

PROPERTY DIVISION
HOME OFFICE
CNR WILLIAM DABBS STREET
& OLD PAARL ROAD,
BRACKENFELL, 7560
P O BOX 1160,
BRACKENFELL, 7561
SOUTH AFRICA
TEL: +27 (0) 21 980 4400
FAX: +27 (0) 21 983 5441

27 March 2020

BY EMAIL: carina@gnec.co.za

Guillaume Nel Environmental Consultants

P.O. Box 2632

PAARL

7620

For Attention: Ms C. Becker

Dear Madam

**PROPOSED DUALLING OF MAIN ROAD 201, PAARL, WESTERN CAPE (DEA&DP
REF: 16/3/3/6/7/1/B3/28/1156/19)**

The abovementioned application for environmental authorization ("EA") refers.

Shoprite Checkers (Pty) Ltd ("Shoprite") is the registered owner of Portion 4 of the Farm Ronwe No. 849 Paarl ("the Property"). The Property is abutting Main Road 201 (MR201) which serves as the subject area for which EA is sought to enable the conversion of same to a dual carriageway and to upgrade the effected stormwater infrastructure within its confines. Shoprite intends to develop the Property as a convenience shopping



REGISTERED OFFICE: CNR WILLIAM DABBS STREET & OLD PAARL ROAD, PO BOX 215, BRACKENFELL, 7561, SOUTH AFRICA
TEL: +27 (0) 21 980-4000 FAX: +27 (0) 21 980-4050 www.shopriteholdings.co.za

DIRECTORS: P C ENGELBRECHT (CEO), J V R BRÖNN, A DE BRUYN, P G DU PREEZ, G FRITZ, A B GARDENER, B HARISUNKER,
W J HUNLUN, N M MOOLMAN, N L SCHREUDER, Z A SIBIYA, P B VAN DER MERWE

of approximately 9000m² gross lettable area ("GLA"). As an interested and direct affected party, Shoprite herewith submits the following comments on the abovementioned application and proposed works.

1) PROPOSED DUALLING OF MR201

- a. The background document states that the dualling of MR201 will result in an increased road reserve width of approximately 40 to 50 meters.
- b. According to Provincial Notice (P.N.) 370/1982 ("the Notice") the original proclaimed road reserve of MR201 is 32 meters.
- c. The Notice, however, clarifies the methodology in determining the actual road reserve width as follows:
 - i. If any section of the road has been fenced and the width between opposite fence lines is greater than 32 meters, then the fence lines will demarcate the *de facto* road reserve width.
 - ii. If there are no fences, then the road reserve width will be measured 16 meters on either side of the centre line of the prevailing road surface (thus totaling a 32 meter road reserve).
- d. The existing fence along MR201 and confined to that portion abutting the Property measures 38 meters from the fence on the opposite side of the road. Based on our interpretation of the Notice, the road reserve width of that portion of the road abutting the Property is thus 38 meters.
- e. The background document is not clear on the exact road reserve width which will prevail as a result of the proposed dualling. The background document merely states that such road reserve width will be between 40 to 50 meters. This scenario presents much uncertainty as any encroachment of the abovementioned 38 meter threshold will impact the developable extent of the Property.
- f. From the design drawings which accompany the background document it appears that the proposed new road reserve width measures 41,5 meters along that portion abutting the Property. This results in an encroachment of the Property of 3,5 meters. Naturally this reduces the developable area of the Property and our ability to develop the Property to its full potential and implement our municipal approved Site Development Plan ("SDP"). It is

therefore deemed reasonable and fair that Shoprite be appropriately compensated for the loss of valuable developable land as a result of the dualling and that this be incorporated as a condition of EA.

- g. The Notice applies the same principle in determining the *de facto* road reserve width applicable to Divisional Road 1110 (Drakenstein Road) which is intersecting MR201. As per the Notice the proclaimed road reserve width is 20 meters.
- h. The methodology in determining the actual road reserve width is as follows:
 - i. If any section of the road has been fenced and the width between opposite fence lines is greater than 20 meters, then the fence lines must be considered as the *de facto* road reserve width.
 - ii. If there are no fences, then the road reserve width will be measured 10 meters on either side of the centre line of the prevailing road surface (thus totaling a 20 meter road reserve).
- i. In this instance the position of the existing fence line along the Property corresponds with the proclaimed road reserve width of 20m. If the dualling of MR201 incorporates any portion of Divisional Road 1110 and encroaches the *de facto* cadastral boundary of the Property, then the same principle as mentioned before in respect to appropriate compensation for the loss of valuable developable land should apply.

2) MAIN ROAD 201 AND DIVISIONAL ROAD 1110 INTERSECTION

- a. As part of the rezoning conditions of approval in respect of the Property, the Western Cape Government ("WCG") has imposed a condition that the MR201 and Divisional Road 1110 intersection should be upgraded to a traffic circle.
- b. From the information provided, it is clear that the traffic circle is no longer a requirement. In this regard we submit that the WCG remove this rezoning condition in respect of the Property through engagement with the Drakenstein Municipality.
- c. We further noted from the approved design drawings that the entrance to the proposed development on Portion 6 of the Farm Ronwe No 849 does not line up with the approved access to the Property. Due to cadastral constraints and the

requirements of the road access guidelines, our access cannot be relocated. We thus submit that the design drawings be amended to address this concern and that the WCG revisit the entrance details in respect of Portion 6 of the Farm Ronwe No 849 to correctly align with the access to the Property.

3) UPGRADING OF STORMWATER INFRASTRUCTURE

- a. In the background document mention is made of the upgrading of various stormwater culverts and infrastructure. No specifics are provided.
- b. It is clear that the proposed road upgrade will result in additional stormwater run-off from the expanded road surface. The culvert and road side drain capacities need to be verified and might require upgrading. The culvert crossing Divisional Road 1110 (Drakenstein Road) is of specific interest to Shoprite since the pre-development run-off from the Property will be discharged into same culvert.
- c. We thus request that a detailed stormwater management report be provided to interested and affected parties for their comments as this might have an adverse impact on the development of their properties.

We trust that you will find the above in order.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'M. Abrahamse', with a horizontal line underneath it.

MARTIN ABRAHAMSE