

REFERENCE: 16/3/3/5/B3/28/1086/25
NEAS REFERENCE: WCP/EIA/AMEND/0001001/2025
DATE: 04 DECEMBER 2025

The Board of Directors
Cecilia Street Junction (Pty) Ltd.
PO Box 3983
Tygervalley
BELLVILLE
7536

Attention: Mr. Gary Luyt

Cell: 082 880 2238
E-mail: gary@glpg.co.za

Dear Sir

APPLICATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) AND PART 1 OF THE ENVIRONMENTAL IMPACT ASSESSMENT ("EIA") REGULATIONS, 2014 FOR THE AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 20 MARCH 2024: THE CECILIA JUNCTION DEVELOPMENT ON THE REMAINDER OF ERF NO. 31366, PAARL.

1. With reference to the above application, the Department hereby notifies you of its decision to **grant** the amendment of the Environmental Authorisation ("EA") issued on 20 March 2024 (DEA&DP Ref.: 16/3/3/1/B3/28/1067/23) attached herewith, together with the reasons for the decision.
2. Your attention is drawn to Chapter 2 of the National Appeal Regulations, 2025, which prescribes the appeal procedure to be followed. This procedure is summarised in the attached amended EA.

Yours faithfully

Zaahir Toefy Digitally signed by Zaahir Toefy
Date: 2025.12.04 10:28:31
+02'00'

MR. ZAAHIR TOEFY
DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)
DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

Cc: (1) Ms. Carlé Heyns (Doug Jeffery Environmental Consultants)
(2) Mr. Doug Jeffery (Doug Jeffery Environmental Consultants)
(3) Ms. Cindy Winter (Drakenstein Municipality)

E-mail: carle@dougjeff.co.za
E-mail: doug@dougjeff.co.za
E-mail: Cindy.Winter@drakenstein.gov.za



REFERENCE: 16/3/3/5/B3/28/1086/25
NEAS REFERENCE: WCP/EIA/AMEND/0001001/2025
DATE: 04 DECEMBER 2025

ENVIRONMENTAL AUTHORISATION

APPLICATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) AND PART 1 OF THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 FOR THE AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 20 MARCH 2024: THE CECILIA JUNCTION DEVELOPMENT ON THE REMAINDER OF ERF NO. 31366, PAARL.

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

A. 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 Department herewith **grants** the amendment of the Environmental Authorisation ("EA") issued on 20 March 2024 (DEA&DP Ref.: 16/3/3/1/B3/28/1067/23) in terms of Part 1 of the EIA Regulations, 2014 (as amended).

The EA is amended as set out below:

1. SECTION A: DETAILS OF THE APPLICANT FOR THIS ENVIRONMENTAL AUTHORISATION

Ceciliastraat Ontwikkeling (Pty) Ltd.
c/o Mr. Marinus Gerhardus Johannes van der Sluys
3 De Kleine Molen Street
PAARL
7646

Cell: 082 778 0226
E-mail: rinus@vdsprop.com

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

Is amended to read:

Cecilia Street Junction (Pty) Ltd.
c/o Mr. Gary Luyt
PO Box 3983
Tygervally
BELLVILLE
7536

Cell: 082 880 2238
E-mail: gary@glpg.co.za

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

2. SECTION B: ACTIVITIES AUTHORISED

The proposal entails a commercial and retail development and associated infrastructure on the Remainder of Erf 31366, Paarl. The parking area, stormwater infrastructure and one of the buildings will be located within 32m of a watercourse. The proposed development will be located on a site that was previously used for agriculture. The proposed development will include the following:

- *Eight blocks ranging in size for retail and commercial purposes;*
- *A nursery school; and*
- *Associated infrastructure (roads, stormwater infrastructure and parking bays).*

The footprint of the proposed development will be approximately 4.2655ha.

Is amended to read:

The proposal entails a commercial and retail development and associated infrastructure on the Remainder of Erf 31366, Paarl. The parking area, stormwater infrastructure and one of the buildings will be located within 32m of a watercourse. The proposed development will be located on a site that was previously used for agriculture. The proposed development will include the following:

- Approximately eight buildings to accommodate retail and commercial facilities; and
- Associated infrastructure (roads, stormwater infrastructure and parking bays).

The footprint of the proposed development will be approximately 4.2655ha.

3. SECTION E: CONDITIONS OF AUTHORISATION

Condition 1

The holder is authorised to undertake the listed activities specified in Section B above in accordance with and restricted to the Preferred Activity Alternative 2 and the Preferred Design Alternative 3 described in the BAR dated November 2023 on the site as described in Section C above.

Is amended to read:

Condition 1

The holder is authorised to undertake the listed activities specified in Section B in accordance with and restricted to the activity description as described in the Amendment Application Form dated 5 November 2025 on the site as described in Section C.

Condition 8

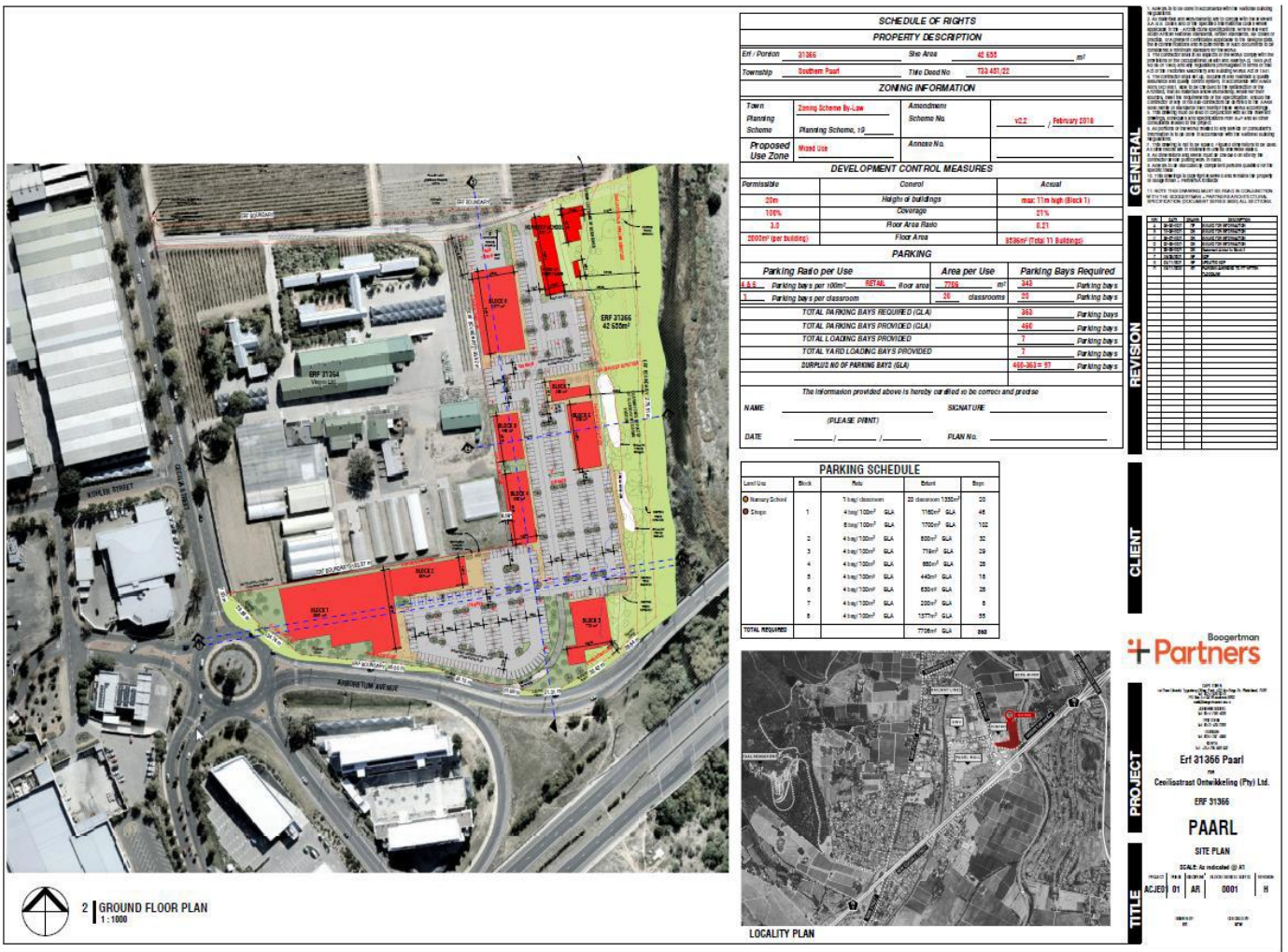
The draft Environmental Management Programme ("EMPr") submitted as part of the application for Environmental Authorisation is hereby approved and must be implemented.

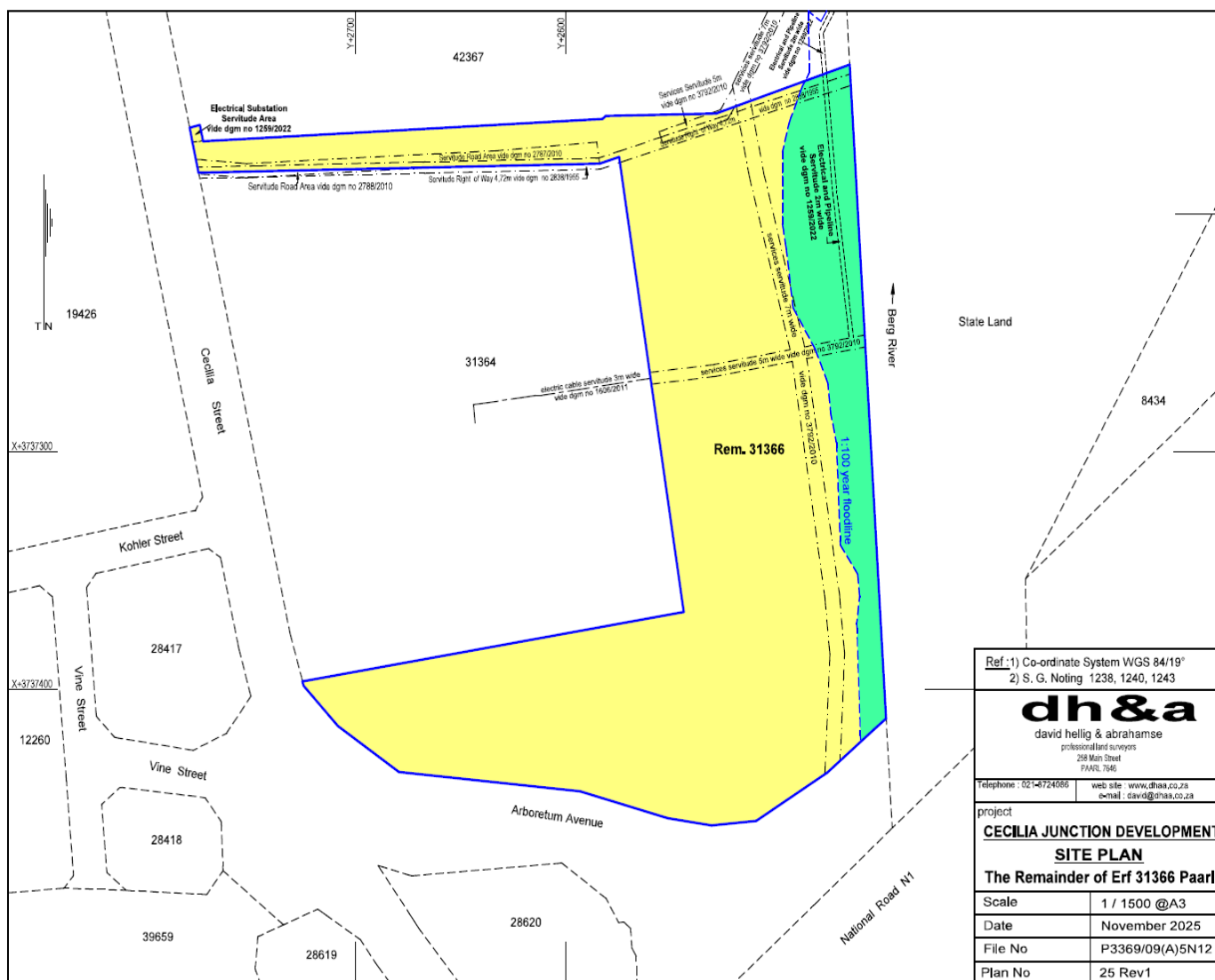
Is amended to read:

Condition 8

The Environmental Management Programme ("EMPr") submitted as part of the application (dated 5 November 2025) for an amendment of the Environmental Authorisation that was issued on 20 March 2024 is hereby approved and must be implemented.

4. ANNEXURE 2: SITE PLAN





5. ANNEXURE 3: REASONS FOR DECISION: ALTERNATIVES

Design Alternative 3 (Preferred and herewith authorised)

This alternative entails a commercial and retail development and associated infrastructure on the Remainder of Erf 31366, Paarl. The parking area, stormwater infrastructure and one of the buildings will be located within 32m of a watercourse. The proposed development will be located on a site that was previously used for agriculture. The proposed development will include the following:

- Eight blocks ranging in size for retail and commercial purposes;
- A nursery school; and
- Associated infrastructure (roads, stormwater infrastructure and parking bays).

The footprint of the proposed development will be approximately 4.2655ha.

This alternative was preferred as it reduced the overall heritage and visual impacts and the proposed development was setback outside the 1:100 year floodline.

Is amended to read:

Preferred alternative (herewith authorised)

This alternative entails a commercial and retail development and associated infrastructure on the Remainder of Erf 31366, Paarl. The parking area, stormwater infrastructure and one of the buildings will be located within 32m of a watercourse. The proposed development will be located on a site that was previously used for agriculture. The proposed development will include the following:

- Approximately eight buildings to accommodate retail and commercial facilities; and
- Associated infrastructure (roads, stormwater infrastructure and parking bays).

The footprint of the proposed development will be approximately 4.2655ha.

This alternative was preferred as it reduces the overall heritage and visual impacts and the proposed development was set back outside the 1:100 year floodline.

B. REASONS FOR THE DECISION

In reaching its decision, the Department took, inter alia, the following into consideration:

1. The entire site was assessed in the initial application for environmental authorisation. The removal of the nursery school from the development and the change in the configuration of the buildings within the approved site will not result in an increase in the nature or level of the impacts of the development.
2. The amendment does not, on its own, constitute a listed activity in terms of the EIA Regulations, 2014 (as amended).
3. The amendments will allow the applicant to align the approved development on the Remainder of Erf No. 31366, Paarl with the approval granted by the Drakenstein Municipality in term of the Drakenstein Municipal Land Use Planning By-Law (2018).
4. The environment and the rights and interests of interested and affected parties ("I&APs") will not be adversely affected by the decision to amend the Environmental Authorisation.

C. CONDITIONS

All other conditions contained in the Environmental Authorisation issued on 20 March 2024 (Attached as Annexure A), remain unchanged and in force.

D. APPEALS

Appeals must comply with the provisions contained in the National Appeal Regulations 2025.

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 2025 to the Appeal Administrator; and
 - 1.2. Submit a copy of the appeal to any previously 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 previously registered I&APs–
 - 2.1. Submit an appeal in accordance with Regulation 4 of the National Appeal Regulations 2025 to the Appeal Administrator; and
 - 2.2 Submit a copy of the appeal to the holder of the decision, any previously 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 previously 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 the Appeal Authority at: Tel. (021) 483 3721, E-mail DEADP.Appeals@westerncape.gov.za or URL <http://www.westerncape.gov.za/eadp>.

E. DISCLAIMER

The Western Cape Government, the Local Authority, committees or any other public authority or organisation appointed in terms of the conditions of this EA 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: 2025.12.04 10:29:13
+02'00'

MR. ZAAHIR TOEFY

DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)

DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

DATE OF DECISION: 04 DECEMBER 2025

Cc: (1) Ms. Carlé Heyns (Doug Jeffery Environmental Consultants)
(2) Mr. Doug Jeffery (Doug Jeffery Environmental Consultants)
(3) Ms. Cindy Winter (Drakenstein Municipality)

E-mail: carle@dougjeff.co.za
E-mail: doug@dougjeff.co.za
E-mail: Cindy.Winter@drakenstein.gov.za

ANNEXURE A: ENVIRONMENTAL AUTHORISATION ISSUED ON 20 MARCH 2024



REFERENCE: 16/3/3/1/B3/28/1067/23
NEAS REFERENCE: WCP/EIA/0001324/2023
ENQUIRIES: Bernadette Osborne
DATE OF ISSUE: 20 MARCH 2024

The Board of Directors
Ceciliastraat Ontwikkeling (Pty) Ltd.
3 De Kleine Molen Street
PAARL
7646

Attention: Mr. Marinus Gerhardus Johannes van der Sluys

Cell: 082 778 0226
E-mail: rinus@vdsprop.com

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 ESTABLISHMENT OF THE CECILIA JUNCTION DEVELOPMENT ON THE REMAINDER OF ERF NO. 31366, PAARL.

1. With reference to the above application, the Department hereby notifies you of its decision to **grant** Environmental Authorisation, 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: 2024.03.20 11:09:51 +02'00'

MR. ZAAHIR TOEFY

DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)

DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

Cc: (1) Ms. Anwen Beukes (Doug Jeffery Environmental Consultants)
(2) Mr. Doug Jeffery (Doug Jeffery Environmental Consultants)
(3) Ms. Cindy Winter (Drakenstein Municipality)

E-mail: Anwen@dougjeff.co.za
E-mail: doug@dougjeff.co.za
E-mail: Cindy.Winter@drakenstein.gov.za



REFERENCE: 16/3/3/1/B3/28/1067/23
NEAS REFERENCE: WCP/EIA/0001324/2023
ENQUIRIES: Bernadette Osborne
DATE OF ISSUE: 20 MARCH 2024

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 ESTABLISHMENT OF THE CECILIA JUNCTION DEVELOPMENT ON THE REMAINDER OF ERF NO. 31366, 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 Design Alternative 3 described in the Basic Assessment Report ("BAR"), dated November 2023.

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

Ceciliastraat Ontwikkeling (Pty) Ltd.
c/o Mr. Marinus Gerhardus Johannes van der Sluys
3 De Kleine Molen Street
PAARL
7646
Cell: 082 778 0226
E-mail: rinus@vdsprop.com

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

B. ACTIVITIES AUTHORISED

Listed Activity	Project Description
Listing Notice 1 – Activity Number: 12 <i>The development of—</i> <i>(i) dams or weirs, where the dam or weir, including infrastructure and water surface area, exceeds 100 square metres; or</i> (ii) infrastructure or structures with a physical footprint of 100 square metres or more; <i>where such development occurs—</i> (a) within a watercourse; <i>(b) in front of a development setback; or</i> (c) if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse; — <i>excluding—</i> <i>(aa) the development of infrastructure or structures within existing ports or harbours that will not increase the development footprint of the port or harbour;</i> <i>(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;</i> <i>(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;</i> <i>(dd) where such development occurs within an urban area;</i> <i>(ee) where such development occurs within existing roads, road reserves or railway lines; or</i> <i>(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.</i>	More than 100 square metres of the development will occur within 32m of a watercourse which include a small portion of the parking area, the stormwater attenuation ponds, landscaping and a minor portion of Block 3.
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:	The land was used for agricultural purposes on and after 01 April 1998 and will occur outside an urban area where the land to be developed is approximately 4 hectares.

(i) <i>will occur inside an urban area, where the total land to be developed is bigger than 5 hectares; or</i> (ii) <i>will occur outside an urban area, where the total land to be developed is bigger than 1 hectare;</i> <i>excluding where such land has already been developed for residential, mixed, retail, commercial, industrial, or institutional purposes.</i>	
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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 proposal entails a commercial and retail development and associated infrastructure on the Remainder of Erf 31366, Paarl. The parking area, stormwater infrastructure and one of the buildings will be located within 32m of a watercourse. The proposed development will be located on a site that was previously used for agriculture. The proposed development will include the following:

- Eight blocks ranging in size for retail and commercial purposes;
- A nursery school; and
- Associated infrastructure (roads, stormwater infrastructure and parking bays).

The footprint of the proposed development will be approximately 4.2655ha.

C. SITE DESCRIPTION AND LOCATION

The listed activities will be undertaken on the Remainder of Erf No. 31366, Paarl and has the following co-ordinates:

Centre Point	Latitude (S)	Longitude (E)
Co-ordinates:	33° 45' 36.66" South	18° 55' 20.16" East

Access road along Arboretum Avenue	Latitude (S)	Longitude (E)
Co-ordinates of starting point:	33° 45' 49.32" South	18° 58' 20.85" East
Co-ordinates of middle point:	33° 45' 48.62" South	18° 58' 21.99" East
Co-ordinates of end point:	33° 45' 47.42" South	18° 58' 22.00" East

Access road off Cecilia Street	Latitude (S)	Longitude (E)
Co-ordinates of starting point:	33° 45' 40.48" South	18° 58' 12.22" East
Co-ordinates of middle point:	33° 45' 40.11" South	18° 58' 16.00" East
Co-ordinates of end point:	32° 45' 40.02" South	18° 58' 19.94" East

The SG digit codes are: C055 0008 00031366 00000

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

Doug Jeffery Environmental Consultants (Pty) Ltd.

Mr. Doug Jeffery/Ms. Anwen Beukes

PO Box 44

KLAPMUTS

7625

Tel: (021) 872 5272

Email: doug@dougjeff.co.za/anwen@dougjeff.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 Activity Alternative 2 and the Preferred Design Alternative 3 described in the BAR dated November 2023 on the site as described in Section C above.
2. The holder must commence with, and conclude, the listed activities within the stipulated validity period which this Environmental Authorisation is granted for, or this Environmental Authorisation shall lapse and a new application for Environmental Authorisation must be submitted to the Competent Authority.

This Environmental Authorisation is granted for-

- (a) A period of five (5) years, from the date of issue, during which period the holder must commence with the authorised listed activities.
- (b) A period of ten (10) years, from the date of commencement of the listed activities, during which period the authorised listed activities, must be concluded.

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

Written notice to the Competent Authority

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

Conditions: 6, 7 and 10

Notification and administration of appeal

6. The holder must in writing, within 14 (fourteen) calendar days of the date of this decision–
 - 6.1. notify all registered Interested and Affected Parties ("I&APs") of –
 - 6.1.1.the outcome of the application;
 - 6.1.2.the reasons for the decision as included in Annexure 3;
 - 6.1.3.the date of the decision; and
 - 6.1.4.the date when the decision was issued.
 - 6.2. draw the attention of all registered I&APs to the fact that an appeal may be lodged against the decision in terms of the National Appeals Regulations, 2014 detailed in Section F below;
 - 6.3. draw the attention of all registered I&APs to the manner in which they may access the decision;
 - 6.4. provide the registered I&APs with:

- 6.4.1.the name of the holder (entity) of this Environmental Authorisation,
- 6.4.2.name of the responsible person for this Environmental Authorisation,
- 6.4.3.postal address of the holder,
- 6.4.4.telephonic and fax details of the holder,
- 6.4.5.e-mail address, if any, of the holder,
- 6.4.6.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.

- 7. 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

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

Monitoring

- 10. The holder must appoint a suitably experienced environmental control officer ("ECO"), or site agent where appropriate, before commencement of any land clearing or construction activities to ensure compliance with the provisions of the EMPr and the conditions contained herein. The ECO must conduct site visits and must submit ECO reports on a monthly basis to the competent authority.
- 11. A copy of the Environmental Authorisation, EMPr, audit reports and compliance monitoring reports which must be submitted quarterly to the Competent Authority during the construction phase must be kept at the site of the authorised activities, and must be made available to anyone on request, including a publicly accessible website.
- 12. 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

13. 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 and the EMPr. 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 six 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

14. 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.

15. 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.

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: 2024.03.20 11:10:20 +02'00'

MR. ZAAHIR TOEFY

DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)

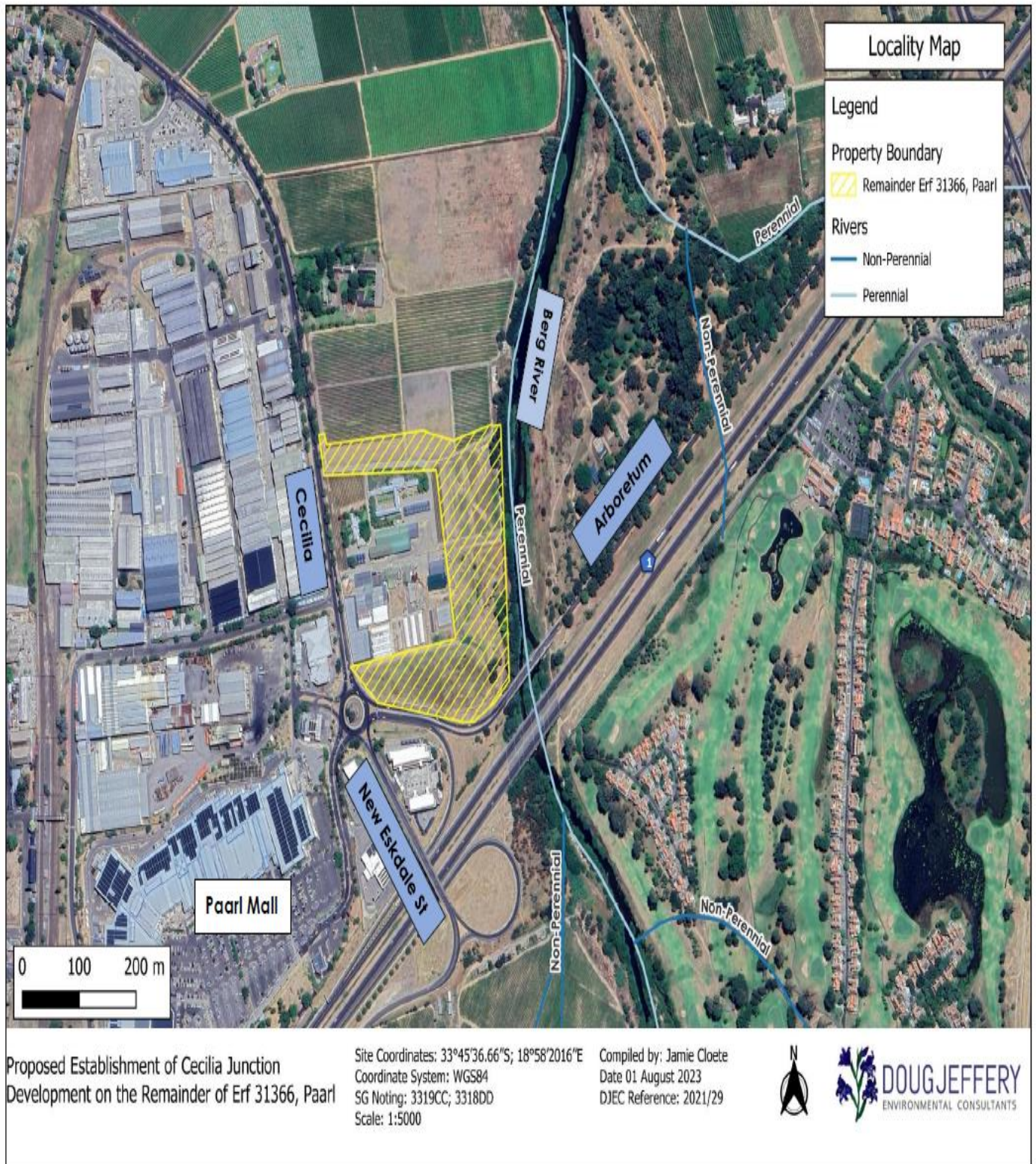
DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

DATE OF DECISION: 20 MARCH 2024

Cc: (1) Ms. Anwen Beukes (Doug Jeffery Environmental Consultants)
(2) Mr. Doug Jeffery (Doug Jeffery Environmental Consultants)
(3) Ms. Cindy Winter (Drakenstein Municipality)

E-mail: Anwen@dougjeff.co.za
E-mail: doug@dougjeff.co.za
E-mail: Cindy.Winter@drakenstein.gov.za

ANNEXURE 1: LOCALITY MAP



SCHEDULE OF RIGHTS			
PROPERTY DESCRIPTION			
Est./ Parcel	31366	Site Area	42,688 sq'
Township	Southem Paoli	Title Dood No	T33 451/23
ZONING INFORMATION			
Town Planning Scheme	Zoning Scheme By-Law	Amendment Scheme No.	v2.2 / February 2018
	Planning Scheme, 18		
Proposed Use Zone	Ward Use	Amend No.	
DEVELOPMENT CONTROL MEASURES			
Permissible	Control	Actual	
20m	Height of buildings	max: 11m high (Block 1)	
100%	Coverage	21%	
3.0	Road Area Ratio	0.21	
2000m² (per building)	Floor Area	15,686m² (Total 11 buildings)	
PARKING			
Parking Ratio per Use		Area per Use	Parking Bays Required
U.S.G.	Parking bays per 100m² RETAIL (floor area)	7706 m²	342 Parking bays
1	Parking bays per classroom	26 classrooms	26 Parking bays
TOTAL PARKING BAYS REQUIRED (GLA)			368 Parking bays
TOTAL PARKING BAYS PROVIDED (GLA)			460 Parking bays
TOTAL LOADING BAYS PROVIDED			7 Parking bays
TOTAL YARD LOADING BAYS PROVIDED			7 Parking bays
SURPLUS NO OF PARKING BAYS (GLA)			460-368 = 92 Parking bays
The information provided above is hereby certified to be correct and precise			
NAME	SIGNATURE		
(PLEASE PRINT)			
DATE	PLAN No.		

PARKING SCHEDULE					
Level/Use	Block	Auto	Motor	Count	Days
Library School		7 days classroom	20 classroom	1200*	40
Stages	1	4 days 1000* GLA	10000* GLA	10	28
		8 days 1000* GLA	17000* GLA	102	102
	2	4 days 1000* GLA	8000* GLA	32	32
	3	4 days 1000* GLA	7000* GLA	28	28
	4	4 days 1000* GLA	8000* GLA	32	32
	5	4 days 1000* GLA	4400* GLA	18	18
	6	4 days 1000* GLA	2000* GLA	20	20
	7	4 days 1000* GLA	2000* GLA	20	20
8	4 days 1000* GLA	13700* GLA	55	55	
TOTAL REQUIRED				77000* GLA	300



LOCALITY PLAN

GENERAL

A survey by the U.S. Census Bureau indicates that more than half of all Americans are now connected to the Internet via a computer at home or work. The study also found that 60 percent of those who have used the Internet in the past year have done so at least once a week. Other findings include:

- About 70 percent of those who use the Internet do so primarily for e-mail, Web browsing, downloading files, instant messaging, and other online activities.
- More than 80 percent of those who use the Internet do so primarily for entertainment purposes, such as watching videos, listening to music, and playing games.
- About 90 percent of those who use the Internet do so primarily for business or professional purposes, such as checking e-mail, downloading files, and using software.
- About 95 percent of those who use the Internet do so primarily for education or research purposes, such as looking up information, reading news stories, and using educational resources.

The survey also found that the majority of people who use the Internet are male, white, and have a college degree. However, the gap between different groups is narrowing as more people gain access to the technology.

In addition, the survey found that the majority of people who use the Internet are under the age of 50. However, the gap between different age groups is narrowing as more older people gain access to the technology.

The survey also found that the majority of people who use the Internet are employed full-time. However, the gap between different employment status groups is narrowing as more part-time workers gain access to the technology.

The survey also found that the majority of people who use the Internet are married. However, the gap between different marital status groups is narrowing as more single people gain access to the technology.

The survey also found that the majority of people who use the Internet live in urban areas. However, the gap between different geographic location groups is narrowing as more rural and suburban residents gain access to the technology.

The survey also found that the majority of people who use the Internet have a household income of \$25,000 or more. However, the gap between different income levels is narrowing as more lower-income households gain access to the technology.

The survey also found that the majority of people who use the Internet are White. However, the gap between different racial and ethnic groups is narrowing as more non-White residents gain access to the technology.

The survey also found that the majority of people who use the Internet are female. However, the gap between different gender groups is narrowing as more males gain access to the technology.

The survey also found that the majority of people who use the Internet are aged 18 to 29. However, the gap between different age groups is narrowing as more older adults gain access to the technology.

The survey also found that the majority of people who use the Internet are living alone. However, the gap between different household size groups is narrowing as more families gain access to the technology.

The survey also found that the majority of people who use the Internet are employed in service industries. However, the gap between different occupational groups is narrowing as more people in manufacturing and agriculture gain access to the technology.

The survey also found that the majority of people who use the Internet are living in the Northeast. However, the gap between different regional groups is narrowing as more people in the South and West gain access to the technology.

The survey also found that the majority of people who use the Internet are living in the United States. However, the gap between different country groups is narrowing as more people abroad gain access to the technology.

The survey also found that the majority of people who use the Internet are living in a city. However, the gap between different population density groups is narrowing as more people in suburbs and rural areas gain access to the technology.

The survey also found that the majority of people who use the Internet are living in a house. However, the gap between different housing type groups is narrowing as more people in apartments and mobile homes gain access to the technology.

The survey also found that the majority of people who use the Internet are living in a two-story house. However, the gap between different house type groups is narrowing as more people in one-story houses gain access to the technology.

The survey also found that the majority of people who use the Internet are living in a brick house. However, the gap between different material groups is narrowing as more people in wood-frame houses gain access to the technology.

The survey also found that the majority of people who use the Internet are living in a single-family house. However, the gap between different ownership groups is narrowing as more people in rental units gain access to the technology.

The survey also found that the majority of people who use the Internet are living in a detached house. However, the gap between different attachment groups is narrowing as more people in attached units gain access to the technology.

The survey also found that the majority of people who use the Internet are living in a new house. However, the gap between different age groups is narrowing as more people in older houses gain access to the technology.

The survey also found that the majority of people who use the Internet are living in a modern house. However, the gap between different style groups is narrowing as more people in traditional houses gain access to the technology.

The survey also found that the majority of people who use the Internet are living in a large house. However, the gap between different size groups is narrowing as more people in smaller houses gain access to the technology.

The survey also found that the majority of people who use the Internet are living in a small house. However, the gap between different area groups is narrowing as more people in larger houses gain access to the technology.

The survey also found that the majority of people who use the Internet are living in a medium-sized house. However, the gap between different bedroom count groups is narrowing as more people in houses with more bedrooms gain access to the technology.

The survey also found that the majority of people who use the Internet are living in a house with a fireplace. However, the gap between different feature groups is narrowing as more people in houses without fireplaces gain access to the technology.

The survey also found that the majority of people who use the Internet are living in a house with a garage. However, the gap between different amenity groups is narrowing as more people in houses without garages gain access to the technology.

The survey also found that the majority of people who use the Internet are living in a house with a swimming pool. However, the gap between different luxury group is narrowing as more people in houses without pools gain access to the technology.

The survey also found that the majority of people who use the Internet are living in a house with a hot tub. However, the gap between different luxury group is narrowing as more people in houses without hot tubs gain access to the technology.

The survey also found that the majority of people who use the Internet are living in a house with a central air conditioner. However, the gap between different climate control group is narrowing as more people in houses without central air conditioning gain access to the technology.

The survey also found that the majority of people who use the Internet are living in a house with a security system. However, the gap between different safety group is narrowing as more people in houses without security systems gain access to the technology.

The survey also found that the majority of people who use the Internet are living in a house with a smart thermostat. However, the gap between different energy efficiency group is narrowing as more people in houses without smart thermostats gain access to the technology.

The survey also found that the majority of people who use the Internet are living in a house with a solar water heater. However, the gap between different green building group is narrowing as more people in houses without solar water heaters gain access to the technology.

The survey also found that the majority of people who use the Internet are living in a house with a rainwater harvesting system. However, the gap between different sustainable living group is narrowing as more people in houses without rainwater harvesting systems gain access to the technology.

The survey also found that the majority of people who use the Internet are living in a house with a composting toilet. However, the gap between different eco-friendly group is narrowing as more people in houses without composting toilets gain access to the technology.

The survey also found that the majority of people who use the Internet are living in a house with a greywater recycling system. However, the gap between different eco-friendly group is narrowing as more people in houses without greywater recycling systems gain access to the technology.

The survey also found that the majority of people who use the Internet are living in a house with a geothermal heating and cooling system. However, the gap between different eco-friendly group is narrowing as more people in houses without geothermal systems gain access to the technology.

The survey also found that the majority of people who use the Internet are living in a house with a passive solar design. However, the gap between different eco-friendly group is narrowing as more people in houses without passive solar designs gain access to the technology.

The survey also found that the majority of people who use the Internet are living in a house with a cross-flow ventilation system. However, the gap between different eco-friendly group is narrowing as more people in houses without cross-flow ventilation systems gain access to the technology.

The survey also found that the majority of people who use the Internet are living in a house with a natural light design. However, the gap between different eco-friendly group is narrowing as more people in houses without natural light designs gain access to the technology.

The survey also found that the majority of people who use the Internet are living in a house with a low-VOC paint. However, the gap between different eco-friendly group is narrowing as more people in houses without low-VOC paints gain access to the technology.

The survey also found that the majority of people who use the Internet are living in a house with a formaldehyde-free laminate. However, the gap between different eco-friendly group is narrowing as more people in houses without formaldehyde-free laminates gain access to the technology.

The survey also found that the majority of people who use the Internet are living in a house with a lead-free solder. However, the gap between different eco-friendly group is narrowing as more people in houses without lead-free solders gain access to the technology.

The survey also found that the majority of people who use the Internet are living in a house with a cadmium-free pigment. However, the gap between different eco-friendly group is narrowing as more people in houses without cadmium-free pigments gain access to the technology.

The survey also found that the majority of people who use the Internet are living in a house with a mercury-free fluorescent bulb. However, the gap between different eco-friendly group is narrowing as more people in houses without mercury-free fluorescent bulbs gain access to the technology.

The survey also found that the majority of people who use the Internet are living in a house with a CFL bulb. However, the gap between different eco-friendly group is narrowing as more people in houses without CFL bulbs gain access to the technology.

The survey also found that the majority of people who use the Internet are living in a house with a LED bulb. However, the gap between different eco-friendly group is narrowing as more people in houses without LED bulbs gain access to the technology.

The survey also found that the majority of people who use the Internet are living in a house with a dimmable switch. However, the gap between different eco-friendly group is narrowing as more people in houses without dimmable switches gain access to the technology.

The survey also found that the majority of people who use the Internet are living in a house with a GFI outlet. However, the gap between different safety group is narrowing as more people in houses without GFI outlets gain access to the technology.

The survey also found that the majority of people who use the Internet are living in a house with a surge protector. However, the gap between different safety group is narrowing as more people in houses without surge protectors gain access to the technology.

The survey also found that the majority of people who use the Internet are living in a house with a smoke detector. However, the gap between different safety group is narrowing as more people in houses without smoke detectors gain access to the technology.

The survey also found that the majority of people who use the Internet are living in a house with a carbon monoxide detector. However, the gap between different safety group is narrowing as more people in houses without carbon monoxide detectors gain access to the technology.

The survey also found that the majority of people who use the Internet are living in a house with a fire extinguisher. However, the gap between different safety group is narrowing as more people in houses without fire extinguishers gain access to the technology.

The survey also found that the majority of people who use the Internet are living in a house with a first aid kit. However, the gap between different safety group is narrowing as more people in houses without first aid kits gain access to the technology.

The survey also found that the majority of people who use the Internet are living in a house with a flood alarm. However, the gap between different safety group is narrowing as more people in houses without flood alarms gain access to the technology.

The survey also found that the majority of people who use the Internet are living in a house with a burglar alarm. However, the gap between different safety group is narrowing as more people in houses without burglar alarms gain access to the technology.

The survey also found that the majority of people who use the Internet are living in a house with a pet door. However, the gap between different convenience group is narrowing as more people in houses without pet doors gain access to the technology.

The survey also found that the majority of people who use the Internet are living in a house with a doghouse. However, the gap between different convenience group is narrowing as more people in houses without doghouses gain access to the technology.

The survey also found that the majority of people who use the Internet are living in a house with a cat tree. However, the gap between different convenience group is narrowing as more people in houses without cat trees gain access to the technology.

The survey also found that the majority of people who use the Internet are living in a house with a bird feeder. However, the gap between different convenience group is narrowing as more people in houses without bird feeders gain access to the technology.

The survey also found that the majority of people who use the Internet are living in a house with a garden hose. However, the gap between different convenience group is narrowing as more people in houses without garden hoses gain access to the technology.

The survey also found that the majority of people who use the Internet are living in a house with a lawn mower. However, the gap between different convenience group is narrowing as more people in houses without lawnmowers gain access to the technology.

The survey also found that the majority of people who use the Internet are living in a house with a leaf blower. However, the gap between different convenience group is narrowing as more people in houses without leaf blowers gain access to the technology.

The survey also found that the majority of people who use the Internet are living in a house with a trimmer. However, the gap between different convenience group is narrowing as more people in houses without trimmers gain access to the technology.

The survey also found that the majority of people who use the Internet are living in a house with a chainsaw. However, the gap between different convenience group is narrowing as more people in houses without chainsaws gain access to the technology.

The survey also found that the majority of people who use the Internet are living in a house with a shovel. However, the gap between different convenience group is narrowing as more people in houses without shovels gain access to the technology.

The survey also found that the majority of people who use the Internet are living in a house with a wheelbarrow. However, the gap between different convenience group is narrowing as more people in houses without wheelbarrows gain access to the technology.

The survey also found that the majority of people who use the Internet are living in a house with a rake. However, the gap between different convenience group is narrowing as more people in houses without rakes gain access to the technology.

The survey also found that the majority of people who use the Internet are living in a house with a pitchfork. However, the gap between different convenience group is narrowing as more people in houses without pitchforks gain access to the technology.

The survey also found that the majority of people who use the Internet are living in a house with a broom. However, the gap between different convenience group is narrowing as more people in houses without brooms gain access to the technology.

The survey also found that the majority of people who use the Internet are living in a house with a mop. However, the gap between different convenience group is narrowing as more people in houses without mops gain access to the technology.

The survey also found that the majority of people who use the Internet are living in a house with a vacuum cleaner. However, the gap between different convenience group is narrowing as more people in houses without vacuum cleaners gain access to the technology.

The survey also found that the majority of people who use the Internet are living in a house with a washing machine. However, the gap between different convenience group is narrowing as more people in houses without washing machines gain access to the technology.

The survey also found that the majority of people who use the Internet are living in a house with a dryer. However, the gap between different convenience group is narrowing as more people in houses without dryers gain access to the technology.

The survey also found that the majority of people who use the Internet are living in a house with a refrigerator. However, the gap between different convenience group is narrowing as more people in houses without refrigerators gain access to the technology.

The survey also found that the majority of people who use the Internet are living in a house with a stove. However, the gap between different convenience group is narrowing as more people in houses without stoves gain access to the technology.

The survey also found that the majority of people who use the Internet are living in a house with a microwave oven. However, the gap between different convenience group is narrowing as more people in houses without microwave ovens gain access to the technology.

The survey also found that the majority of people who use the Internet are living in a house with a toaster. However, the gap between different convenience group is narrowing as more people in houses without toasters gain access to the technology.

The survey also found that the majority of people who use the Internet are living in a house with a coffee maker. However, the gap between different convenience group is narrowing as more people in houses

LINE	DATE	QUANTITY	DESCRIPTION
1	9-20-07	1	SALES OF REFINANCING
2	9-20-07	20	SALES OF REFINANCING
3	9-20-07	20	SALES OF REFINANCING
4	9-20-07	20	SALES OF REFINANCING
5	9-20-07	20	REINVESTMENT IN TRUST
6	10-01-07	1	SALES OF
7	10-01-07	1	SALES OF
8	10-01-07	1	SALES OF
9	10-01-07	1	SALES OF
10	10-01-07	1	SALES OF
11	10-01-07	1	SALES OF
12	10-01-07	1	SALES OF
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90	10-01-07	1</	

CLIENT

PROJECT

TITLE

Boogertman
Partners

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 1st Year Class, University of Michigan
 1999-2000
 2nd Year Class, University of Michigan
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 3rd Year Class, University of Michigan
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 89th Year Class, University of Michigan
 2175-2176
 90th Year Class, University of Michigan
 2177-2178
 91st Year Class, University of Michigan
 2179-2180
 92nd Year Class, University of Michigan
 2181-2182
 93rd Year Class, University of Michigan
 2183-2184
 94th Year Class, University of Michigan
 2185-2186
 95th Year Class, University of Michigan
 2187-2188
 96th Year Class, University of Michigan
 2189-2190
 97th Year Class, University of Michigan
 2191-2192
 98th Year Class, University of Michigan
 2193-2194
 99th Year Class, University of Michigan
 2195-2196
 2000th Year Class, University of Michigan

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 August 2023 and the final BAR and EMPr dated November 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 November 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;
- placing notices on site on 24 March 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 24 March 2022;
- placing of a newspaper advertisement in the 'Paarl Post' on 24 March 2022;
- Making a pre-application Draft BAR available from 24 March 2022 to 26 April 2022 and
- Making the in process Draft BAR available for comment from 25 August 2023 to 25 September 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 EMP to adequately address the concerns raised.

2. Alternatives

Design Alternative 1

This alternative comprises of retail and commercial facilities, a nursery school and parking provision for these facilities. The two largest blocks were positioned directly adjacent to Arboretum Avenue with the remaining blocks extending along to the eastern boundary adjacent to the Berg River. This alternative had a development footprint of approximately 8 652m² with approximately 492 parking bays (including 29 basement parking bays).

This alternative was not preferred from a heritage and a traffic perspective and did not allow for appropriate stormwater management facilities.

Design Alternative 2

This alternative entails the establishment of 8 blocks for retail and commercial purposes, a nursery school and parking for all facilities. The 8 blocks range in size with a maximum height of 11m for Block 1. The highest block (Block 1) was positioned adjacent to the existing traffic circle at the Cecilia Street / Arboretum Avenue intersection. This design was designed in response to the Heritage indicators, potential Visual and Aquatic impacts on the receiving environment as well as the services constraints on the development site.

This alternative was not preferred as some sections of the development was within the 1:100 year floodline.

Design Alternative 3 (Preferred and herewith authorised)

This alternative entails a commercial and retail development and associated infrastructure on the Remainder of Erf 31366, Paarl. The parking area, stormwater infrastructure and one of the buildings will be located within 32m of a watercourse. The proposed development will be located on a site that was previously used for agriculture. The proposed development will include the following:

- Eight blocks ranging in size for retail and commercial purposes;
- A nursery school; and
- Associated infrastructure (roads, stormwater infrastructure and parking bays).

The footprint of the proposed development will be approximately 4.2655ha.

This alternative was preferred as it reduced the overall heritage and visual impacts and the proposed development was setback outside the 1:100 year floodline.

"No-go" Alternative

The "no-go" alternative will result in the *status quo* where the current land use of the property is being maintained. This alternative was not preferred since the socio-economic benefit associated with the proposed development will not be realised.

3. Impact Assessment and Mitigation measures

3.1 Activity need and desirability

Although the soil on the proposed site can be regarded as arable, it is not suited for quality wine production. Given that the soil is no longer viable for wine production in a market that has become increasingly competitive, focusing on premium wines which the site cannot produce, the applicant is looking at alternative uses for the farm. The development is therefore proposed, as it will create opportunities for local businesses, provide for institutional opportunities and will have an economic benefit for the applicant. The proposed development is not inconsistent with the Environmental Management Framework. The development is inconsistent with the Drakenstein Municipality Spatial Development Framework ("SDF"), 2020. However, an application for the deviation from the SDF was supported by the Spatial Planning component of the Drakenstein Municipality as indicated in the comment dated 12 September 2022.

3.2 Biophysical Impacts

The site was historically mapped to contain Swartland Alluvium Fynbos vegetation, which is classified as endangered. However, the site has been ploughed and transformed from its natural state due to past agricultural activities with no indigenous vegetation remaining on the site.

According to the Aquatic Biodiversity Impact Assessment (dated April 2023, compiled by Toni Belcher), no aquatic feature of any significance was identified within the site. The only constraint is the Berg River along the eastern boundary of the site. The Berg River is considered to be in a largely to seriously modified ecological condition and of a moderate to high ecological importance and sensitivity. The specialist report further indicates that the proposed development is not deemed to have a significant impact on any aquatic features adjacent to the site and the impact on the watercourse is regarded to be of low negative significance with the implementation of the mitigation measures. The recommended mitigation measures have been included in the EMPr.

3.3 Impacts on Heritage Resources

According to the Heritage Impact Assessment (dated 22 October 2022, compiled by Arcon Architectural and Spatial Heritage Consultants), the site contains no structures, however, the site is located adjacent to the historic La Concordia and Goedemoed farms with their historic werfs and vineyard landscapes. The report further indicates that the impacts on heritage resources will be visual in nature relating to its immediate context. The proposed development

is not regarded as fatally flawed from a heritage perspective and will promote the survival of the remaining vineyards between Cecilia Street and the Berg River, as well as the Berg River riverbank. According to the report heritage impacts are expected to be of low-moderate negative significance with the implementation of the recommended mitigation measures.

According to the Archaeological Impact Assessment (dated October 2021, compiled by ACRM), the site is archaeologically sterile. No impacts on pre-colonial archaeological heritage have been identified that would require mitigation prior to development of the property. The proposed development is therefore supported from an archaeological perspective with no further mitigation required. However, the specialist recommends that the Fossil Find Procedure must be included in the EMP for the construction phase of the project.

According to the Visual Impact Assessment Report (dated October 2022, compiled by Arla Consulting Landscape Architects), the visually sensitive areas or scenic resources associated with the proposed site include the 1:100-year flood line along the Berg River as well as the river itself, the adjacent Arboretum and all historic homesteads and associated vineyards within the vicinity of the site. However, the specialist concluded that the construction phase (site clearance, construction activities & associated traffic) would result in a moderate visual impact before mitigation and remain moderate after mitigation. The operational phase (the new urban development with associated traffic and night light) would result in a moderate visual impact before mitigation and a low visual impact after mitigation should the recommended mitigation measures be implemented.

Heritage Western Cape indicated in comment dated 21 December 2022 that they endorsed the Heritage Impact Assessment ("HIA") prepared by ARCON dated October 2022 and support the recommendations of the HIA. These recommendations as per the specialist reports have been included in the EMP.

3.4 Agricultural Impacts

According to the Agricultural Compliance Statement (dated 21 January 2022, compiled by Johann Lanz) the development will occupy land that is not currently used for agricultural production. It has limited future production potential due to natural soil limitations of low water and nutrient holding capacity, limited drainage and in parts, limited depth. As a result of its limitations, the site is not considered a priority for preserving as agricultural production land. The Western Cape Department of Agriculture: Land Use Management indicated in their comment dated 30 October 2023 that they have no objection to the proposed development. Furthermore, the Department of Agriculture, Land Reform and Rural Development granted consent (dated 16 March 2022) for the subdivision of agricultural land.

The development will result in both negative and positive impacts.

Negative Impacts:

- loss of agricultural land; and
- potential impacts on the adjacent watercourse.

Positive impacts:

- The development will provide employment, institutional and business opportunities to the local community.

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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