
NOTIFICATION OF ENVIRONMENTAL AUTHORISATION GRANTED FOR THE PROPOSED DEVELOPMENT OF AN APARTMENT BLOCK AND ASSOCIATED INFRASTRUCTURE ON ERVEN 46 AND 47 (TO BE CONSOLIDATED INTO ERF 580), CLIFTON.

DEA&DP ENVIRONMENTAL AUTHORISATION (EA) REFERENCE NUMBER: 16/3/3/1/A7/5/3024/24

NEAS REFERENCE NUMBER:

WCP/EIA/0001456/2024

Date: 5th of December 2024

Dear Registered Interested and Affected Party (I&AP),

You are hereby notified that on **28th November 2024** the Department of Environment Affairs and Development Planning (DEA&DP) **granted approval** (with conditions) for the proposed development of an apartment block and associated infrastructure on erven 46 and 47 (to be consolidated into Erf 580), Clifton in terms of the National Environmental Management Act (No. 107 of 1998) (NEMA) and associated Environmental Impact Assessment (EIA) Regulations of 2014 (as amended). The Environmental Authorisation (EA) is also dated the **28th of November 2024**.

The decision has been uploaded to Chand's website and is available for download via this link: <https://www.chand.co.za/the-know-how-3-2/projects-under-review-2024/>

The authorised development entails the development of an apartment building and associated infrastructure within 100m of the high-water mark of the sea on Erven 46 and 47, Clifton.

Up to ten terraced levels will be developed, providing for ten apartments and will comprise of the following:

- Basement storeys 1 and 2 will contain parking areas, including service/plant rooms;
- Basement storey 3 will be located at the street level of Victoria Road and will comprise security and drive through port cochere, vehicle parking lifts, a pedestrian shuttle lift, private internal lifts and an emergency fireman's lift;
- The ground floor (i.e., first storey) will comprised of the main pedestrian entry lobby, a swimming pool area with gardens, storage and associated facilities;
- The second to fifth storeys will comprise of two apartments with two terraces per storey;
- The sixth and seventh storeys will comprise of two duplex penthouse apartments with terraces, swimming pools and garden areas per story.

An existing stormwater channel, which has eroded into Erf 47, Clifton will be realigned to its original course on Erf 48 and the remainder of Erf 145, Clifton. The realigned stormwater channel will be gabion-lined and will be approximately 20m in length. The proposed realignment of the existing stormwater channel will not trigger any listed activities in terms of the NEMA EIA Regulations, 2014 (as amended).

All services will be supplied by the Local Authority. Access to the site will be gained off Victoria Road, Clifton.

The Listed Activity will be undertaken Erven 46 and 47, Clifton, Cape Town located at 13 Victoria Road, Clifton. The two properties will be consolidated to create Erf No. 580, Clifton.

Refer to **Annexure 1: Locality Map** and **Annexure 2: Site Development Plan**

The reasons motivating the DEA&DP's approval are summarised below (Refer to Annexure 3 of the EA for the full reasons of decision):

In reaching its decision, the Competent Authority considered, *inter alia*, the following:

- a) The information contained in the Application Form dated April 2024 and received by the Competent Authority on 10 May 2024, the final BAR (dated August 2024) and the EMPr (dated August 2024) submitted with the final BAR, received by the Competent Authority on 12 August 2024;
- b) Relevant information contained in the Departmental information base, including the Guidelines on Public Participation, Need and Desirability and Alternatives (dated March 2013);
- c) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the NEMA;
- d) The comments received from registered I&APs and the responses thereto, included in the final BAR (dated August 2024);
- e) The balancing of negative and positive impacts and proposed mitigation measures; and
- f) 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.

Appeals

Should you wish to appeal the decision, you must **submit an appeal to the Appeal Administrator in accordance with Regulation 4 of the National Appeal Regulations 2014 (as amended), within 20 (twenty) calendar days of the date of this notice**. Further note that **a copy of the appeal must also be submitted to the holder of the decision, registered I&APs, Organs of State with interest in the matter, and the decision-maker i.e., the Competent Authority that issued the decision** (these details may be obtained from Chand Consultants on request).

Additionally, note that the 20 (twenty) calendar days excludes the period between 15th December 2024 to 5th January 2025.

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.

A prescribed appeal form as well as assistance regarding the appeal processes is obtainable from the office of the appeal authority at:

Tel: (021) 483 3721; or

E-mail: DEADP.Appeals@westerncape.gov.za; or

URL: <http://www.westerncape.gov.za/eadp>

The appeal submission (and responding statement) must be submitted, in writing, to the Appeal Administrator by means of one of the following methods:

By post: Attention: 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 2659)
Room 809
8th Floor Utilitas Building,
1 Dorp Street
Cape Town
8001

By Email: DEADP.Appeals@westerncape.gov.za

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 DEADP.Appeals@westerncape.gov.za.

The details of the holder of the Environmental Authorisation are as follows:

Arteche Investments (Pty) Ltd.
% Mr. A. H. Darvesh
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3600
Cell: 087 470 0514
Email: president@artecheholdings.com

Yours faithfully



Ingrid Eggert
On behalf of Chand Environmental Consultants