



REFERENCE: 16/3/3/5/A3/54/2018/23-A
NEAS REFERENCE: WCP/EIA/AMEND/0000736/2023
DATE OF ISSUE: 21 June 2023

The Board of Directors
Omwieco (Pty) Ltd.
Suite 16, Cotillion Place
22 Technodrive
Technopark
STELLENBOSCH
7600

Attention: Mr. Jan Bergman

E-mail: jan@jbb.co.za

Dear Sir

APPLICATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) ("NEMA") AND THE ENVIRONMENTAL IMPACT ASSESSMENT ("EIA") REGULATIONS, 2014 (AS AMENDED) FOR THE PART 1 AMENDMENT TO THE RECORD OF DECISION ISSUED ON 16 NOVEMBER 2005 (REFERENCED: E12/2/1-AS8-FARM 810 & 811, SOMERSET WEST), THE AMENDED ENVIRONMENTAL AUTHORISATION ISSUED ON 25 APRIL 2014 (REFERENCED: 16/3/1/5/A3/54/2039/14), THE AMENDED ENVIRONMENTAL AUTHORISATION ISSUED ON 06 OCTOBER 2021 (REFERENCED: 16/3/3/5/A3/54/2044/21-A), THE AMENDED ENVIRONMENTAL AUTHORISATION ISSUED ON 19 JULY 2022 (REFERENCED: 16/3/3/5/A3/54/2035/22-A) AND THE AMENDED ENVIRONMENTAL AUTHORISATION ISSUED ON 25 NOVEMBER 2022 (REFERENCED: 16/3/3/5/A3/54/2052/22-A) FOR THE MIXED-USE DEVELOPMENT ON REMAINDER OF THE FARM DIE BOS NO. 810 AND REMAINDER OF THE FARM ONVERWACHT NO. 811, HERITAGE PARK, SOMERSET WEST.

1. With reference to the above application, the competent authority hereby notifies you of its decision to **grant** Environmental Authorisation, attached herewith, 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 are provided with access to and reasons for the decision, and that all registered interested and affected parties are notified of their right to appeal.
3. Your attention is drawn to Chapter 2 of the Appeal Regulations, 2014, which prescribes the procedure to be followed in the event of appeals being lodged. This procedure is summarised in the attached Environmental Authorisation.

Yours faithfully

MR. ZAAHIR TOEFY

DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)

DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

CC: (1) Mr. Marais Geldenhuys (Doug Jeffery Environmental Consultants (Pty) Ltd.)

Email: marais@dougjeff.co.za

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

Email: Azanne.vanWyk@capetown.gov.za

(3) Mr. Mark Corbet (Bahari Lifestyle Apartments (Pty) Ltd.)

E-mail: mark@century.co.za



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AMENDED ENVIRONMENTAL AUTHORISATION

APPLICATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) ("NEMA") AND THE ENVIRONMENTAL IMPACT ASSESSMENT ("EIA") REGULATIONS, 2014 (AS AMENDED) FOR THE PART 1 AMENDMENT TO THE RECORD OF DECISION ISSUED ON 16 NOVEMBER 2005 (REFERENCED: E12/2/1-AS8-FARM 810 & 811, SOMERSET WEST), THE AMENDED ENVIRONMENTAL AUTHORISATION ISSUED ON 25 APRIL 2014 (REFERENCED: 16/3/1/5/A3/54/2039/14), THE AMENDED ENVIRONMENTAL AUTHORISATION ISSUED ON 06 OCTOBER 2021 (REFERENCED: 16/3/3/5/A3/54/2044/21-A), THE AMENDED ENVIRONMENTAL AUTHORISATION ISSUED ON 19 JULY 2022 (REFERENCED: 16/3/3/5/A3/54/2035/22-A) AND THE AMENDED ENVIRONMENTAL AUTHORISATION ISSUED ON 25 NOVEMBER 2022 (REFERENCED: 16/3/3/5/A3/54/2052/22-A) FOR THE MIXED-USE DEVELOPMENT ON REMAINDER OF THE FARM DIE BOS NO. 810 AND REMAINDER OF THE FARM ONVERWACHT NO. 811, HERITAGE PARK, SOMERSET WEST.

With reference to your application for the abovementioned, find below the amendment to the Environmental Authorisation (hereinafter referred to as the "Environmental Authorisation") with respect to this application.

ADDENDUM TO ENVIRONMENTAL AUTHORISATION

A. DECISION

With reference to the above-mentioned application, the competent authority has decided, in terms of the EIA Regulations, 2014 (as amended), to amend the Record of Decision ("RoD") issued on 16 November 2005 (EIA Reference Number: E12/2/1-AS8-Farm 810 & 811, Somerset West); the amended Environmental Authorisation issued on 25 April 2014 (EIA Reference Number: 16/3/1/5/A3/54/2039/14); the amended Environmental Authorisation issued on 06 October 2021 (EIA Reference Number: 16/3/3/5/A3/54/2044/21-A); the amended Environmental Authorisation issued on 19 July 2022 (EIA Reference Number: 16/3/3/5/A3/54/2035/22-A) and the amended Environmental Authorisation issued on 25 November 2022 (EIA Reference Number: 16/3/3/5/A3/54/2052/22-A).

1. The Environmental Authorisations are hereby amended to be issued to two holders in accordance with Regulation 27(2)(a) of the EIA Regulations, 2014 (as amended).
2. A RoD referenced "E12/2/1-AS8-Farm 810 & 811, Somerset West" was issued to Quickvest 229 (Pty) Ltd., on 16 November 2005; an amended Environmental Authorisation referenced "16/3/1/5/A3/54/2039/14" was issued to Omwieco (Pty) Ltd., on 25 April 2014; an amended Environmental Authorisation referenced "16/3/3/5/A3/54/2044/21-A" was issued to Omwieco (Pty) Ltd., on 06 October 2021 to

detach Erf 19407; an amended Environmental Authorisation referenced "16/3/3/5/A3/54/2035/22-A" was issued to Omwico (Pty) Ltd., on 19 July 2022 to detach Erf 20471 and an amended Environmental Authorisation referenced "16/3/3/5/A3/54/2052/22-A" was issued to Omwico (Pty) Ltd. to detach Erf 19369, on 25 November 2022 for the mixed-use development on Remainder of the Farm Die Bos No. 810 and Remainder of the Farm Onverwacht No. 811, Heritage Park, Somerset West.

This amendment application is to transfer the rights and obligations of the Environmental Authorisation relating to the residential development on Erf No. 21134 (which was subdivided from the Remainder of the Farm Die Bos No. 810) from Omwico (Pty) Ltd., to Bahari Lifestyle Apartments (Pty) Ltd.

- 2.1 Environmental Authorisation A is therefore for the larger mixed-use development on the Remainder of the Farm Die Bos No. 810 and Remainder of the Farm Onverwacht No. 811, Heritage Park, Somerset West.
 - 2.2 Environmental Authorisation B is for a residential development on Erf No. 21134 (which was subdivided from the Remainder of the Farm Die Bos No. 810).
 - 2.3 Omwico (Pty) Ltd., will remain the holder for the larger mixed-use development on the Remainder of the Farm Die Bos No. 810 and Remainder of the Farm Onverwacht No. 811, Heritage Park, Somerset West and Bahari Lifestyle Apartments (Pty) Ltd., will be the holder for the residential development on Erf No. 21134.
3. The description of the authorised development issued to Omwico (Pty) Ltd., on 25 November 2022, herewith remains as follows:

The development entails the establishment of a mixed-use development of approximately 1187 residential units and an area of approximately 12ha zoned for commercial development on the Remainder of the Farm Die Bos No. 810 and Remainder of the Farm Onverwacht No. 811, Heritage Park, Somerset West.

The below plan depicts the larger mixed-use development on the Remainder of the Farm Die Bos No. 810 and Remainder of the Farm Onverwacht No. 811, Heritage Park, Somerset West.



Based on aforementioned amendments to the Environmental Authorisation to detach Erven 19407, 20471 and 19369, as well as this amendment to detach Erf 21134, the extent of the Environmental Authorisation for the larger mixed-use development on the Remainder of the Farm Die Bos No. 810 and Remainder of the Farm Onverwacht No. 811, Heritage Park, Somerset West is indicated as the red polygon in the image below.



B. REASONS FOR THE DECISION

1. The amendment applied for is in terms of Part 1 of the EIA Regulations, 2014 (as amended) and will not change the scope of the RoD referenced "E12/2/1-AS8-Farm 810 & 811, Somerset West" issued on 16 November 2005; the amended Environmental Authorisation referenced "16/3/1/5/A3/54/2039/14" issued on 25 April 2014; the amended Environmental Authorisation referenced "16/3/3/5/A3/54/2044/21-A" issued on 06 October 2021; the amended Environmental Authorisation referenced "16/3/3/5/A3/54/2035/22-A" issued on 19 July 2022; and the amended Environmental Authorisation referenced "16/3/3/5/A3/54/2052/22-A" issued on 25 November 2022, nor does it trigger any additional listed activities in terms of the EIA Regulations, 2014 (as amended).
2. The information contained in the application for amendment, as received by the competent authority via electronic mail correspondence on 29 May 2023, was considered.
3. The environment and the rights and interests of other parties are not likely to be adversely affected.
4. The following similarly listed authorised activities have commenced on the Remainder of the Farm Die Bos No. 810 and Remainder of the Farm Onverwacht No. 811, Heritage Park, Somerset West:

Activity 19 of Listing Notice 1: infilling of dry transitional wetlands has been undertaken.

Activity 24 of Listing Notice 1: a number of roads have been constructed on the site.

Activity 28 of Listing Notice 1: the change from agricultural land to mixed-use has been undertaken through a land use management application to the City of Cape Town.

5. The amendment to the RoD referenced "E12/2/1-AS8-Farm 810 & 811, Somerset West" issued on 16 November 2005; the amended Environmental Authorisation referenced "16/3/1/5/A3/54/2039/14" issued on 25 April 2014; the amended Environmental Authorisation referenced "16/3/3/5/A3/54/2044/21-A" issued on 06 October 2021; the amended Environmental Authorisation referenced "16/3/3/5/A3/54/2035/22-A" issued on 19 July 2022 and the amended Environmental Authorisation referenced "16/3/3/5/A3/54/2052/22-A" issued on 25 November 2022, is for the purpose of excluding Erf No. 21134. This will not result in an increase in the level of impacts originally assessed. Furthermore, the development will take place on the same site as previously authorised.

The conditions contained in the RoD issued on 16 November 2005; the amended Environmental Authorisation referenced "16/3/1/5/A3/54/2039/14" issued on 25 April 2014; the amended Environmental Authorisation referenced "16/3/3/5/A3/54/2044/21-A" issued on 06 October 2021; the amended Environmental Authorisation referenced "16/3/3/5/A3/54/2035/22-A" issued on 19 July 2022; and the amended Environmental Authorisation referenced "16/3/3/5/A3/54/2052/22-A" issued on 25 November 2022, respectively, remain unchanged and in force.

C. CONDITION

1. The applicant must in writing, within 14 (fourteen) calendar days of the date of this decision –
 - 1.1 notify all registered interested and affected parties ("I&APs") of –
 - 1.1.1 the outcome of the application;
 - 1.1.2 the reasons for the decision;
 - 1.1.3 the date of the decision; and
 - 1.1.4 the date of issue of the decision;
 - 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);
 - 1.3 draw the attention of all registered I&APs to the manner in which they may access the decision; and
 - 1.4 provide the registered I&APs with:
 - 1.4.1 the name of the holder (entity) of this Environmental Authorisation,
 - 1.4.2 name of the responsible person for this Environmental Authorisation,
 - 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,
 - 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).

D. APPEAL

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 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&AP, 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: 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 M. 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 Addendum to the 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 greatly appreciated.

Yours faithfully

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

DATE OF DECISION: 21 JUNE 2023

CC: (1) Mr. Marais Geldenhuys (Doug Jeffery Environmental Consultants (Pty) Ltd.) Email: marais@dougjeff.co.za
(2) Ms. Azanne van Wyk (City of Cape Town) Email: Azanne.vanWyk@capetown.gov.za
(3) Mr. Mark Corbet (Bahari Lifestyle Apartments (Pty) Ltd.) E-mail: mark@century.co.za

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