



REFERENCE NUMBER: 16/3/3/5/A8/13/1087/22
NEAS REFERENCE NUMBER: WCP/EIA/AMEND/0000683/2022
DATE: 12 December 2022

The Board of Directors
CALGRO M3
Floor 1, Zeezicht Building
163 Uys Krige Drive
PLATTEKLOOF
7500

Attention: Mr. G Albertyn

E-mail: george@calgrom3.com

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 (AS AMENDED) FOR THE AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 27 JUNE 2014: PHASE 2 OF THE RESIDENTIAL DEVELOPMENT ON ERVEN 21467, 29052-29069 AND OTHERS

1. With reference to the above application, this Department hereby notifies you of its decision to **grant** the amendment of the Environmental Authorisation ("EA") issued on 27 June 2014 (DEA&DP: E12/2/4/1-A6/32-1128/11), together with the reasons for the decision in terms of Part 1 of the Environmental Impact Assessment Regulations, 2014 (as amended).
2. Your attention is drawn to Chapter 2 of the National Appeal Regulations, 2014 (as amended), which prescribes the appeal procedure to be followed. This procedure is summarised in the attached Environmental Authorisation below.

Yours faithfully

MR. ZAAHIR TOEFY

DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)

DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

CC: (1) Mr. B de Witt (EnviroAfrica CC)
(2) Mr. H Mostert (Department of Human Settlements)
(3) Ms. R Clarke (City of Cape Town Municipality)

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ENVIRONMENTAL AUTHORISATION

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 (AS AMENDED) FOR THE AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 27 JUNE 2014: PHASE 2 OF THE RESIDENTIAL DEVELOPMENT ON ERVEN 21467, 29052-29069 AND OTHERS

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 27 June 2014 (DEA&DP: E12/2/4/1-A6/32-1128/11) in terms of Part 1 of the EIA Regulations, 2014 (as amended).

The EA is amended as set out below:

- 1) **Section B: LIST OF ACTIVITIES AUTHORISED:**
"The applicant is herein authorized to undertake the following alternative related to the listed activities:

The establishment of Phase 2 of the proposed mixed use residential development on Erven 21467, 29052-29069 and others, Belhar, which entails the following:

- 960 Social housing multi storey units;
- 500 Residential housing units;
- 800 Open market rental units;
- 1349 GAP housing units;
- A retail centre;
- A commercial centre;
- Community facilities (i.e. community centre, crèches and clinics);
- Associated infrastructure including roads, potable water, storm water, solid waste, effluent and electricity infrastructure."

is amended to read:

The establishment of Phase 2 of the proposed mixed use residential development on Erven 21467, 29052-29069 and others, Belhar, excluding Erven 21474-21488, which entails the following:

- 960 Social housing multi storey units;
- 500 Residential housing units;
- 800 Open market rental units;
- 1349 GAP housing units;
- A commercial centre;
- Community facilities (i.e. community centre, crèches and clinics);
- Associated infrastructure including roads, potable water, storm water, solid waste, effluent and electricity infrastructure.

2) **Section C: PROPERTY DESCRIPTION AND LOCATION:**

"The listed activities will take place on Erven 21467, 29052-29069 and others, Belhar.

The SG 21-digit codes are: C01600020002146700000,
C01600020002147400000,
C01600020002147500000,
C01600020002147600000,
C01600020002147700000,
C01600020002147800000,
C01600020002147900000,
C01600020002148000000,
C01600020002148100000,
C01600020002148200000,
C01600020002148300000,
C01600020002148400000,
C01600020002148500000,
C01600020002148600000,
C01600020002148700000,
C01600020002148800000,
C01600020002905200000,
C01600020002905300000,
C01600020002905400000,
C01600020002905500000,
C01600020002905600000,
C01600020002905700000,
C01600020002905800000,
C01600020002905900000,
C01600020002906000000,
C01600020002906100000,
C01600020002906200000,
C01600020002906300000,
C01600020002906400000,
C01600020002906500000,
C01600020002906600000,
C01600020002906700000,
C01600020002906800000,
C01600020002906900000,
C01600020002907200000,
C01600020002907300000,
C01600020002907400000,
C01600020002907500000,

C01600020002907600000,
C01600020002907700000,
C01600020002908000000,
C01600020002908100000,

Co-ordinates: Latitude: 33° 56' 12.30" South
Longitude: 18° 38' 11.41" East,

hereinafter referred to as, "the site".

is amended to read:

The listed activities will take place on Erven 21467, 29052-29069 and others, Belhar.

The SG 21-digit codes are: C01600020002146700000,
C01600020002905200000,
C01600020002905300000,
C01600020002905400000,
C01600020002905500000,
C01600020002905600000,
C01600020002905700000,
C01600020002905800000,
C01600020002905900000,
C01600020002906000000,
C01600020002906100000,
C01600020002906200000,
C01600020002906300000,
C01600020002906400000,
C01600020002906500000,
C01600020002906600000,
C01600020002906700000,
C01600020002906800000,
C01600020002906900000,
C01600020002907200000,
C01600020002907300000,
C01600020002907400000,
C01600020002907500000,
C01600020002907600000,
C01600020002907700000,
C01600020002908000000,
C01600020002908100000,

Co-ordinates: Latitude: 33° 56' 12.30" South
Longitude: 18° 38' 11.41" East,

hereinafter referred to as, "the site".

3) **Annexure 1: REASONS FOR THE DECISION: 3. Alternatives:**

"Layout Alternative 1 (Herewith Authorised):

The establishment of Phase 2 of the proposed mixed use residential development on Erven 21467, 29052-29069 and others, Belhar, which entails the following:

- 960 Social housing multi storey units;
- 500 Residential housing units;

- 800 Open market rental units;
- 1349 GAP housing units;
- A retail centre;
- A commercial centre;
- Community facilities (i.e. community centre, crèches, and clinics); and
- Associated infrastructure including roads, potable water, storm water, solid waste, effluent and electricity infrastructure.

This alternative is preferred for the following reasons:

- *The Layout's focus will be more on accommodating pedestrian movement along the boulevard.*
- *The traffic and transport movement along the boulevard will be significantly low, creating a safer environment for pedestrians.*
- *The preferred Layout alternative will create less open spaces between land uses for a more urban atmosphere."*

is amended to read:

Layout Alternative 1 (Herewith Authorised):

The establishment of Phase 2 of the proposed mixed use residential development on Erven 21467, 29052-29069 and others, Belhar, excluding Erven 21474-21488, which entails the following:

- 960 Social housing multi storey units;
- 500 Residential housing units;
- 800 Open market rental units;
- 1349 GAP housing units;
- A commercial centre;
- Community facilities (i.e. community centre, crèches, and clinics); and
- Associated infrastructure including roads, potable water, storm water, solid waste, effluent and electricity infrastructure.

This alternative is preferred for the following reasons:

- The Layout's focus will be more on accommodating pedestrian movement along the boulevard.
- The traffic and transport movement along the boulevard will be significantly low, creating a safer environment for pedestrians.
- The preferred Layout alternative will create less open spaces between land uses for a more urban atmosphere.

B. REASONS FOR THE DECISION

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

1. The amendment applied for is to remove Erven 21474-21488 from the authorised development footprint to allow the development of a hospital and a clinic with parking areas for ambulances. The medical care infrastructure does not trigger any new listed activities in terms of the EIA Regulations, 2014 as defined in Listing Notices 1, 2 and 3 published in Government Gazette No. 40772.
2. The amendment applied for is in terms of Part 1 of the EIA Regulations, 2014 and will not change the scope of the EA issued on 27 June 2014.

3. The amendment will not result in an increased level or nature of the impacts that were considered and assessed during the initial application for environmental authorisation.
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 amended Environmental Authorisation.

C. CONDITIONS

1. All other conditions contained in the EA issued on 24 June 2014 (Attached as Annexure A), remain unchanged and in force.

D. APPEALS

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

1. An appellant (if the holder of the decision) must, within 20 (twenty) calendar days from the date 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 (as amended) to the Appeal Administrator; and
 - 1.2. Submit a copy of the appeal to any registered I&APs, any Organ of State with interest in the matter and the decision-maker i.e. the Competent Authority that issued the decision. -
2. An appellant (if NOT the holder of the decision) must, within 20 (twenty) calendar days from the date the holder of the decision sent notification of the decision to the registered I&APs–
 - 2.1. Submit an appeal in accordance with Regulation 4 of the National Appeal Regulations 2014 (as amended) to the Appeal Administrator; and
 - 2.2. Submit a copy of the appeal to the holder of the decision, any registered I&AP, any Organ of State with interest in the matter and the decision-maker i.e. the Competent Authority that issued the decision.
3. The holder of the decision (if not the appellant), the decision-maker that issued the decision, the registered I&AP and the Organ of State must submit their responding statements, if any, to the appeal authority and the appellant within 20 (twenty) calendar days from the date of receipt of the appeal submission.
4. The appeal and the responding statement must be submitted to the address listed below:

By post: Western Cape Ministry of Local Government, Environmental Affairs and Development Planning

Private Bag X9186
CAPE TOWN
8000

By facsimile: (021) 483 4174; or
By hand: Attention: Mr Marius Venter (Tel: 021 483 3721)
Room 809
8th Floor Utilitas Building, 1 Dorp Street, Cape Town, 8001

Note: For purposes of electronic database management, you are also requested to submit electronic copies (Microsoft Word format) of the appeal, responding statement and any supporting documents to the Appeal Authority to the address listed above and/or via e-mail to DEADP.Appeals@westerncape.gov.za.

5. A prescribed appeal form as well as assistance regarding the appeal processes is obtainable from 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

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

DATE OF DECISION: 12 DECEMBER 2022

CC: (1) Mr. B de Witt (EnviroAfrica CC)
(2) Mr. H Mostert (Department of Human Settlements)
(3) Ms. R Clarke (City of Cape Town Municipality)

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ANNEXURE A