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Civic Centre, Berg River Boulevard, Paarl 7646

**Enquiries:** 

Malcolm Lamour

Contact number: (021) 807 4821

Reference:

15/4/1(1426/11) P

Date:

02 March 2023

**Doug Jeffrey Environmental Consultants** High Acres Farm, Simondium Road, Klapmuts P.O. Box 44 **Klapmuts** 7625

By email: adel@dougjeff.co.za

Attention: Adel Groenewald

PROPOSED RESIDENTIAL AND MIXED-USED DEVELOPMENT ON PORTION 11 OF FARM NR.1426, PAARL (AVEC LA TERRE) DEA&DP Reference: 16/3/3/6/7/2/B3/28/1396/22.

Reference is made to the Draft Scoping Report for the proposed residential and mixed used development of the abovementioned property.

The Environmental Management Section circulated the Draft Scoping Report to the following departments/sections for comment: Engineering Services Department: Infrastructure Management; Electro-technical Services; Planning and Development: Land Use Planning and Surveying; and Planning and Development: Spatial Planning and Heritage.

Comments were received from the following departments/sections:

## Planning and Development: Heritage Resources - Clive Theunissen (Annexure A)

The proposed development is not supported from a heritage point of view. Please see Annexure for the complete comment from this Sub-section.

## Planning and Development: Spatial Planning – Alexander Rehder (Annexure B)

The development is supported from a Spatial Planning point of view, subject to the redesign of the proposed development layout that specifically considers the surrounding existing land uses. Please refer to Annexure B for the complete comment.

## Planning and Development: Land Use Planning and Surveying – Jaime Meyer (Annexure C)

As the information within the scoping report is in line with the information contained in the land use application, there is no further comment from a land use management point of view. Refer to Annexure C.

## **Civil Engineering Services: Lawrence Smith (Annexure D)**

Please refer to the minutes of the virtual meeting that was held on 16 February 2023 to discuss services capacity for the proposed development. See Annexure D for comment regarding Civil Services.

## **Electro Technical Services – Leon Laing (Annexure E)**

The area requires network upgrading that is subject to funding being available. Please refer to Annexure E for the complete comment.

## **Environmental Management Section: Malcolm Lamour & Shaun Reece (Annexure F)**

Please note this Section's requirements for the proposed wastewater treatment plant, Noise Impact Assessment and comment regarding a buffer area between the proposed development and the neighbouring development. Also note comment by Mr Reece regarding potential odour concerns. Please refer to annexure F to see the complete comment from this Section.

#### Conclusion

The Heritage Resources Sub-section requires additional information to mitigate impact on the cultural landscape and scenic quality. The Environmental Management Section also raised some concerns during the evaluation of the proposal that needs to be addressed. Upgrades are required to the electrical network to ensure sufficient capacity for the development. Please note the concerns raised by the various departments/sections must be addressed. Having reviewed the application and circulated it to the relevant departments/sections for comment, the municipality cannot support the proposal in its current state.

Should you wish to discuss the above comments, please do not hesitate to contact Malcolm Lamour/Carlynne Cupido (see above for contact details).

Kind regards,

C. WINTER

MANAGER: ENVIRONMENTAL MANAGEMENT

#### **Annexures**

Annexure A: Heritage Resources - Clive Theunissen

Annexure B: Planning and Development: Spatial Planning – Alexander Rehder

Annexure C: Planning and Development: Land Use Planning and Surveying – Jaime Meyer

Annexure D: Civil Engineering Services: Lawrence Smith Annexure E: Electro Technical Services – Leon Laing

Annexure F: Environmental Management Section: Malcolm Lamour & Shaun Reece

CC: Department of Environmental Affairs and Development Planning (DEA&DP)

Dimitri.Matthews@westerncape.gov.za



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Civic Centre, Berg River Boulevard, Paarl 7646

# Memo

To:

**ENVIRONMENTAL MANAGEMENT SECTION** 

**M LAMOUR** 

(EXT: x4821)

From:

**HERITAGE SERVICES SUB-SECTION** 

**Enquiries:** 

CLIVE THEUNISSEN

(EXT: x4818)

Reference number:

15/4/1(F1426/11)P

Date: Subject: **21 FEBRUARY 2023** 

DRAFT SCOPING REPORT: IN TERMS OF THE NATIONAL ENVIRONMENTAL

MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS: PROPOSED RESIDENTIAL AND MIXED USE

**DEVELOPMENT ON PORTION 11 OF FARM 1426, PAARL** 

## **RECEIVED APPLICATION ON 09 FEBRUARY 2023**

#### PROPOSAL

The proposal entails the establishment of a mixed-use development on Farm 1426 Portion 11, Paarl.

### 2. EVALUATION

## 2.1 NATIONAL HERITAGE RESOURCES ACT No. 25 of 1999

In a letter dated 7 September 2022, Heritage Western Cape (HWC) indicated that there is no reason to believe that the proposed mixed-use development on Portion 11 of Farm No. 1426, Paarl will impact on heritage resources. Therefore, no further action under Section 38 of the National Heritage Resources Act (Act 25 of 1999) is required.

However, should any heritage resources, including evidence of graves and human burials, archaeological material and paleontological material be discovered during execution, all works must be stopped immediately, and Heritage Western Cape must be notified without delay.

## 2.2 DRAKENSTEIN MUNCIPAL ZONING SCHEME BYLAW 2018

In terms of the Drakenstein Municipal Zoning Scheme Bylaw 2018, the proposal is located outside of the Special Character Protected Area Overlay Zone of Paarl, however it is located within the R301 Wemmershoek Road Scenic Route Overlay Zone.



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The overlay zone is of high scenic value with scenic views toward the Klein Drakenstein and Wemmershoek Mountains from the R301. The scenic character of the overlay zone relates primarily to the relationship between the rural and vineyard setting of the R301 in the foreground and the mountain backdrop. The scenic corridor of the R301 also has clear defined agricultural edges, soft boundary conditions, low key farm entrances and signage.

## 2.3 DRAKENSTEIN HERITAGE SURVEY 2013

In terms of the Drakenstein Heritage Survey 2013, the proposal is located adjacent to the proposed Wemmershoek Heritage Overlay Zone.

The Wemmershoek Heritage Overlay Zone constitutes a good example of a historically evolved landscape with evidence of historical layering and a considerable degree of legibility, intactness and authenticity. It provides a visual setting for the mountain backdrop of Wemmershoek Mountains and exhibits a unique collection of vineyards with embedded historic homesteads. This vineyard setting on the mountain slopes is complimented by the landscape immediately to the west of the R301 which is characterized by a range of low intensity peri-urban or rural activities. It is regarded as a Grade 3 cultural landscape.

The cultural landscape of the old "Victor Verster" Prison is of historical significance due its association with the imprisonment and release of Nelson Mandela. This has recently informed the name change of Wemmershoek Road to Nelson Mandela Freedom Road. The Schuurmansfontein Road is also an important access route to "Madiba house" on Watervliet Farm, which is a Grade 1 heritage resource due to its role as site of Nelson Mandela's incarceration and negotiations during a period of significant historical transition.

### 4. CONCLUSION

In view of the above, the proposed establishment of a mixed-use development on Farm 1426 Portion 11, Paarl, is <u>not supported</u> from a heritage point of view.

The proposed development in its current form will have a significant impact on the cultural landscape and it is recommended that a heritage consultant be appointed to conduct a cultural landscape analysis and provide design guidelines for the development. Furthermore, the comment of the South African Heritage Resources Agency must be provided.

The development is also located within the existing Wemmershoek Scenic Route Overlay Zone, therefore the proposed development must adopt a more subdued response to acknowledge the scenic quality of the overlay zone. Besides the design guidelines recommended by the heritage consultant, the development must:

- Reduce the overall height and density of the development;
- Downscale the development towards the rural landscape and any significant resources;
- Introduce treed open space buffer zones or planted berms along the eastern and southern boundaries;
- Follow rural planting patterns;



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- Avoid suburban or urban typologies in terms of any proposed gate houses, boundary conditions, built form edges and architectural responses;
- Introduce softer rural edges and boundary conditions; and
- Review the architectural response to the Wemmershoek and Schuurmansfontein Road Corner.

**W HENDRICKS** 

**MANAGER: SPATIAL PLANNING** 

From: Alexander Rehder

**Sent:** Friday, 24 February 2023 15:06

To: Cindy Winter Carlynne Cupido

Subject: RE: REQUEST FOR COMMENTS: DRAFT SCOPING REPORT - AVEC LA TERRE, PAARL

#### **Dear Cindy**

From a spatial town planning perspective our comments are as follows:

It should be remembered that the 2022 Drakenstein SDF is a high-level spatial core component of the IDP, and secondly, it does not confer/give rights or take away land use rights but <u>guides</u> and informs decisions to be made by the municipality relating to land development. Therefore, it is important to understand that the SDF is only a guiding document.

#### The following is important to note:

- 1. The proposed development is located inside the demarcated urban edge.
- 2. In terms of the 2022 Drakenstein SDF, the following aspects are important to note:
  - a. The subject property falls within an area that is earmarked for 'urban infill'. On page 72 of the SDF, 'urban infill' is described as follows: A key strategy of the SDF is infill development of strategic sites in urban areas. Urban infill is largely focused on achieving higher densities in urban settlements and providing a greater variety of housing options to speed up the delivery process and create more sustainable settlements. Under urban infill, a variety of housing typologies (single residential, group housing, row housing, apartments) may be allowed. In addition, in certain instances a mixed use development is more desirable, sustainable and feasible. Therefore, a combination of various land uses may be considered in certain instances under the urban infill designation.
  - b. The subject property borders the R301 to the east, which is annotated as a 'scenic route'. On page 7 of the SDF, 'scenic routes' are inter alia described as routes that provide vistas over scenic landscapes and the experience of a sense of place. Land use management for scenic routes should be aimed at retaining the sense of place and important vistas from these routes. The focus is thus largely on managing development adjacent to these routes. The Drakenstein Municipality Zoning Scheme Bylaw, 2018 has certain areas designated as formal Scenic Route Overlay Zones.
  - c. The subject property borders the Schuurmansfontein Road to the north which is annotated as a 'mobility route', and on page 70 of the SDF, it is described as follows: *Mobility routes refer to roads that function as primary mobility routes into settlements as well as between neighbourhoods.*
  - d. The R301 and the Schuurmansfontein Road intersection is annotated as a 'gateway'. On page 70 of the SDF, it is described that gateways indicate entrance points to urban settlements which require urban design interventions (signage and landscaping) to enhance the sense of place. Interventions for these public land parcels are largely focused on physical upgrades, as opposed to land use management interventions.
  - e. According to the Environmental and Heritage Implications Plan, there are some CBAs and ESAs identified over the subject property.
- 3. A letter by Heritage Western Cape dated 7 September 2022 states that there is no reason to believe that the proposed mixed use development on Portion 11 of Farm 1426, corner of Schuurmansfontein Road and R301, Paarl, will impact on heritage resources, no further action under Section 38 of the National Heritage Resources Act (Act 25 of 1999) is required.
- 4. A letter by the Western Cape Department of Agriculture dated 2022-10-07 states that the Western Cape Department of Agriculture: Land Use Management has no objection to the proposed application but it is noted that comment is required from the relevant deciding authorities in terms of the Subdivision of Agricultural Land Act 70 of 1970.

From: Cindy Winter

**Sent:** Monday, 27 February 2023 11:08

To: Carlynne Cupido

Subject: FW: REQUEST FOR COMMENTS: DRAFT SCOPING REPORT - AVEC LA TERRE, PAARL

FYI below.

From: Jaime Meyer < Jaime. Meyer@drakenstein.gov.za>

Sent: Monday, 27 February 2023 10:56

To: Cindy Winter < Cindy. Winter@drakenstein.gov.za>

Subject: RE: REQUEST FOR COMMENTS: DRAFT SCOPING REPORT - AVEC LA TERRE, PAARL

Hi Cindy

As the information within the scoping report is in line with the information contained in the land use application, there is no further comment from a land use management point of view.

#### Regards

Mr Jaime Meyer (Pr. Pln A/2477/2017)

**Chief Town Planner: Land Development Management** 

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e: jaime.meyer@drakenstein.gov.za

a: Civic Centre, Berg River Boulevard, Paarl, 7646



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## 365 Days of Activism against Gender-Based Violence

From: Cindy Winter < Cindy. Winter@drakenstein.gov.za>

Sent: Thursday, February 9, 2023 4:25 PM

To: JoAnn Karriem < JoAnn. Steenkamp@drakenstein.gov.za >; Lawrence Smith

<<u>Lawrence.Smith@drakenstein.gov.za</u>>; Malcolm Lamour <<u>Malcolm.Lamour@drakenstein.gov.za</u>>; Leon Laing

<LeonL@drakenstein.gov.za>; Jaime Meyer <Jaime.Meyer@drakenstein.gov.za>; Monya Pillay

<Monya.Pillay@drakenstein.gov.za>

Cc: Clive Theunissen < Clive. Theunissen@drakenstein.gov.za>; Alexander Rehder

<<u>Alexander.Rehder@drakenstein.gov.za</u>>; Carlynne Cupido <<u>Carlynne.Cupido@drakenstein.gov.za</u>>

Subject: REQUEST FOR COMMENTS: DRAFT SCOPING REPORT - AVEC LA TERRE, PAARL

Dear All,

The Environmental Management Section is tasked with co-coordinating and collating internal Departmental comments for environmental processes undertaken in terms of the Environmental Impact Assessment (EIA)

From: Lawrence Smith

Sent: Thursday, 16 February 2023 13:38

To: Carlynne Cupido; Jan Nieuwoudt; Louis Pienaar; 'Adél Groenewald'; Ronel van Zyl;

zak@a19.co.za

Subject: RE: Services Capacity Discussion: AVEC LA TERRE, PAARL Farm 1426/11

#### Attendance:

DM: Lawrence Smith, Carylnne Cupido Civil Consultant: Jan Niewoudt, Zak Burger

EAP: Adel Groenewald

#### Water:

No bulk infrastructure is available in the area.

 The developer will be responsible for the implementation of the findings of the GLS report dated 16 September 2022.

#### Sewer:

- No municipal infrastructure available in the area.
- The proposed treatment works must get the necessary authorization.

#### Roads:

PRE approval must be submitted during the land use application phase.

#### Stormwater:

- A SWMP must be submitted during the land use application phase.
- No municipal infrastructure in the area.
- PRE approval required for the stormwater discharge into Schuurmansfontein's system.

#### Solid Waste:

Refuse to be collected at the entrance by DM and carted to our landfill.

#### Regards

#### Mr. Lawrence Smith GIPET

**Head: Construction Approvals & Development Applications** 

t: +27 21 807 4577 c: +27 82 302 3365

e: <u>Lawrence.Smith@drakenstein.gov.za</u>
a: 1 Market Street, 3<sup>rd</sup> floor, Paarl 7646



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## 365 Days of Activism against Gender-Based Violence

----Original Appointment----

From: Carlynne Cupido < Carlynne. Cupido @drakenstein.gov.za>

Sent: Thursday, February 16, 2023 11:33 AM

To: Carlynne Cupido; Lawrence Smith; Jan Nieuwoudt; Louis Pienaar; 'Adél Groenewald'; Ronel van Zyl;

zak@a19.co.za

Subject: Services Capacity Discussion: AVEC LA TERRE, PAARL

When: Thursday, February 16, 2023 12:45 PM-1:45 PM (UTC+02:00) Harare, Pretoria.

Where: Microsoft Teams Meeting

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Civic Centre, Berg River Boulevard, Paarl 7646

Enquiries: L Laing

Contact number: 021 807 4664/4684

Reference: 5/7/2/1/202223/064

Date: 03 February 2023

De Villiers & Moore Consulting Engineers (Pty) Ltd 1 De Villiers Drive P. O. Box 472 DURBANVILLE 7550

Attention: Mr. W. Badenhorst

**Dear Sir** 

CONFIRMATION OF ELECTRICITY CAPACITY FOR THE PROPOSED AVEC LA TERRE DEVELOPMENT, WEMMERSHOEK ROAD, ERF 1426/11, PAARL

Your request dated 2 February 2023 refers.

The proposed development's capacity requirement as stipulated by you is 2 326kVA.

Drakenstein Municipality confirm that there is sufficient power available at our main intake 66/11kV Dwarsrivier substation. The availability however on the 11kV network require upgrading in order to ensure the required load of 2 326kVA to the development. A new proposed 11kV switching station (20mx20m) will have to be constructed at a suitable location with twenty-four-hour access, closest to Schuumansfontein Road, across Pearl Valley entrance adjacent to The Acres development, to accommodate for the upgrading of the existing 11kV reticulation. The proposed 11kV switching station will feed directly from the existing 66/11kV Dwarsrivier substation. It must however be noted that two additional feeder cables must be installed from the existing 66/11kV Dwarsrivier substation, as well as the extension of the existing feeder cables to the new proposed 11kV switching station. The previous mentioned further require for the construction and installation of additional switchgear within the existing 66/11kV Dwarsrivier substation.

The existing 11kV reticulation will have to change as such, that Pearl Valley and The Acres ring feeds shall feed separately from the new proposed 11kV switching station. The new proposed development shall be interconnected to form part of the The Acres ring feed. Service servitudes will also have to be included in the layout of the development plans, which can only be indicated after the final position of the proposed 11kV switching station has been confirmed.

The municipality require a minimum vertical clearance distance of at least 9m from the existing 11kV overhead line running parallel to the new proposed development boundary.

Any existing services that need to be relocated to new positions, will be for the cost of the developer.

The developer will be responsible to pay Eskom notified maximum demand, service connection and network recovery cost charges for this development.

The developer is required to include measures to improve energy efficiency for this development to reduce consumption of electricity.

Office hours: (08:00 – 13:00 and 13:00 – 16:45, Fridays – 15:30).

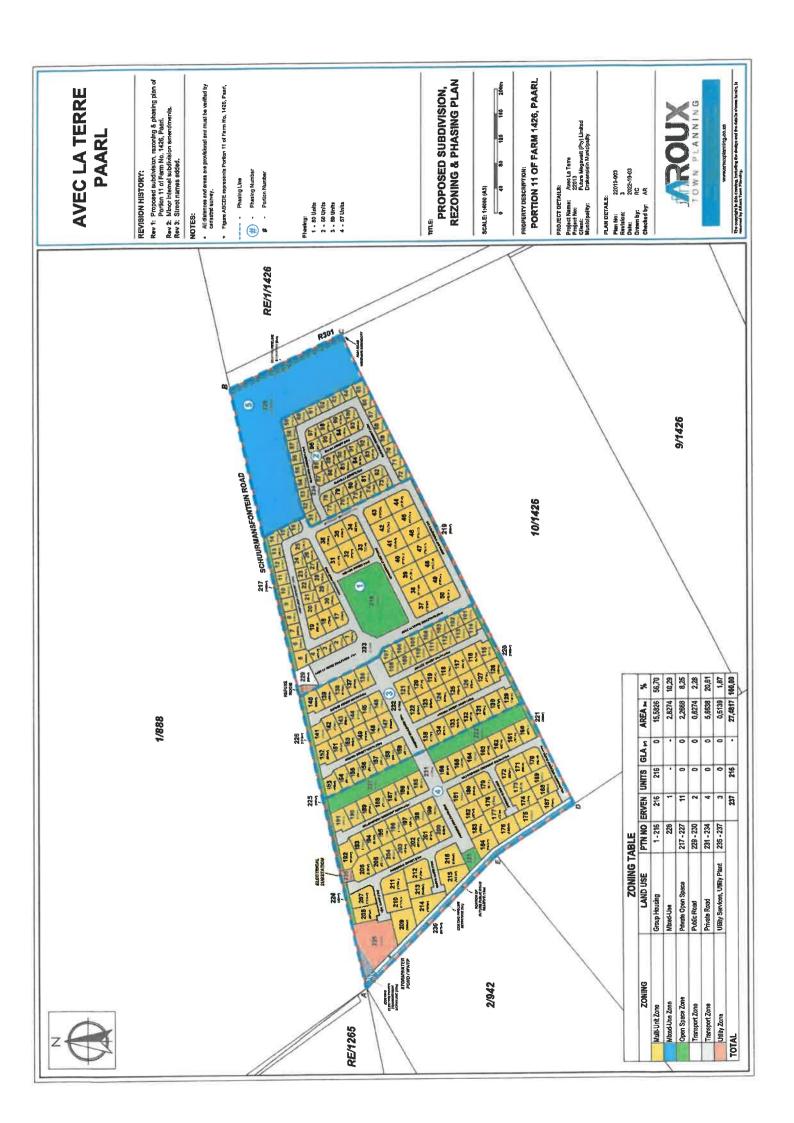
This letter will be valid until 30th June 2023.

**Yours Sincerely** 

MR. L. LAING.

**MANAGER: PLANNING & CUSTOMER SERVICES** 

I:\Beplan3\Correspondence\202223\Cor064



## **Leon Laing**

From: Wessel Badenhorst <wessel@devmoore.co.za>

Sent: Thursday, 02 February 2023 17:07

To: Leon Laing

Subject: RE: Emailing: Cor056\_202223

\_Confirmation\_letter\_of\_elect\_capacity\_for\_the\_proposed\_development\_erf\_1426\_11

Attachments: Avec La Terre - Subdivision Plan.Rev3 (2022-10-03) A3.pdf

## Haloda.

Sien aangeheg die nuutste SDP-plan en uitleg, soos bespreek in ons vergadering van Maandag.

Kan jy asb dit verander in jou kapasiteit-brief, asook die substasie se afmetings na 20x20m.

Skakel gerus indien jy enige ander info benodig.

#### Groete

## Regards



From: Leon Laing < LeonL@drakenstein.gov.za > Sent: Wednesday, 18 January 2023 18:31

To: Wessel Badenhorst < wessel@devmoore.co.za>

Subject: RE: Emailing:

 $Cor 056\_202223\_Confirmation\_letter\_of\_elect\_capacity\_for\_the\_proposed\_development\_erf\_1426\_11$ 

Hallo Wessel

Ons kan hom ook bespreek by ons volgende afspraak.

Dankie baie.

Lekker dag verder.

Mr Leon Laing

Manager: Planning and Customer Services

- +27 82 419 7872 +27 \*\* \*\*\* \*\*\*\* f:
- leonl@drakenstein.gov.za e:
- Urban Growth Building, 15 Jan van Riebeeck Road, Paarl 7646



## 365 Days of Activism against Gender-Based Violence

From: Wessel Badenhorst < wessel@devmoore.co.za>

Sent: Wednesday, 18 January 2023 10:13 To: Leon Laing < LeonL@drakenstein.gov.za>

Subject: RE: Emailing:

Cor056\_202223\_Confirmation\_letter\_of\_elect\_capacity\_for\_the\_proposed\_development\_erf\_1426\_11

#### Hi Leon.

Jou brief vir die kapasiteit verwys.

Kan jy asseblief die volgende regstellings maak:

- Aangeheg is die nuutste uitleg, wat ook die gewysigde posisie van die substasie aandui, soos tevore bespreek. Ons het die nuwe tekening bespreek in die tyd wat julle emails af was - ek het harde kopieë kom aflewer. Die posisie is geskuif weens die riool-pompstasie wat in die hoek van die ontwikkeling gebou word.
- Ons eerste bespreking was 20x20m vir die substasie. Dis hoe die planne ook gedoen was. Kan ons asb dit so hou?
- Kan ons die bestaande 11kV-lyn ondergronds skuif ontwikkelaar se onkoste?
- Kan ons die Eskom NMD-kostes bespreek in ons vergadering.

Kan jy asseblief dan jou brief verander en die nuutste uitlegte aanheg? Dan kan kliënt sy aansoek vir die EIA indien.

### Regards



From: Leon Laing < LeonL@drakenstein.gov.za> Sent: Wednesday, 04 January 2023 09:28

To: 'Wessel Badenhorst' < wessel@devmoore.co.za >

#### Subject: Emailing:

Cor056 202223 Confirmation\_letter\_of\_elect\_capacity\_for\_the\_proposed\_development\_erf\_1426\_11

Hallo Wessel

Hoop 2023 is jou jaar en dat al jou drome waar word.

Vind aangehegte brief soos versoek.

Ek sal graag net weer wou gesels oor die sub ens.

Dankie baie.

Lekker dag verder.

## Mr Leon Laing

Manager: Planning and Customer Services

t: +27 21 807 7746 c: +27 82 419 7872 f: +27 \*\* \*\*\* \*\*\*\*

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From:

Malcolm Lamour

Sent:

Friday, 24 February 2023 11:25

To:

Carlynne Cupido

Subject:

FW: REQUEST FOR COMMENTS: DRAFT SCOPING REPORT - AVEC LA TERRE, PAARL

Dear Carlynne,

Please see below comments on the Draft Scoping Report:

- It is noted that the proposed development will include a waste water treatment plant. As such, please note the following:
  - An application should be lodged with the Department of Water and Sanitation to obtain the necessary approval in terms of the National Water Act for the establishment and operation of the package plant;
  - o A maintenance and management plan for the package plant is required;
  - Confirmation of who will operate the package plant;
  - The Environmental Management Section should be notified of any non-compliance of the effluent standards or any pollution incident caused by the package plant;
  - Continuous monitoring of effluent should be undertaken and these records should be made available to the municipality upon request;
  - The municipality should be allowed to sample effluent from the plant at any given time; and
  - o The developer/owner will have to connect the municipal sewer line once available in that area.
- The proposed development is situated on a site where there are other non-residential and in some instances industrial developments in close proximity. It is therefore advised that the Noise Impact Assessment that will be conducted should investigate, assess and report on the potential impacts of the existing neighbouring developments in the proposed residential development. Also, it is advised that there is some sort of buffer area between the proposed development and the neighbouring developments.
- It is noted that most of the site is transformed. The applicability of Activity 15 of Listing Notice 2 of the NEMA EIA Regulations, 2014 (as amended) must therefore be clarified.

#### Kind Regards

Mr Malcolm Lamour

**Environmental Officer: Environmental Management** 

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From: Shaun Reece

**Sent:** Monday, 27 February 2023 12:53

To: Carlynne Cupido

**Subject:** FW: REQUEST FOR COMMENTS: DRAFT SCOPING REPORT - AVEC LA TERRE, PAARL

#### Hi Carlynne

Can you please also include the following comment:

The existing agri-industrial processing facility to the south of the proposed development also generates
effluent which they have a license to dispose of via irrigation. This can generate an unpleasant sour odour
and the close proximity to this proposed development is a concern. This risk must be addressed in the
proposal.

#### Regards

## Shaun Reece Senior Environmental Officer

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a: Civic Centre, Berg River Boulevard, Paarl 7646



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## 365 Days of Activism against Gender-Based Violence

From: Carlynne Cupido <Carlynne.Cupido@drakenstein.gov.za>

Sent: Monday, February 27, 2023 10:42 AM

To: Shaun Reece <Shaun.Reece@drakenstein.gov.za>

Subject: FW: REQUEST FOR COMMENTS: DRAFT SCOPING REPORT - AVEC LA TERRE, PAARL

fyi

From: Malcolm Lamour < Malcolm.Lamour@drakenstein.gov.za>

Sent: Friday, February 24, 2023 11:25 AM

To: Carlynne Cupido < Carlynne.Cupido@drakenstein.gov.za>

Subject: FW: REQUEST FOR COMMENTS: DRAFT SCOPING REPORT - AVEC LA TERRE, PAARL

Dear Carlynne,

Please see below comments on the Draft Scoping Report: