lines; or</p> <p>(ff) the development of temporary infrastructure or structures where such infrastructure or structures will be removed within 6 weeks of the commencement of development and where indigenous vegetation will not be cleared.</p>	<p>The bridges and associated infrastructure to be located within 32m of a watercourse will exceed 100m².</p>
<p>Listing Notice 1 – Activity Number: 19 The infilling or depositing of any material of more than 10 cubic metres into, or the dredging, excavation, removal or moving of soil, sand,</p>	<p>The development will result in the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 10 cubic metres from a watercourse.</p>

<p>shells, shell grit, pebbles or rock or more than 10 cubic metres from a watercourse;</p> <p>but excluding where such infilling, depositing, dredging, excavation, removal or moving-</p> <ul style="list-style-type: none"> (a) Will occur behind a development setback; (b) Is for maintenance purposes undertaken in accordance with a maintenance management plan; (c) Falls within the ambit of activity 21 in this Notice, in which case that activity applies. (d) Occurs within existing ports or harbours that will not increase the development footprint of the port or harbour; or (e) Where such development is related to the development of a port or harbor, in which case activity 26 in Listing Notice 2 of 2014 applies. 	
<p>Listing Notice 1 – Activity Number: 24 The development of a road—</p> <ul style="list-style-type: none"> (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 (ii) with a reserve wider than 13,5 meters, or where no reserve exists where the road is wider than 8 metres; <p>but excluding a road—</p> <ul style="list-style-type: none"> (a) which is identified and included in activity 27 in Listing Notice 2 of 2014; (b) where the entire road falls within an urban area; or (c) which is 1 kilometre or shorter. 	<p>The roads will have various widths of up to 20m.</p>
<p>Listing Notice 1 – Activity Number: 27 The clearance of an area of 1 hectares or more, but less than 20 hectares of indigenous vegetation, except where such clearance if indigenous vegetation is required for –</p> <ul style="list-style-type: none"> (i) The undertaking of linear activity; or 	<p>The development will result in the clearance of more than 1ha of indigenous vegetation.</p>

<p>(ii) Maintenance purposes undertaken in accordance with a maintenance management plan.</p>	
<p>Listing Notice 1 – Activity Number: 28 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:</p> <p>(i) will occur inside an urban area, where the total land to be developed is bigger than 5 hectares; or</p> <p>(ii) will occur outside an urban area, where the total land to be developed is bigger than 1 hectare;</p> <p>excluding where such land has already been developed for residential, mixed, retail, commercial, industrial, or institutional purposes.</p>	<p>The development will occur on land which was previously used for agricultural purposes.</p>
<p>Listing Notice 1 – Activity Number: 31 The decommissioning of existing facilities, structures or infrastructure for—</p> <p>(i) any development and related operation activity or activities listed in this Notice, Listing Notice 2 of 2014 or Listing Notice 3 of 2014;</p> <p>(ii) any expansion and related operation activity or activities listed in this Notice, Listing Notice 2 of 2014 or Listing Notice 3 of 2014;</p> <p>(iii)</p> <p>(iv) any phased activity or activities for development and related operation activity or expansion or related operation activities listed in this Notice or Listing Notice 3 of 2014; or</p> <p>(v) any activity regardless the time the activity was commenced with, where such activity:</p> <p>(a) is similarly listed to an activity in (i) or (ii) above; and</p>	<p>The development will include the decommissioning and subsequent infilling of a dam.</p>

<p>(b) <i>is still in operation or development is still in progress;</i></p> <p>excluding where—</p> <p>(aa) <i>activity 22 of this notice applies; or</i></p> <p>(bb) <i>the decommissioning is covered by part 8 of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008) in which case the National Environmental Management: Waste Act, 2008 applies.</i></p>	
<p>Listing Notice 3 – Activity Number: 12 The clearance of an area of 300 square metres or more of indigenous vegetation except where such clearance of indigenous vegetation is required for maintenance purposes undertaken in accordance with a maintenance management plan.</p> <p>(i) Western Cape:</p> <p>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;</p> <p>ii. <i>Within critical biodiversity areas identified in bioregional plans;</i></p> <p>iii. <i>Within the littoral active zone or 100 metres inland from the 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 or even in urban areas;</i></p> <p>iv. <i>On land, where, at the time of the coming into effect of this Notice or thereafter such land was zoned open space, conservation or had an equivalent zoning; or</i></p> <p>v. <i>On land designated for protection or conservation purposes in an Environmental</i></p>	<p>The development will result in the clearance of more than 300 square metres of critically endangered vegetation.</p>

<p><i>Management Framework adopted in the prescribed manner, or a Spatial Development Framework adopted by the MEC or Minister.</i></p>	
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The abovementioned activities are hereinafter referred to as "**the listed activities**".

The holder is herein authorised to undertake the following alternative that includes the listed activities:

The proposed development entails the construction of a lifestyle, a retirement estate, a frail care facility and associated infrastructure that will include the following:

- Approximately 127 Single Residential units;
- A Retirement Village with approximately 140 units;
- A Frail Care Centre;
- A communal area with approximately 75 apartments;
- A community centre including mixed use commercial and tourism facilities;
- A sport and recreation area;
- A farmyard consisting of existing vineyards;
- An electrical substation;
- A package plant with a daily throughput capacity of approximately 300kl and a development footprint of 210m². The treated water will be stored in the wet pond/retention pond and will be used for landscaping irrigation in the summer and in the winter, it will be discharged into the Wildeperdejag River and unnamed tributary.
- Two stormwater ponds;
- Internal roads;
- The development of the following two bridges across a watercourse:
 - A pedestrian bridge of approximately 8.8m long and 2m wide with a development footprint of approximately 17.6m².
 - A bridge for vehicular access of approximately 19.15m long and 19.9m wide with a development footprint of approximately 381.09m².
- Service infrastructure that includes a bulk sewer pipeline that is approximately 1700m long and between 350mm - 400mm in diameter and a bulk water pipeline that is approximately 800m long and between 250mm - 400mm in diameter; and
- The decommissioning of a dam.

The proposed development will have a footprint of approximately 24.09ha and existing access is available.

C. SITE DESCRIPTION AND LOCATION

The listed activities will be undertaken on the on the Remaining Extent of Farm No. 849 and Portions 1 and 4 of Farm No. 852, the Remaining Extent of Farm No's: 13535, 15199 and

14275, Portion 1 of Farm No. 1766 and Erven 29181, 29182 and 27430, Zanddrift, Paarl and has the following co-ordinates:

Center Point	Latitude (S)	Longitude (E)
Co-ordinates:	33° 45' 39.70" South	18° 59' 12.99" East

Pedestrian bridge	Latitude (S)	Longitude (E)
Co-ordinates of start point:	-33° 45' 48.12" South	18° 59' 24.00" East
Co-ordinates of middle point:	-33° 45' 47.98" South	18° 59' 24.00" East
Co-ordinates of end point:	-33° 45' 47.84" South	18° 59' 24.01" East

Bridge for vehicular use	Latitude (S)	Longitude (E)
Co-ordinates of start point:	-33° 45' 45.93" South	18° 59' 11.18" East
Co-ordinates of middle point:	-33° 45' 45.70" South	18° 59' 11.41" East
Co-ordinates of end point:	-33° 45' 45.43" South	18° 59' 11.67" East

External bulk sewer pipeline	Latitude (S)	Longitude (E)
Co-ordinates of start point:	-33° 45' 47.93" South	18° 59' 2.76" East
Co-ordinates of middle point:	-33° 45' 22.30" South	18° 59' 55.29" East
Co-ordinates of end point:	-33° 45' 0.23" South	18° 59' 37.62" East

The SG digit codes are:

- C0550000000084900000
- C0550000000085200004
- C0550000000085200001
- C0550000000084900000
- C0550000000085200004
- C0550000000085200001
- C05500080002918200000
- C05500080001353500000
- C05500080002918100000
- C05500080001519900000
- C05500000000176600001
- C05500080002743000000
- C05500080001427500000

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

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

D. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER

Guillaume Nel Environmental Consultants
c/o Ms Euonell Visagie
PO Box 2636

PAARL

7620

Tel: (021) 870 1874

Email: 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 Layout Alternative 2 described in the BAR dated 9 June 2023 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, 12 and 18

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 MMP adopted as part of this Environmental Authorisation must be implemented.
11. The EMPr and MMP must be included in all contract documentation for all phases of implementation.

Monitoring

12. The holder must appoint a suitably experienced environmental control officer ("ECO"), or site agent where appropriate, before commencement of construction activities to ensure compliance with the provisions of the EMPr and the conditions contained herein. The ECO must conduct site visits and must submit ECO reports on a monthly basis to the competent authority.
13. A copy of the Environmental Authorisation, EMPr, MMP, 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.
14. 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

15. 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 the MMP. The Environmental Audit Report must be prepared by an independent person (other than the appointed Environmental Assessment Practitioner or Environmental Control Officer) and must contain all the information required in Appendix 7 of the NEMA EIA Regulations, 2014.

The holder must undertake an environmental audit and submit Environmental Audit Reports to the Competent Authority once a year during the construction phase. The final Environmental Audit Report must be submitted to the Competent Authority within three months after all the activities have been completed.

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

16. 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.

17. 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.
18. The development areas must be clearly demarcated prior to the commencement of construction activities. All areas outside the demarcated areas must be regarded 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 2659)
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: 2023.08.16 15:25:41
+02'00'

MR. ZAAHIR TOEFY

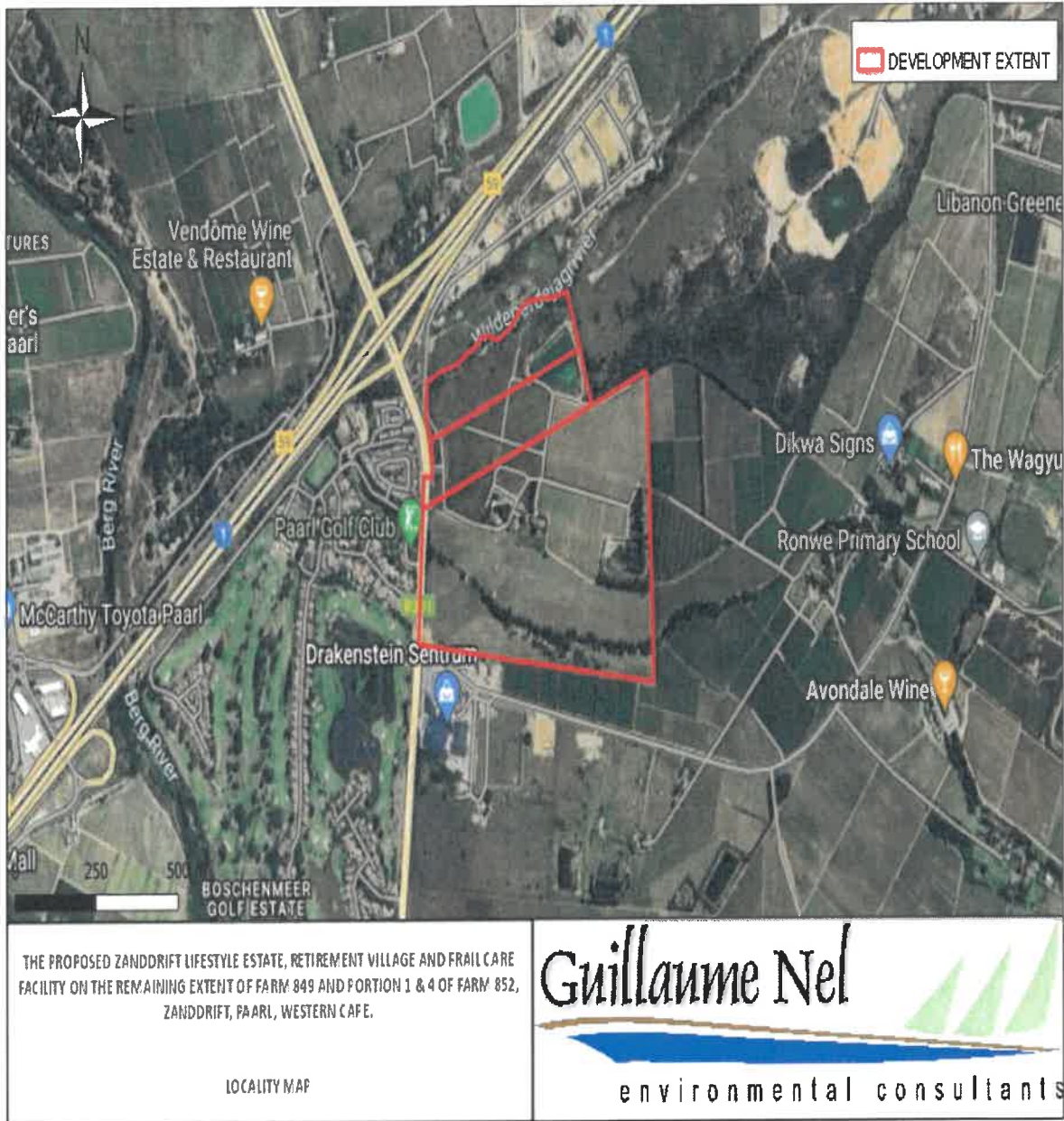
DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)

DATE OF DECISION: 16 AUGUST 2023

Cc: (1) Ms Ewonell Visagie (Guillaume Nel Environmental Consultants)
(2) Ms Cindy Winter (Drakenstein Municipality)

E-mail: eg@gnec.co.za
E-mail: Cindy.Winter@drakenstein.gov.za

ANNEXURE 1: LOCALITY MAP



ANNEXURE 2: SITE 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 dated 30 March 2023, the EMPr and the MMP submitted together with the final BAR dated 9 June 2023;
- 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 9 June 2023; 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 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;
- Site notices were placed along the boundary of the site.
- the placing of a newspaper advertisement in the 'Paarl Post' on 14 October 2022;
- 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 14 October 2022;
- making the pre-application Draft BAR available for comment from 14 October 2022; and
- making the in-process Draft BAR available for comment from 30 March 2023.

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

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

2. Alternatives

The following two alternatives were considered:

Layout Alternative 1

This alternative entails the construction of a lifestyle and retirement estate consisting and associated infrastructure that will include the following:

- Approximately 192 Single Residential Units.
- Approximately 160 Retirement Village Units.
- A Frail Care Centre with 150 beds.
- Communal area with approximately 75 apartments.
- Community centre entailing mixed use commercial and tourism facilities.
- Farmyard consisting of existing vineyards.
- Internal road network including two bridge crossings.
- Services including sewer and water pipelines.

Layout Alternative 2 (Preferred and herewith authorised)

This alternative entail entails the construction of a lifestyle and retirement estate and associated infrastructure that will include the following:

- Approximately 127 Single Residential units;
- A Retirement Village with approximately 140 units;
- A Frail Care Centre;
- A communal area with approximately 75 apartments;
- A community centre including mixed use commercial and tourism facilities;
- A sport and recreation area;
- A farmyard consisting of existing vineyards;
- An electrical substation;
- A package plant with a daily throughput capacity of approximately 300kl and a development footprint of 210m². The treated water will be stored in the wet pond/retention pond and will be used for landscaping irrigation in the summer and in the winter, it will be discharged into the Wildeperdejag River and unnamed tributary.
- Two stormwater ponds;
- Internal roads;
- The development of the following two bridges across a watercourse:
 - A pedestrian bridge of approximately 8.8m long and 2m wide with a development footprint of approximately 17.6m².
 - A bridge for vehicular access of approximately 19.15m long and 19.9m wide with a development footprint of approximately 381.09m².
- Service infrastructure that includes a bulk sewer pipeline that is approximately 1700m long and between 350mm - 400mm in diameter and a bulk water pipeline that is approximately 800m long and between 250mm - 400mm in diameter; and
- The decommissioning of a dam.

Layout Alternative 2 is preferred for the following reasons:

- The total biophysical footprint will be nearly 1ha smaller in size (0.809ha) than Layout Alternative 1.

- The retention of active farmland will be 1.3ha bigger in size, as the internal road will not dissect the retained vineyard horizontally as in Layout Alternative 1.
- Layout Alternative 2 includes an electrical substation to assist with electrical service delivery capacity.
- The exclusion of an internal road with associated bridge crossing for vehicles located on the eastern portion of the southern stream. The bridge will now be a foot/pedestrian bridge at this location, therefore, resulting in a smaller impact on the associated watercourse.
- Layout Alternative 2 took environmental and heritage factors into consideration which are not accommodated in Layout Alternative 1.
- Layout Alternative 2 accommodated the 1:50 and 1:100-year flood lines that was not adequately addressed in Layout Alternative 1.

No-go Alternative

The No-Go option would entail continuing with the *status quo*. This alternative was not preferred since the need for a retirement village and a frail care facility will not be met. There is currently a need for a retirement village and frail care facility in the greater Paarl and Wellington area and the development will provide these residential opportunities.

3. Impact Assessment and Mitigation measures

3.1 Activity need and desirability

The development addresses the need for retirement and frail care residential opportunities to the residents of the greater Paarl and Wellington area. The development is in line with the Drakenstein Municipality Spatial Development Framework. The development will also generate temporary and permanent jobs during the construction phase and operational phase.

3.2 Biophysical Impacts

The site is mapped to contain Swartland Alluvium Fynbos vegetation and Boland Granite Fynbos which is both classified as endangered. The site has however been extensively disturbed by years of intensive agriculture and grazing and limited indigenous vegetation remains. The small patch of remnant natural vegetation located on the site is not considered to be of significant conservation value. The loss of indigenous vegetation is regarded to be of low negative significance.

Two rivers are present on the site, the Wildeperdejag River along the northern boundary of the site and an unnamed stream bisecting the southern portion of the site. According to the Freshwater Ecological Assessment (compiled by FEN Consulting dated February 2023) both the Wildeperdejag River and its unnamed tributary are in a largely modified ecological condition. The study found that the impacts on the above-mentioned watercourses as a result of the proposed development and the discharge of treated effluent into these watercourses will have a moderate risk/impact to the overall integrity of these watercourses should the recommended mitigation measures are implemented. The proposed mitigation measures have been included in the EMPr.

Negative Impacts:

- Loss of indigenous vegetation.
- Disturbance to the beds and banks of the watercourses during construction.

Positive impacts:

- The development will provide retirement and frail care residential opportunities to the residents of the greater Paarl and Wellington area.
- Temporary and permanent employment opportunities will be created during the construction and operational phases.

4. National Environmental Management Act Principles

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

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

5. Conclusion

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

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