

**REFERENCE:** 16/3/3/5/A4/17/3037/23  
**NEAS REFERENCE:** WCP/EIA/AMEND/0000769/2023  
**DATE:** 28 SEPTEMBER 2023

The Board of Directors  
TTIN Properties (Pty) Ltd  
Private Bag X1  
Postnet Suite 440  
**MELROSE ARCH**  
2076

**For Attention: Mr. Jamie Raubenheimer**

Cell.: 082 904 0721  
E-mail: [jamie@cpdev.co.za](mailto:jamie@cpdev.co.za)

Dear Sir

**AMENDMENT APPLICATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) ("NEMA") AND PART 1 OF THE ENVIRONMENTAL IMPACT ASSESSMENT ("EIA") REGULATIONS, 2014 (AS AMENDED) FOR THE AMENDMENT TO THE ORIGINAL ENVIRONMENTAL AUTHORISATION ("EA") ISSUED ON 18 NOVEMBER 2010 (REFERENCED: E12/2/3/1-A4/134-0684/08), THE AMENDED EA ISSUED ON 30 OCTOBER 2013 (REFERENCED: 16/3/1/5/A4/17/1031/13), THE AMENDED EA ISSUED ON 30 JUNE 2015 (REFERENCED: 16/3/1/5/A4/17/1012/14), THE AMENDED EA ISSUED ON 6 JUNE 2017 (REFERENCED: 16/3/3/5/A4/17/3022/17), THE AMENDED EA ISSUED ON 19 NOVEMBER 2018 (REFERENCED: 16/3/3/5/A3/39/2015/18) AND THE AMENDED EA ISSUED ON 19 JULY 2023 (REFERENCED: 16/3/3/5/A4/17/3009/23) FOR THE AUTHORISED MIXED USE DEVELOPMENT ON ERF 5541 (SANBURY SQUARE), EERSTE RIVER**

1. With reference to the above application, this Department hereby notifies you of its decision to grant an amended Environmental Authorisation, attached herewith, together with the reasons for the decision.
2. In terms of Regulation 4 of the EIA Regulations, 2014 (as amended) you are instructed to ensure, within fourteen (14) days of the date of the amended 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 (as amended) which prescribes the appeal procedure to be followed. This procedure is summarised in the attached amended Environmental Authorisation.

Your interest in the future of the environment is greatly appreciated.

Yours faithfully

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

Copied to:  
(1) Mr. Cahlan Williams (GNec)  
(2) Ms. Azanne van Wyk (City of Cape Town)

E-mail: [cahlan@gnec.co.za](mailto:cahlan@gnec.co.za)  
E-mail: [Azanne.vanWyk@capetown.gov.za](mailto:Azanne.vanWyk@capetown.gov.za)



**REFERENCE:** 16/3/3/5/A4/17/3037/23  
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## AMENDED ENVIRONMENTAL AUTHORISATION

**APPLICATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) ("NEMA") AND PART 1 OF THE ENVIRONMENTAL IMPACT ASSESSMENT ("EIA") REGULATIONS, 2014 (AS AMENDED) FOR THE AMENDMENT TO THE ORIGINAL ENVIRONMENTAL AUTHORISATION ("EA") ISSUED ON 18 NOVEMBER 2010 (REFERENCED: E12/2/3/1-A4/134-0684/08), THE AMENDED EA ISSUED ON 30 OCTOBER 2013 (REFERENCED: 16/3/1/5/A4/17/1031/13), THE AMENDED EA ISSUED ON 30 JUNE 2015 (REFERENCED: 16/3/1/5/A4/17/1012/14), THE AMENDED EA ISSUED ON 6 JUNE 2017 (REFERENCED: 16/3/3/5/A4/17/3022/17), THE AMENDED EA ISSUED ON 19 NOVEMBER 2018 (REFERENCED: 16/3/3/5/A3/39/2015/18) AND THE AMENDED EA ISSUED ON 19 JULY 2023 (REFERENCED: 16/3/3/5/A4/17/3009/23) FOR THE AUTHORISED MIXED USE DEVELOPMENT ON ERF 5541 (SANBURY SQUARE), EERSTE RIVER**

With reference to your application for the abovementioned, find below the amendment to the amended EA issued on 19 July 2023 (Referenced: 16/3/3/5/A4/17/3009/23) with respect to this amendment application.

### A. DECISION

By virtue of the powers conferred on it by the NEMA and the EIA Regulations, 2014 (as amended), this Department herewith grants the amendment of the amended EA issued on 19 July 2023 (Referenced: 16/3/3/5/A4/17/3009/23) in terms of Part 1 of the EIA Regulations, 2014 (as amended).

#### The amended EA is amended, as set out below:

- 1) The Activity Description, as contained in the Amended EA issued on 19 July 2023, (Referenced: 16/3/3/5/A4/17/3009/23), reads as follows:

*"The amendment of the authorised development entails the development of Winelands Junction with a total development footprint of approximately 9.5ha, Erf 5541, Eerste River will be subdivided into the following six (6) portions to accommodate the development proposal:*

- *Portion 1 of approximately 5.602ha will have a retail component of approximately 14 500m<sup>2</sup>;*
- *Portion 2 of approximately 0.300ha will have a fast food restaurant of approximately 500m<sup>2</sup>;*
- *Portion 3 of **approximately 1,65 ha** will have a double-storeyed hospital with a total gross leasable area ("GLA") of approximately 1.14ha, which specifically includes –*
  - *An approximately 250-bed acute healthcare facility, comprising of, inter alia, administration and reception areas, a body hold,*

- circulation, a coffee shop, an emergency centre, a laundry, a main kitchen, maintenance, a pharmacy, radiology services, staff change, consulting rooms, an Intensive Care Unit, a medical ward, a paediatric ward, a surgical and day ward and a theatre complex measuring approximately 0.7551ha;
  - An approximately 36-bed mental health facility, comprising administration, consulting rooms, circulation and ancillary services, measuring approximately 0.2229ha; and
  - consulting rooms, measuring approximately 0.0907ha.
- Portion 4 of approximately 0.529ha will accommodate the on-site wetland area and associated buffer area. This portion includes a no-go setback area of at least 32m width from the edge of the on-site wetland;
- Portion 5 of approximately 0.4838ha will accommodate a Scenic Drive; and
- Portion 6 of approximately 0.0137ha will be rezoned to Transport Zone II.

The existing quarter link between Baden Powell Drive (R310 Regional Road) and Van Riebeeck Road (R102 Regional Road) will be demolished and replaced by a new quarter link road by the City of Cape Town. Access to the site will be taken off this new road. Additionally, a new public transport embayment will be constructed in close proximity to the site.

The proposed development will have two accesses connecting to the roundabout situated on the western entrance road of Sanbury Square Shopping Centre. The accesses will form the north-western and north-eastern legs to the roundabout. Both accesses will be two-way, two-lane with a minimum width of 6m."

The Activity Description, as contained in the Amended EA issued on 19 July 2023, (Referenced: 16/3/3/5/A4/17/3009/23), is herewith amended to read in the following manner:

"The amendment of the authorised development entails the development of Winelands Junction with a total development footprint of approximately 9.5ha, Erf 5541, Eerste River will be subdivided into the following six (6) portions to accommodate the development proposal:

- Portion 1 of approximately 5.602ha will have a retail component of approximately 14 500m<sup>2</sup>;
- Portion 2 of approximately 0.300ha will have a fast food restaurant of approximately 500m<sup>2</sup>;
- Portion 3 of **approximately 2.721ha** will have a double-storeyed hospital with a total gross leasable area ("GLA") of approximately 1.14ha, which specifically includes –
  - An approximately 250-bed acute healthcare facility, comprising of, inter alia, administration and reception areas, a body hold, circulation, a coffee shop, an emergency centre, a laundry, a main kitchen, maintenance, a pharmacy, radiology services, staff change, consulting rooms, an Intensive Care Unit, a medical ward, a paediatric ward, a surgical and day ward and a theatre complex measuring approximately 0.7551ha;
  - An approximately 36-bed mental health facility, comprising administration, consulting rooms, circulation and ancillary services, measuring approximately 0.2229ha; and
  - consulting rooms, measuring approximately 0.0907ha.
- Portion 4 of approximately 0.529ha will accommodate the on-site wetland area and associated buffer area. This portion includes a no-go setback area of at least 32m width from the edge of the on-site wetland;
- Portion 5 of approximately 0.4838ha will accommodate a Scenic Drive; and
- Portion 6 of approximately 0.0137ha will be rezoned to Transport Zone II.

The existing quarter link between Baden Powell Drive (R310 Regional Road) and Van Riebeeck Road (R102 Regional Road) will be demolished and replaced by a new quarter link road by the City of Cape Town. Access to the site will be taken off this new road. Additionally, a new public transport embayment will be constructed in close proximity to the site.

The proposed development will have two accesses connecting to the roundabout situated on the western entrance road of Sanbury Square Shopping Centre. The accesses will form the north-western and north-eastern legs to the roundabout. Both accesses will be two-way, two-lane with a minimum width of 6m."

## **B. REASONS FOR THE DECISION**

In reaching its decision, the Competent Authority took, *inter alia*, the following into consideration:

1. The information contained in the application for amendment (dated 27 January 2023) from Mr. Cahlan Williams of Guillaume Nel Environmental Consultants ("GNEC"), was received by the Competent Authority on 31 August 2023.
2. The amendment is applied for in terms of Part 1 of the EIA Regulations, 2014 (as amended), which will not change the scope of the amended EA issued on 19 July 2023 (Referenced: 16/3/3/5/A4/17/3009/23) nor result in an increased level of impacts or any additional impacts, as the total development footprint remains unchanged.
3. The amendment of the amended description of the authorised alternative, as it appears in the amended EA issued on 19 July 2023 (Referenced: 16/3/3/5/A4/17/3009/23) is required, as the size of Portion 3 of the newly subdivided six (6) portions, which forms part of the development proposal was incorrectly confirmed to this Department during the previous amendment application process. Hence the amended EA issued on 19 July 2023 (Referenced: 16/3/3/5/A4/17/3009/23) reflects that Portion 3 measures approximately 1.65ha, as opposed to the correct size, *i.e.*, approximately 2.721ha.
4. The correct size of Portion 3, *i.e.*, approximately 2.721ha, was captured in the reports originally submitted for the previous amendment application (Referenced: 16/3/3/5/A4/17/3009/23). The environment and the rights and interests of relevant Interested and Affected Parties ("I&APs") will therefore not be adversely affected by the decision to amend the amended description of the authorised alternative stipulated in the amended EA issued on 19 July 2023 (Referenced: 16/3/3/5/A4/17/3009/23).

## **C. CONDITIONS**

1. The holder must in writing, within 14 (fourteen) calendar days of the date of this Decision–
  - 1.1. notify all registered I&APs of –
    - 1.1.1. the outcome of the application;
    - 1.1.2. the reasons for the Decision as included in Section B;
    - 1.1.3. the date of the Decision; and
    - 1.1.4. the date when the Decision was issued.
  - 1.2. 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 Appeal Regulations, 2014 (as amended) detailed in Section D below;

- 1.3. draw the attention of all registered Interested and Affected Parties to the manner in which they may access the Decision;
- 1.4. provide the registered I&APs with:
  - 1.4.1. the name of the holder (entity) of this amended EA;
  - 1.4.2. name of the responsible person for this amended EA;
  - 1.4.3. postal address of the holder;
  - 1.4.4. telephonic and fax details of the holder;
  - 1.4.5. e-mail address, if any, of the holder; and
  - 1.4.6. 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 National Appeal Regulations, 2014 (as amended).
2. The conditions contained in the amended EA issued on 19 July 2023 (Referenced: 16/3/3/5/A4/17/3009/23), remain unchanged and in force.

#### **D. APPEALS**

1. Appeals must comply with the provisions contained in the National Appeal Regulations, 2014 (as amended).

An appellant must-

- 1.1. Submit an appeal in accordance with Regulation 4 to the appeal administrator, within 20 (twenty) calendar days from the date the applicant notified registered I&APs of this decision;
- 1.2. If the appellant is the applicant, provide any registered Interested and Affected Party, any Organ of State and the decision-maker with a copy of the appeal lodged with the appeal administrator;
- 1.3. If the appellant is a person other than the applicant, provide the applicant, any registered I&AP, any Organ of State and the decision-maker with a copy of the appeal lodged with the appeal administrator;
- 1.4. The applicant (if not the appellant), the decision-maker, Interested and Affected Parties and Organs of State must submit their responding statement, if any, to the appeal authority and the appellant within twenty (20) days from the date of receipt of the appeal submission.
- 1.5. The appeal form/s must be submitted by means of one of the following methods:

By post:                      Attention: Mr. Marius Venter  
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  
8<sup>th</sup> Floor Utilitas Building, 1 Dorp Street, Cape Town, 8001

By e-mail:                      [DEADP.Appeals@westerncape.gov.za](mailto:DEADP.Appeals@westerncape.gov.za)

- 1.6. An electronic copy (word document format) of the appeal and supporting documents must also be submitted.
- 1.7. A prescribed appeal form as well as assistance regarding the appeal processes is obtainable from Appeal Administrator at: Tel.: (021) 483 3721, E-mail: [DEA&DP.Appeals@westerncape.gov.za](mailto:DEA&DP.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 Addendum to the amended 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 greatly appreciated.

Yours faithfully

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

**DATE OF DECISION: 28 SEPTEMBER 2023**

Copied to:

(1) Mr. Cahlan Williams (GNEC)

E-mail: [cahlan@gnec.co.za](mailto:cahlan@gnec.co.za)

(2) Ms. Azanne van Wyk (City of Cape Town)

E-mail: [Azanne.vanWyk@capetown.gov.za](mailto:Azanne.vanWyk@capetown.gov.za)

**FOR OFFICIAL USE ONLY:**

**REFERENCE: 16/3/3/5/A4/17/3037/23**

**NEAS REFERENCE: WCP/EIA/AMEND/0000769/2023**

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