

RESPONSE TO APPEALS LODGED AGAINST ENVIRONMENTAL AUTHORISATION GRANTED FOR EXPANSION OF CAPE WINELANDS AIRPORT

(P10 OF FARM 724, RE OF FARM 724, P23 OF FARM 724, P7 OF FARM 942, RE
OF FARM 474, P3 OF FARM 474 AND P4 OF FARM 474)



9 DECEMBER 2025

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To: The Minister of Environmental Affairs and Development Planning

Attention: Marius Venter

Email: DEADP.Appeals@westerncape.gov.za

(Your reference: 16/3/3/2/A5/20/2046/24)

CC: The Department of Environmental Affairs and Development Planning

Attention: Natasha Bieding; Eldon van Boom and Ayesha Hamdulay

Email: Natasha.Bieding@westerncape.gov.za; Eldon.vanBoom@westerncape.gov.za;

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CC: ENS Africa

Attention: James Brand

Email: jbrand@ensafrica.com

CC: Richard Summers Inc

Attention: Richard Summers

Email: richard@summersinc.co.z

CC: The Darson Trust

Attention: Ms A Muller

Email: muller1@mweb.co.za

CC and Attention: Dr L Heydenrych

E-mail: flutedr@gmail.com

9 December 2025

Dear Sir

**CAPEWINELANDS AERO (PTY) LTD: RESPONSE TO APPEALS LODGED AGAINST
ENVIRONMENTAL AUTHORISATION GRANTED FOR EXPANSION OF CAPE WINELANDS
AIRPORT**

1. INTRODUCTION

1.1. I represent Capewineland Aero (Pty) Limited (the “**Applicant**” or “**CWA**”).

Director: Terry Jane Winstanley MA, LL.M

- 1.2. The Applicant wishes to upgrade an existing airport in Fisantekraal and to establish a regional airport there ("**Development**").
- 1.3. To proceed lawfully with the Development, the Applicant requires, among others, an environmental authorisation ("**EA**") issued under the National Environmental Management Act, 107 of 1998 ("**NEMA**"), read with the Environmental Impact Assessment Regulations, 2014 ("**EIA Regulations**").
- 1.4. That EA was granted by the Department of Environmental Affairs and Development Planning ("**DEAD&DP**") on 27 October 2025. On 30 October 2025, in accordance with regulation 4(4) of the National Appeal Regulations, 2025 made under NEMA ("**Appeal Regulations**") and condition 6 of the EA, interested and affected parties ("**I&APs**") were advised of the EA and of their right to lodge appeals against it.
- 1.5. Six appeals were lodged against the EA. As is explained below, all but one was non-compliant with one or more aspects of the Appeal Regulations. Notwithstanding that, all of them were accepted by the Appeals Administrator.
- 1.6. The appeals are, in most cases, very detailed. As a result, and for the sake of clarity each of the appeals has been responded to in the form of a table, in which each ground of appeal appears in the left hand column. In the right hand column, responses are provided by the CWA; and/or, where appropriate, the relevant specialist who provided input into the EIA process and documents; and/or the environmental assessment practitioner ("**EAP**") appointed by CWA to comply with its obligations under the EIA Regulations, (PHS Consulting).
- 1.7. This document, referred to as the Covering Appeal Response, does not repeat or summarise all of those appeals and responses. It:
 - 1.7.1. Explains non-compliance by the appellants with the Appeal Regulations;
 - 1.7.2. Records the nature of the appeal and, consequently, the Minister's powers;
 - 1.7.3. Deals with other relevant legal issues;
 - 1.7.4. Canvasses the roles of other authorities with jurisdiction over the Development and explains how those overlapping jurisdictions were managed in the EIA process;
 - 1.7.5. Summarises briefly the EIA process and the EA;
 - 1.7.6. Deals in some detail with an aspect of one appeal;
 - 1.7.7. Requests an amendment (asked for by an I&APs) to be made to the EA by the Minister, exercising his powers on appeal; and
 - 1.7.8. Asks the Minister to dismiss the appeals.

2. **NON-COMPLIANCE WITH THE NATIONAL APPEAL REGULATIONS**

- 2.1. The Appeal Regulations set out mandatory procedural requirements that must be met for an appeal to be validly lodged. Those include:
 - 2.1.1. “An appeal must be submitted on the prescribed appeal form obtainable from the appeal authority’s website.” (Regulation 4(3)(a)).
 - 2.1.2. “Where the appellant is not the applicant, the appeal must also be submitted to the applicant.” (Regulation 4(3)(b)).
- 2.2. One of the appeals, lodged by ENS acting on behalf of County Fair, was not submitted to the applicant, but to the EAP, which does not constitute submission to the applicant.
- 2.3. Three of the appeals, lodged by Richard Summers Incorporated on behalf of Garden Cities; Morningstar Flyers Association; and various current onsite tenants of the airport (“**CWA Tenants**”), were submitted to the applicant, but were not on the prescribed form.
- 2.4. The fifth appeal, lodged by Ms Muller on behalf of the Darson Family Trust, was lodged after the appeal period closed.
- 2.5. Although it was contended on behalf of the applicant that all of these were non-compliant appeals because they did not meet the minimum mandatory requirements of the Appeal Regulations, and, in the case of appeals lodged by highly experienced environmental lawyers, non-compliance should not be condoned. Despite that, all of them were accepted by the Minister.
- 2.6. The sixth appeal, lodged by Dr Heydenrych, met the minimum mandatory requirements of the Appeal Regulations.
- 2.7. The detailed responses to these appeals are attached as “**Annex 1**”; (response to Dr Heydenrych); “**Annex 2**” (response to County Fair); “**Annex 3**” (response to Morning Star Flight School); “**Annex 4**” (response to CWA Tenants); “**Annex 5**” (response to Garden Cities) and “**Annex 6**” (response to the Darson Trust).
- 2.8. It is respectfully submitted that, as is demonstrated in those detailed responses and in this document, none of the appeals raises any objection to either the EIA process, the findings and recommendations of the specialists or the EAP, or to the EA itself that can be upheld.

3. **NEW INFORMATION**

- 3.1. In some appeals, new information has been raised for the first time (Dr Heydenrych Garden Cities and the CWA Tenants). Self-evidently, had this information been raised during the EIA process, it could have been considered, responded to and, where possible, addressed. Although the reasons why this new information was not raised

during the EIA process were not explained by any of the appellants, all of it has been responded to in the detailed responses by the CWA, the EAP or the relevant specialist, depending on the nature of the new information.

4. **NATURE OF THE APPEAL**

- 4.1. As the Minister will know, South African law provides for three different types of administrative appeal (*Tickly v Johannes NO*, 1963 (2) SA 588 (A)), one of which is what is described as a “wide appeal”. That is a complete rehearing of the matter by the decision maker on appeal. The nature of the appeal is determined by the powers described by the enabling legislation.
- 4.2. NEMA regulates the Minister’s powers on appeal. It stipulates that, after considering an appeal, the Minister may “confirm, set aside or vary the decision, provision, condition or directive or make any other appropriate decision” (section 43(6)).
- 4.3. The Minister’s powers on appeal clearly permit a wide appeal, allowing him to make the amendment to the EA, requested below.

5. **ROLE OF SOUTH AFRICAN CIVIL AVIATION AUTHORITY**

- 5.1. Some of the issues raised by several appellants included objections about the extent to which the EA process adequately considered airspace safety and the adequacy of the EA in regulating that issue.
- 5.2. As the Minister will appreciate, while air safety is an aspect of the environment and therefore an impact that had to be taken account of in the EIA process, airspace safety and the changing of general aviation airspace is the particular remit of the South African Civil Aviation Authority (“**SACAA**”).
- 5.3. Further, it is a requirement of the regulations made under the Civil Aviation Act, 13 of 2009 (“**the CAA Regulations**”) that an application for an approval for the expansion of an airport must be accompanied by an environmental impact assessment report (regulation Part 139.02.9(2)(e) of the CAA Regulations, 2011). It therefore follows that while the CAA Process and the EIA processes are interrelated, the EIA must be completed before the CAA approval can be applied for. (As explained below, this is also a requirement of the NEMA principles.)
- 5.4. Thereafter, the application to the CAA and the accompanying review of airspace must take place (“**SACAA Process**”). That SACAA Process is subject to its own stakeholder engagement process, during which members of the aviation sector are able to raise their aviation concerns with the SACAA, which is best qualified to consider them and legally empowered to regulate them; DEAD&D is not.
- 5.5. In order to ensure that the two application processes were aligned, during the period when the EIA process was underway, the CWA initiated a consultation process with various stakeholders in the aviation sector and international experts in the field. The details of this process and the entities and people who participated in them are fully

set out in Appendix 40B that was attached to the final environmental impact assessment report (“**EIAR**”).

5.6. The noise expert was provided with all key inputs required to carry out robust aviation noise modelling, including runway alignment, projected aircraft traffic volumes, aircraft types and fleet mix, runway thresholds, meteorological conditions, terrain and land-use data, receptor locations and other operational parameters. Those inputs were processed using the latest FAA Aviation Environmental Design Tool (AEDT) to generate noise contours, ensuring internationally recognised accuracy and consistency. The modelling approach followed methodologies aligned with SANS 10103 and ICAO Annex 16, ensuring that the outcomes are reliable and that the noise generated by the expanded airport will comply with national (and, where relevant international) environmental noise standards. Self-evidently, if any of the information given to the noise expert was materially to change, the impacts of the Development would need to be revisited.

5.7. The EA regulated airspace safety to the extent appropriate in condition 48. That is discussed in more detail below.

6. **MORNING STAR FLIGHT SCHOOL APPEAL**

6.1. Mr Derek Lord participated in the public participation process (“**PPP**”) referred to in 7.2 below as a representative of Stellenbosch Flight School. His affidavit was included in support of the appeal lodged by the Morningstar Flight School (it appears as Annex D to that appeal). The appeal relied heavily on Mr Lord’s affidavit.

6.2. Mr Lord approached the CWA after the Morningstar Flight School appeal was submitted and published on the EAP’s website.

6.3. Mr Lord was concerned that the Morning Star appeal did not properly reflect his views about the EIA process and he made that clear in an affidavit which is attached to this document, marked “**Annex 7**”. Importantly, as is evident from that affidavit, he distanced himself from that appeal.

6.4. However, Mr Lord was not entirely comfortable with the way in which condition 48 of the EA was framed. Following discussion with representatives of CWA, a new version of condition 48 was formulated; Mr Lord is comfortable with it. The revised version of condition 48 is set out below; the requested amendments are italicised.

“48 The following measures adapted from the recommendations of the consultative task group established by CWA to ensure full stakeholder engagement, subject to final consideration and approval by the relevant competent authorities, are to be implemented. Copies of these instruments, as agreed to and approved by the relevant Competent Authorities, must be submitted to this Directorate for record purposes.

48.1 Description and extent of the FAWN controlled airspace;

48.2 RNP approach procedures;

48.3 Instrument Landing System approach procedures;

48.4 RNAV Standard Instrument Departures; and

48.5 RNAV Standard Instrument Arrivals (standard terminal arrival routes)

48.6 VFR corridors and their associated special rules.”

- 6.5. It is respectfully submitted that those amendments are entirely within the Minister’s remit and he is requested to exercise his appeal powers to amend condition 48 of the EA, as set out above.

7. **THE EIA**

- 7.1. The EIA process undertaken was unusually comprehensive. During the pre-application and statutory scoping phases, all impacts were identified by the EAP and by stakeholders (who were given an opportunity during that phase to identify any that had been omitted). Those impacts were then assessed by experts in their respective fields with reference to NEMA, the EIA Regulations, relevant guidelines and protocols, as explained in their respective studies.
- 7.2. The EIA process included four rounds of public participation, and included a public meeting and two open days in which I&APs were able to raise concerns directly with specialists. Specific stakeholder engagement meetings with, for example, the Fisantekraal community, the Durbanville Farmer’s Association and the Durbanville Heritage Association were held to provide opportunities for additional engagement. Where material concerns were identified and could be addressed, the Development proposal was modified in response to those concerns. For example, it was originally planned that a biodigester, fuelled by poultry manure, would provide an alternative source of energy for the expanded airport. However, because of concerns raised by County Fair about the biosafety risks that such a biodigester would pose to its operations, the biodigester was removed from the Development proposal. All these inputs and how the EIA process responded were recorded in Table 136 in the final EIAR.
- 7.3. Importantly, the experts identified no fatal flaws in the Development and confirmed that, subject to specified mitigation measures, it can be developed and operated without posing any unacceptable risk or impact to neighbours, stakeholders or the environment.
- 7.4. In parallel to the EIA process, representatives of CWA met neighbours of the airport and their representatives to discuss their concerns and, where feasible, explored ways to address them. For example, in some instances, alternative land was found to enable relocation, paid for by CWA. Those offers of relocation have to date, been refused. Summaries of these engagements were recorded in Appendix 29C of the final EIAR.

- 7.5. Also required for the lawful construction and operation of the expanded airport are other statutory entitlements, granted by various competent authorities. Those include land use consents and an atmospheric emission licence, to be issued by the City of Cape Town and a water use licence to be issued by the Department of Water And Sanitation (“**DWS**”). Those applications must be informed by the findings of the EIA process so that the decision makers in those applications are fully informed of the bio-physical and socio-economic impacts of the decisions that they will make, so enabling them to implement the principles contained in NEMA, and of which NEMA requires them to take account when making decisions under other laws and which will affect the environment (section 2).
- 7.6. The timing of the applications for the other statutory entitlements was therefore carefully co-ordinated with the EIA process to ensure that the decision makers in those other processes can make rational decisions. As a result, those applications include all of the impact findings and mitigation recommendations of the applicable specialists, as well as the comments made by all I&APs during the EIA process and the responses provided to those.
- 7.7. In my respectful opinion, this process met, or exceeded, all applicable statutory requirements and provided a sound basis for determining the application for the EA. Similarly, it, together with the responses to all of the appeals, contain all of the information required by the Minister to make valid decisions when determining the appeals.
8. **THE EA**
- 8.1. The EA is exceptionally comprehensive. It reflects a rational decision, taking into account the findings of the specialists and observations made at a site visit undertaken by the decision maker himself in order properly to understand the site. The EA imposes detailed mitigation and management requirements recommended by the specialists and EAP in the EIA process.

9. **CONCLUSION**

- 9.1. It is respectfully submitted that, as is demonstrated in the attached detailed responses to each of the appeals and in this document, none of the appeals raises any objection to either the EIA process, the findings and recommendations of the specialists or the EAP or to the EA itself that can be upheld.
- 9.2. It is therefore respectfully requested that all of the appeals be dismissed and the EA be confirmed, subject to the requested amendment set out in section 6, above.

Yours faithfully

A handwritten signature in dark ink, reading 'TJ Winstanley'. The signature is written in a cursive style with a horizontal line under the first part of the name.

Terry Winstanley

ANNEX 1

RESPONSE TO DR LEONARD HEYDENRYCH

PROPOSED EXPANSION OF THE CAPE WINELANDS AIRPORT – RESPONDING STATEMENTS TO APPEALS RECEIVED AGAINST THE EA GRANTED

Registered IAPs Notified of EA: 30 October 2025

Appeal Period Closure: 19 November 2025

Responding Statements to Appeals Received			
No.	Name & Presenting unit	Appeal	Responding Statement
Appeals received within 20 calendar days from the date this decision was sent to the registered I&AP's by the holder (applicant) of the decision [i.e. Appeals received on or before 19 November 2025]			
Appellant 1 – Leonard Heydenrych The appeal submission consists of the following: - A completed appeal application form (Responded to below) - An appeal letter (Responded to below) - Copies of the three comment letters submitted during the EIA Public Participation Process (Responded to in C&R reports – App29C pg324 – 330 & App29D pg72 -77) - Supporting documents and research papers referenced throughout the appeal.			
1	Leonard Heydenrych	<u>Appeal Form received via email dated 15 November 2025:</u>	Appropriate responses not circled in the Appeal form Section 9.1 of the appeal form 2019 – Process Issues The appellant alleges procedural defects but provides no evidence of any non-compliance with the EIA Regulations. All statutory public participation steps were followed, including advertisements, notifications, public review periods and responses to comments. A claim that “the public” or a specific school was “not aware” does not constitute a procedural irregularity in law. No valid process-based ground of appeal has been identified.

PROPOSED EXPANSION OF THE CAPE WINELANDS AIRPORT – RESPONDING STATEMENTS TO APPEALS RECEIVED AGAINST THE EA GRANTED

No.	Name & Presenting unit	Appeal	Responding Statement
			Section 9.2 of the appeal form 2019 – Impacts Allegedly Not Considered Every issue raised in the appeal—noise, airspace, bird risk, vegetation, climate—was fully assessed by specialists during the EIA process. The appellant’s arguments rely on new calculations, new interpretations and speculative assumptions, none of which were submitted during the EIA and none of which contradict the specialist findings. The raising of new information has not been explained (please see the Covering Appeal Response regarding this issue). No overlooked impact has been demonstrated. Section 9.3 of the appeal form 2019 – Whether Issues Were Previously Raised The appellant states these issues were “previously raised”, but then expressly admits that the appeal contains “new concerns”. There is no record of the appellant submitting these issues during the public participation process. No explanation is offered as to why these were not raised earlier (please see the Covering Appeal Response regarding this issue). Conclusion The appellant has not established: • any procedural irregularity (9.1), • any environmental impact not already assessed (9.2), or

PROPOSED EXPANSION OF THE CAPE WINELANDS AIRPORT – RESPONDING STATEMENTS TO APPEALS RECEIVED AGAINST THE EA GRANTED

No.	Name & Presenting unit	Appeal	Responding Statement
			any issue not raised during the EIA process but which has not been properly addressed in the response to this appeal (9.3). Accordingly, there is no valid basis for upholding this appeal.
		Grounds of Appeal: 1.1 Noise pollution The constant noise created by the airport will have a profoundly negative impact on the surrounding community, but in particular on the children of Fisantekraal High School, which is situated only 1.4 kilometres (km) from the proposed airport. This will have a profoundly negative impact on their health and study abilities, as can be seen in the attached documentation.	CWA response: All of these points were previously raised and thoroughly addressed in previous comments and responses and the final environmental impact report. See extract below: (Appendix 29D of final EIAR page 73). 1.1 Response by specialist : “School hours are from 08h00 to 15h00. According to the noise modelling for a busy day under Scenario 3 (full utilisation)—which reflects conditions projected to occur more than 15 years after the operational year—only 17 aircraft movements are expected during school hours. Furthermore, these operations will be evenly split between departures and arrivals to the north and south, reducing the concentrated impact on any one location. The average noise level (LAeq) at the school during maximum airport activity is projected to be 44.3dB(A), which is within acceptable limits for an educational environment. Additionally, the number of single noise events exceeding 70dB(A) (LAm_{ax}), such as during takeoff or landing, is expected to be fewer than three events during the school day. In this context, the primary noise source affecting the school will remain vehicular traffic, not aircraft operations. Overall, the predicted

PROPOSED EXPANSION OF THE CAPE WINELANDS AIRPORT – RESPONDING STATEMENTS TO APPEALS RECEIVED AGAINST THE EA GRANTED

No.	Name & Presenting unit	Appeal	Responding Statement
			aircraft noise exposure at Fisantekraal High School is considered low and acceptable for a learning environment.”
		1.2 Geographical Location 1.2.1 After reviewing the geographical location of the proposed airport, it was noticed that several factors could be identified that may endanger the surrounding community, passengers and crew. This included several geographical mountainous elevations within close proximity to the proposed runways.	1.2.1 CWA response: The assertion that surrounding terrain inherently endangers passengers, crew, and communities is not accurate within the context of international airspace and procedure design standards. All instrument flight procedures at the proposed Cape Winelands Airport (CWA) will be developed in accordance with ICAO PANS-OPS (Doc 8168), the global standard governing obstacle clearance, terrain protection surfaces, and instrument approach/departure design. These methodologies specifically require the identification, measurement, and mitigation of terrain elevations—including all hills, ridges, and mountains in the vicinity. The preliminary specialist studies for CWA have already mapped terrain features, and none of the identified elevations falls within a range or position that would prevent the safe development of compliant instrument procedures. It is common for airports worldwide to operate safely with terrain significantly closer and more complex than the examples listed. Examples include: • Innsbruck Airport (Austria): surrounded by mountains within 3–5 km. • Queenstown Airport (New Zealand): mountainous terrain within 2 km. • Madeira Airport (Portugal): steep cliffs immediately adjacent to the runway.

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No.	Name & Presenting unit	Appeal	Responding Statement
			Hong Kong Kai Tak (historical): operated safely for decades within dense terrain and urban obstacles. Against these examples, terrain located 11–16km from CWA is not exceptional, nor does it impede the establishment of safe instrument procedures. The measured distances quoted in the comment are, in fact, entirely normal for terrain-aware airspace design. Therefore, the claim that these elevations “pose a significant challenge” misunderstands how modern procedure design accounts for terrain through protected surfaces, climb gradients and route placement.
		1.2.2 There is also the inevitable risk of a congested airspace due to the close proximity of the Cape Town International Airport to the proposed Cape Winelands Airport (CWA) expansion. The separation between the two locations is only 24 km.	1.2.2 CWA response: The claim that proximity to CTIA (24 km) would lead to unsafe congestion is not supported by specialist airspace studies. Independent airspace assessments have already confirmed that: - There is sufficient terminal airspace capacity for both airports. - CWA traffic patterns can be strategically segregated from CTIA arrivals and departures. - The airspace can be safely managed through altitude stratification, route design, and sequencing.
		1.3. Birdlife Durbanville has always been a bird sanctuary and many water sources surrounding the proposed airport expansion have been crucial in maintaining the natural birdlife in this area. Looking at the vast quantities of	1.3 CWA response: Bird strike risk is a standard aviation hazard and is managed through internationally accepted processes.

PROPOSED EXPANSION OF THE CAPE WINELANDS AIRPORT – RESPONDING STATEMENTS TO APPEALS RECEIVED AGAINST THE EA GRANTED

No.	Name & Presenting unit	Appeal	Responding Statement
		water in close approximation to the proposed airport expansion, it is reasonable to assume on scientific and factual grounds, that birdlife in this area will pose a significant threat to any jet propelled aircraft. This will inevitably pose a significant risk to passengers, crew and residents.	The Environmental Impact Assessment includes specialist avifauna studies, and all major airports worldwide operate in environments where bird activity is present. There is no such thing as a location free of bird activity, including CTIA itself, which is adjacent to wetlands and natural bird habitats. Bird hazard management is a normal, regulated component of airport operations, not an unmanageable or unmitigable risk. The suggestion that CWA lies “in a natural bird sanctuary” is factually incorrect and not supported by the specialist avifaunal and biodiversity studies undertaken for the EIA. Furthermore, a specialist compiled a Bird Strike Risk Assessment as part of the EIA process, and an obligation to implement a Wildlife Hazard Management Plan (that includes birds) is a condition of the Environmental Authorisation.
		1.4 Critically Endangered indigenous vegetation It is mentioned in the development proposal that the construction will include the clearance of more than 300m² of critically endangered indigenous vegetation. This will have a severely negative impact on the environment and is not in accordance with international protocol. It again emphasizes the unsuitability of this specific area for an airport expansion.	1.4 Response from EAP: The 300m² reference is derived from the NEMA Regulations Listing Notice 3, Activity 12. Due to this listing, it required the appointment of a botanist to assess the impacts of the proposed development on the indigenous vegetation. The impact assessment was done according to the NEMA Regulations and Protocols, and according to the Mitigation Hierarchy the outcome of the vegetation loss resulted in the protection of critically endangered vegetation as part of an off-set agreement where conservation will be sustainable.
		1.5 Sustainability and Climate change The total emissions for the airport by 2050 are estimated at 5.3 million tons of carbon dioxide equivalent. A Google AI overview confirms that this is	CWA Response:

PROPOSED EXPANSION OF THE CAPE WINELANDS AIRPORT – RESPONDING STATEMENTS TO APPEALS RECEIVED AGAINST THE EA GRANTED

No.	Name & Presenting unit	Appeal	Responding Statement
		considered a very high amount and comparable to the annual emissions of a small city. On the long term this could have a severely detrimental impact on the Western Cape Winelands, and therefore internationally there is a drive to reduce long haul flights and to build fewer airports.	All of these points were previously raised and thoroughly addressed in previous comments and responses and the final environmental impact report. 1.5 Response from CWA: As part of the EIA process a Climate Change Impact Assessment was completed as a specialist study that concluded “In conclusion, it is our opinion that the Project can align with national and global climate goals while ensuring resilience against evolving climate challenges by implementing the planned mitigation and adaptation strategies. In this respect, we also considered that the emissions controlled by the airport are low compared to the emissions related to fuels burnt by incoming and outgoing flights, which will be managed through future carbon budgets imposed on airlines under the Climate Change Act. Furthermore, the additional benefits in terms of decongestion and enhanced operational efficiencies that come with the role of the Project in the region may facilitate sustainable growth.” (refer Appendix 29D of final EIAR page 465) Response from CWA: All airlines have committed to and are working towards net zero carbon footprints by 2050. Likewise, the Cape Winelands Airport prides itself on being a green and environmentally friendly airport, as part of this commitment vehicles deployed to support and service the airport and airlines will be electrical vehicles. As confirmed in the specialist reports, the Cape Winelands Airport will allow airlines significantly to reduce their fuel uptake and burn i.e. up to 5% based on the more efficient diversion option it will provide to airlines flying to Cape Town.”

PROPOSED EXPANSION OF THE CAPE WINELANDS AIRPORT – RESPONDING STATEMENTS TO APPEALS RECEIVED AGAINST THE EA GRANTED

No.	Name & Presenting unit	Appeal	Responding Statement
		Is your appeal based on factors associated with the process that was followed by the applicant/Environmental Assessment Practitioner/Competent Authority in reaching the decision? 1.6 Yes, the time span of decisions made regarding the proposed airport has been of such quick succession that the public has not had sufficient time to respond to the proposed developments of the CWA. Up to date we are not aware that the public has been informed of the negative impacts that the proposed airport could have on their health and emotional state.	1.6 Response from EAP: The EIA process started as a pre-application process in 2023 inclusive of the analysis of the socio-economic environment, air quality and noise baseline environment. A comprehensive round of public and authority participation was conducted from 8 November to 8 December 2023. The statutory process ran from July 2024 until May 2025, when assessments were conducted on the socio-economic, air quality and noise impacts. These studies were subjected to three rounds of public participation. Thereafter DEA&DP had 107 days to make a decision. This period and the public participation process followed is regarded as diligent and enabled DEA&DP to reach an informed decision.
		1.7. A specific reference in this regard has to be made regarding the Fisantekraal High School who will be the closest public entity to the proposed development. We are not aware that the school and pupils have been informed of the negative impacts of the airport on their health and wellbeing.	1.7 Refer to 1.1. above.
		Is your appeal based on factors associated with matters of unacceptable environmental impacts/extenuating circumstances not taken into account by the Competent Authority? 1.8 Yes, after performing a thorough geographical location search we have discovered that several geographical factors could endanger passengers, crew and the community. We have discovered several geographical	1.8 CWA response Refer to 1.2.1 above.

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		mountainous elevations which could pose significant challenges and risks to big passenger aircraft and which are within close proximity to the runways. 1.9 Several water sources were discovered in close proximity to the planned CWA and these will attract bird life, for which the natural heritage area of Durbanville is famous, since this is their natural habitat. As stated in the impact studies, these birds could pose a significant risk of bird strikes to aircraft. By trying to eliminate birds from these critical areas it could mean to try and cull them or otherwise to make the area uninhabitable for these endangered bird species such as the national Blue crane bird. It has therefore been suggested in the impact studies that water sources should be covered to prevent birds from thriving in their natural habitat. We find this inhumane and unacceptable. It again accentuates the fact that the location of this proposed airport is not suitable.	1.9 Response from the specialist: As per specialist Avifaunal, Birdlife South Africa (BLSA), information the study area does not fall within any Important Bird and Biodiversity Areas (IBA). The closest IBA to the study area is the Rietvlei Wetland: Table Bay Nature Reserve IBA (located 20km to the West). The specialist confirmed that perceived impact significance to the avifaunal assemblages of the study area can be acceptably managed, provided mitigation measures are followed. With mitigation, impacts can be reduced from medium to very low significance levels. Based on the results of the site assessment and the overall impact significance scores, it is the opinion of the specialist that this project may be approved, provided that all management and mitigation measures as stipulated in this report are adhered to, and that regular avifaunal monitoring of the airport and surrounding natural areas is undertaken so as to best manage impacts and edge effects. This was taken up in the approved EMPr. Furthermore, a specialist compiled a Bird Strike Risk Assessment as part of the EIA process, and an obligation to implement a Wildlife Hazard Management Plan (that includes birds) is a condition of the Environmental Authorisation.

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		Have your appeal issues been raised previously in the public participation process? 1.10 Yes, we have forwarded the necessary documentation in this regard to the airports company via their environmental consulting agency (PHS Consulting), but we have not received any specific feedback with regards to our concerns raised. New concerns have now been raised in this appeal regarding geographical location, birdlife, endangered plant species and passenger and community health and safety	1.10 Response from the EAP: As part of the EIA process the appellant registered comments on 13 December 2024 and 13 May 2025. These were captured by the EAP and the appropriate responses were formulated in the Comments & Response Report (C&R) The C&R was circulated to all I&AP's throughout the process providing specific feedback. The concerns raised previously by the appellant relate to Noise, Air Quality and Heritage. The new concerns / themes were raised by other I&AP's and they have been comprehensively assessed as part of the EIA by the EAP and specialists. Please see further the Covering Appeal Response regarding the raising of new information on appeal.
		Are you fundamentally opposed to the decision (e.g. to any development activity on the site)? 1.11 Yes, the impact on health and safety of the community and the Fisantekraal High School in particular is too high in my opinion to risk this proposed development. 1.12 The negative long term impact on the wine industry in the Western Cape and the surrounding agricultural farm land is too risky to take.	EAP response: 1.11 Refer to 1.1 above. Air Quality has been assessed by a specialist as part of the EIA. The findings indicate the construction impact with mitigation as per EMPr has a very low significance and the operational impact is low. Noise Impacts have been assessed by a specialist as part of the EIA. The findings are that the construction impact noise levels at the closest community receptors are not expected to exceed the SANS guidelines for Urban Residential areas and with mitigation, as per EMPr, the significance is very low. The operational noise impact excludes current

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		1.13 The safety of passengers and aircraft could also be at stake due to the geographical location of the proposed airport and the significant risks of bird strikes in this area. These facts have not been raised before.	residential areas and the Fistantekraal High School. Future development on current vacant land surrounding the CWA affected by noise impact will be subject to appropriate land use planning, resulting in the impacts being of medium significance. 1.12 A specialist agricultural impact assessment was conducted as part of the EIA process. It concluded that while the impact of the loss of 168ha high potential productive land is regarded as high, it is deemed justified in terms of the perceived importance of the proposed Cape Winelands Airport development as a key infrastructure node for the Cape Metropole and surrounding districts and is therefore supported and recommended for approval. A specialist Socio-Economic Impact Assessment was conducted as part of the EIA process and concluded that the benefits would outweigh the potential socio-economic costs of the proposed CWA expansion. The development will support exports of products, trade and tourism all positively related to the wine industry. The Western Cape Department of Agriculture was a commenting organ of state on the proposed project and offered no objection to the proposed project. 1.13 Refer to 1.3 and 1.9 above
		Are you in favour of the decision if your concerns can be remedied by rectifying the process or by mitigating or eliminating an impact/s of the activity/ies? 1.14 No, no mitigating factors would be able to eliminate the risks involved, in particular the abundancy of so many geographical mountainous elevations which are in such close proximity to the airport.	1.14 CWA response: Refer to 1.2.1 above

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		1.15 No mitigating factors would be sufficient to try and prevent bird strikes in a natural bird sanctuary.	1.15 CWA response The assertion that “no mitigating factors” exist for terrain or bird hazards is not consistent with aviation practice, ICAO guidance, or global precedent. The ACI Airside Safety Handbook 4th Edition 2010 states that: “It is impossible to guarantee no bird strikes will occur.....” ACI therefore recognises that bird strikes call for mitigation and not elimination. This comment which requires elimination (of either birds or aircraft) is therefore contrary to the ACI’s view. Terrain Mitigations: ICAO PANS-OPS contains the world’s most advanced terrain-mitigation methodology. It includes: • Defined obstacle protection surfaces (OPS) • Minimum Obstacle Clearance (MOC) • Sector altitudes • Published Standard Instrument Departures (SIDs) and Standard Arrivals (STARs) • Terrain-driven approach path design • Missed approach routing and climb gradients These methodologies are used at thousands of airports with terrain far more severe than that around CWA. Bird Strike Mitigations: Bird hazard mitigation is standard and proven worldwide. It is

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			standard procedure for an airport to have an Aerodrome Bird and Wildlife Control Programme, including those adjacent to water bodies, nature reserves, and migratory corridors. It is demonstrably false to claim that “no mitigating factors exist” when global aviation practice shows precisely the opposite: mitigation is standard, mature and has proved generally to be effective. Comprehensive avifaunal and bird strike assessments were conducted as part of the EIA, they included mitigations measures that have been implemented successfully at airports before. As explained above bird strike mitigation measures have been taken up in the EMPr and the airport is not ina bird sanctuary.
		Please indicate what measures you propose to have your concerns remedied. 1.16 Another more suitable location should be sourced for the proposed airport. This should be a significant distance removed from any residential areas or schools and could be reached via train or road. International guidelines state that an hour’s travel to an airport via train or vehicle is seen as a close proximity to a city. 1.17 This area should be free from geographical mountainous elevations or the risk of bird strikes and should not impact negatively on schools or residences according to international guidelines.	EAP response: 1.16 Refer to final EIAR 8.1.2.1 (page 383 for discussion on location alternative. The Final EIAR states: “Early in the process under the Scoping Phase, the location alternative was considered, but based on various factors the assessment of other location alternatives was scoped out, considering that the application site is the only reasonable and feasible location alternative. Therefore, there is no feasible and reasonable site / location alternative as this proposed project is for the expansion of an existing airport with existing aviation rights at this location.” 1.17 CWA response: Refer to 1.1.1, 1.2.1 and 1.15 above.

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		1.18 Another suitable location could be sourced, which will not endanger the Western Cape Wine Country, which is one of the most precious assets of the Western Cape.	1.18 Refer to 1.16 response above.
		Does your appeal contain any new information that was not submitted to the Environmental Assessment Practitioner (EAP) / or registered I&APs/ or the competent authority prior to the decision? 1.19 Yes, further research has enabled us to calculate the decibel levels of noise that would be perceived by the children and staff at Fisantekraal High School. We noticed that according to the internationally accepted take-off noise of a jet engine, the perceived noise experienced by the pupils and staff at Fisantekraal High School would be far above the normal accepted levels. All the necessary documentation is attached to prove this. This would have a profoundly negative impact on the academical studies and wellbeing of the children according to international publications attached. 1.20 Our research has also revealed that several geographical mountainous elevations are present nearby the proposed airport which could complicate the flight paths and endanger incoming and outgoing aircraft, especially during adverse weather conditions. 1.21 The risks associated with this site are further increased due to the abundancy of birds in this area, which is their natural habitat, due to several big water sources, lakes and agricultural land in close proximity to the airport. This will significantly increase the risk of bird strikes. Research has also revealed that at least 5 big water sources are in close proximity to the planned runway. Furthermore, due to agricultural activities in this area over	Please see the Covering Appeal Response regarding the submission of new information without any justification. This new information has been fully responded to below. EAP response: 1.19 Refer to 1.1 above. Please note that a specialist assessment is required to model the anticipated noise impact associated with the proposed development. The Appellant has not used a specialist to model the noise impact, it is based on literature and not a site-specific study as per the Noise Impact Assessment conducted by a reputable independent specialist using recognised modelling software. 1.20 CWA response: Refer to 1.2.1 above. 1.21 CWA response: Refer to 1.15, 1.3 and 1.9 above.

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		the past 400 years, most neighboring farms will have their own water sources and dams. Birds will naturally migrate between these water sources and will inevitably therefore cause a risk to any flying yet aircraft. Birds that live nearby these water sources will also be threatened and will migrate constantly due to aircraft noise and this will pose a significant risk to any airborne aircraft. After taking all of these new facts into consideration, it is our scientific assessment that the location of the proposed airport expansion is not suitable.	
		<u>Appeal Letter received via email dated 15 November 2025:</u>	
		Noise pollution 1.22 We believe that the environmental impact of the proposed Cape Winelands Airport (CWA) has not been adequately addressed. For this reason, we oppose the intended development of the CWA as well as the rezoning of this area. Our concerns relate predominantly to the effect that noise pollution created by the proposed airport will have as well as other factors. We have previously outlined some of the detrimental effects that the airport will have on the health of residents of the area surrounding the airport. Additional information is provided in this document.	EAP response: 1.22 The EIA process followed was according to the NEMA Regulations numerous specialist studies were conducted and the EAP exceeded the requirements for public and authority participation, by conducting four rounds of consultation, one being 45 days, and conducting a public meeting and two open public days, and various focus group meetings throughout the process. A Noise Impact Assessment and Air Quality Impact Assessment was conducted by an independent specialist. These findings were published on numerous occasions and the content and specialist was available to answer public concerns directly at the two open days. The impact ratings were disclosed to the public and the results did not conclude a “detrimental effect”. Pls refer to 1.11 above.
		1.23 The Fisantekraal High School is situated approximately 1400 meters (m) from the planned airport runway and even closer to the planned airport. This exposes the school to significant health risks should the airport be built.	EAP response: 1.23 Refer to 1.1 and 1.11 above

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			All of these points were previously raised and thoroughly addressed in previous comments and responses and the final environmental impact report. See extract below: Response by specialist (Appendix 29D of final EIAR page 73): “School hours are from 08h00 to 15h00. According to the noise modelling for a busy day under Scenario 3 (full utilisation)—which reflects conditions projected to occur more than 15 years after the operational year—only 17 aircraft movements are expected during school hours. Furthermore, these operations will be evenly split between departures and arrivals to the north and south, reducing the concentrated impact on any one location. The average noise level (LAeq) at the school during maximum airport activity is projected to be 44.3 dB(A), which is within acceptable limits for an educational environment. Additionally, the number of single noise events exceeding 70 dB(A) (LAmax), such as during takeoff or landing, is expected to be fewer than three events during the school day. In this context, the primary noise source affecting the school will remain vehicular traffic, not aircraft operations. Overall, the predicted aircraft noise exposure at Fisantekraal High School is considered low and acceptable for a learning environment.”
		1.24 According to Faiyetole et al 2019, residential areas should not be nearer than 4 kilometers (km) from a runway. Expanding the current runway will therefore be a violation of well accepted international practice which could lead to children being harmed. The significant health risks associated	EAP response: All of these points were previously raised and thoroughly addressed in previous comments and responses and the final environmental impact report. See extract below:

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		with airports are very well documented such as mental health problems such as fear, depression, frustration and increased blood pressure which are more frequent with exposure to noise above 60 decibel (dB) in the daytime and 45 dB at night. Learning difficulties are also a common phenomenon with children exposed to a noise level above 50 dB and have also been described as severely influencing children from concentrating and studying. (Faiyetole et al 2019, Wigatiningrum R et al 2021)	1.24 Response from specialist (Appendix 29D of final EIAR page 72): “The Fisantekraal community, located approximately 3km southwest of the airport, and the Durbanville suburbs, roughly 6km away, were specifically identified in the Noise Impact Assessment as sensitive receptor areas. The closest residential dwellings in Durbanville are situated approximately 6km outside the contour with the SANS guideline of 55dB(A). This implies that the noise contribution of the CWA operations to the Durbanville area less than 30dB(A). This contribution to the existing urban residential environment is considered negligible. The Fisantekraal community, situated approximately 3km southwest of the Cape Winelands Airport (CWA), was a key focus area in the Noise Impact Assessment (NIA) due to its proximity and residential character. Noise monitoring conducted in Fisantekraal in April 2022 (Monitoring Point MP04) showed: • Daytime ambient noise levels ranged between 55–60dB(A). • Night-time noise levels were generally between 45–55dB(A). These elevated levels were primarily due to local human activity, music, and vehicular traffic, and already slightly exceeded the SANS 10103 guidelines for urban residential areas—prior to any airport-related expansion. Despite its proximity to the airport, the modelled noise impacts on Fisantekraal are predicted to be very low, even under Scenario 3 (full capacity operation of the new runway):

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			- The community falls outside the N70 and N60 noise contours, meaning there are no predicted single-event noise exceedances over 70dB(A) during the day or 60dB(A) at night. - The number of night-time operations is limited to only 3 aircraft movements during the designated night period (22:00–06:00), significantly reducing the potential for sleep disturbance. The LRdn (Day-Night Average Sound Level) in this area remains below critical thresholds and does not trigger a high-impact classification in terms of either community annoyance or health effects.”
		1.25 The international minimum safe distance from an airport to housings, residential areas or schools are 4 km. (Faiyetole et al 2019) The area should also be barrier free with a 4 km radius from the runway to protect aircraft when landing or taking off (Wigatiningrum R et al 2021). This is also to protect children from possible aircraft accidents, as were tragically recently seen in India and Louisville. Fisantekraal High School falls well within this distance (1400 meters) and therefore the health of children and adults will be at severe risk.	1.25 Specialist response: The values referenced in Faiyetole et al. (2019) reflect conditions specific to Nigerian airport environments and are not applicable to South Africa or other countries that follow ICAO-aligned aviation and land-use planning systems. The study’s recommended distances stem from localised challenges such as informal settlement encroachment, limited zoning enforcement, and Nigeria’s regulatory context, rather than any internationally recognised aviation standard. It is also important to note that the noise measurements in the study were conducted using a Type 2 sound level meter, which does not meet the precision requirements for aviation noise assessment as set out in international standards (Type 1 instrumentation is required for regulatory-grade aircraft noise monitoring). Furthermore, the modelling used by Faiyetole et al. is not the FAA-approved noise modelling system (e.g., it does not utilise AEDT or the

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			legacy INM model), and therefore does not align with globally accepted methodologies for predicting aircraft noise exposure. As such, the distances, findings, and noise criteria presented in the study cannot be generalised or applied to Cape Winelands Airport (CWA), nor do they constitute any form of international guideline for urban development near airports. The claim that “The international minimum safe distance from an airport to housings, residential areas or schools is 4 km... therefore Fisantekraal High School (1.4 km away) is at severe risk.”, is factually incorrect, not supported by ICAO, and misinterprets the cited literature. Neither the International Civil Aviation Organization (ICAO), nor the Federal Aviation Administration (FAA) prescribe a blanket 4 km minimum distance between runways and residential or educational buildings. Instead, global aviation planning is based on: • Obstacle Limitation Surfaces (OLS) • Public Safety Zones (PSZ) / Runway Protection Zones (RPZ) • Noise Exposure Contours (Ldn / Lden / dB(A)), and • Risk probability modelling These zones are shape-based and risk-based, not radius-based, and typically extend a few hundred metres, not kilometres, from the runway ends. The cited studies (Faiyetole et al., 2019; Wigatiningrum et al., 2021) do not prescribe a universal 4 km rule. In addition, they do not claim that all airports must have a 4 km buffer around them, nor override ICAO Annex 14, which is the globally accepted aviation standard.

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			According to ICAO Annex 14, runway end safety areas (RESA) are typically 240–300 m, sometimes extended to 900 m for higher-risk categories. Runway Protection Zones/Public Safety Zones (as implemented in the UK and US) extend roughly 750 m – 1,000 m from the runway ends. Noise exposure guidelines (e.g., 55–65 dB(A)) often remain compatible with residential and educational land uses at distances well below 4 km, depending on airport size and aircraft types. This means schools at 1–1.5km from smaller regional airports are normal and internationally common.
		1.26 Wigatiningrum et al states that activities that require more concentration such as working and studying will be disturbed by noise. The authors state that the performance or ability of someone to complete his/her work will be decreased and slower when exposed to noise in the long term. This will therefore have a profound effect on the health, scholastic development and wellbeing of the children. The possible consideration to remove the children from their natural school due to excessive noise exposure could also have a profoundly negative impact on their wellbeing. The children and adults may also develop psychological and emotional disturbance.	1.26 Specialist response: In The Wigatiningrum et al. (2021) study, although the authors refer broadly to the context of “airport noise,” they do not perform any aviation-specific assessments. The study does not analyse aircraft operations, does not examine flight paths, does not use ICAO- or FAA-approved modelling tools and does not apply any aviation noise metrics. Instead, all conclusions are derived from subjective annoyance responses. This means that the results reflect community opinion rather than measured or modelled noise exposure. Due to the fact that aircraft noise is intermittent and must be analysed using specialised aviation tools, the study’s approach is methodologically incompatible with internationally recognised airport-noise assessment practices. As such, the study reflects subjective annoyance in a local Indonesian context with unregulated urban encroachment and does not establish any noise thresholds, minimum distances, or health impacts applicable to South African conditions. As such, it cannot be used to infer effects on children’s wellbeing, educational performance, or safety at Cape Winelands Airport.

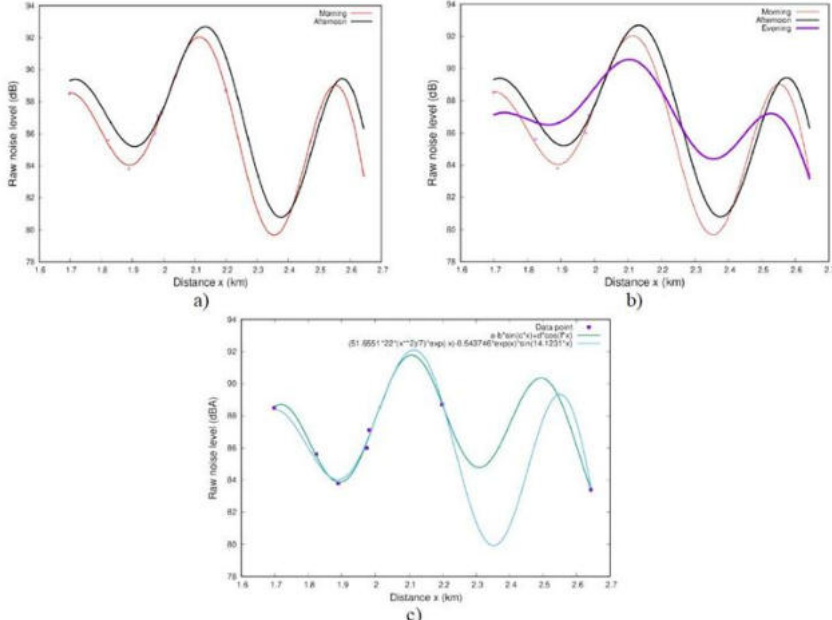
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		1.27 Wigatiningrum et al also states that any distance less than 4 km from the airport are categorized as risky. They state that the closer the distance from housings to the airport, the greater the noise level will be. In their assessment of ‘activities performances’ they found that the dominant disturbance is felt when working and studying, and concentration during learning is also disturbed. They state that based on the International Civil Aviation Organization (ICAO) measurement, the longest disturbance occurred at a distance of 4 km.	1.27 Specialist response: Also Refer to comment further above. The claim that “Wigatiningrum et al. states that any distance less than 4 km from the airport is categorized as risky” is incorrect and not supported by the content of the study. A detailed review of the paper shows that the authors do not identify 4 km as a safety threshold, a risk boundary, or a minimum distance for residential or educational land uses. In fact, the study contains no measured noise levels, no aviation-noise modelling, and no ICAO-aligned analysis from which such a distance could be derived. The claim that “based on ICAO measurement, the longest disturbance occurred at 4 km” is factually inaccurate. The study does not perform, reference, or rely on any ICAO noise measurement, ICAO method, ICAO metric, or ICAO-defined distance. ICAO does not define a “disturbance distance” nor any 4 km minimum. Instead, ICAO standards rely on quantitative acoustic metrics (L_{Aeq}, L_{dn}, L_{night}, L_{Amax}), airspace geometry and modelled exposure contours. None of these were applied in the Wigatiningrum paper. The authors do not use ICAO methods and do not claim that ICAO has identified 4 km as the distance of “longest disturbance.”. The Cape Winelands Airport Noise Impact Assessment was conducted using internationally recognised aircraft-noise prediction methods in line with ICAO (International Civil Aviation Organization) and FAA (Federal Aviation Administration) methodologies, ensuring that the assessment reflects the globally accepted standard for evaluating noise exposure around airports.

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		1.28 There is sound attenuation due to spherical divergence, atmospheric absorption, and interference from ground reflections, which could impact on the observed noise by learners, teachers and residents. (Faiyetole et al 2019) Remarkably the predicted distance increase with decreasing noise level for each of the models fits. A distance of 3 km to the side of the flight paths calls for concerns. The authors further show that approximately 3.8 km distance is required for a 55 dB threshold for a noise abatement zone that requires aircraft to be higher than 1.5 km above the ground level before flying over residential areas. Faiyetole and coauthors report that the minimum safe distance to achieve a morning aircraft take-off noise level threshold of less than 45 dB for urban residents to ensure limited complaints or minimum potential health hazards, is about 3.6 km. The minimum safe distance increases to 3.64 km in the afternoon, and 4 km in the evening. The authors consider the minimum safe distance in the evening as a standard minimum for situating an airport away from residential houses, which would be 4 km. (Faiyetole et al 2019) The authors predict the minimum radial distance for the 40 dB, 45 dB and 50 dB thresholds. The minimum distance of approximately 3.60 km, 3.64 km and 4.04 km are thus predicted as the safe limits from the morning, afternoon and evening take-off data. (Faiyetole et al 2019) The researchers show that within 2.7 kilometers from the airport, all noise levels were above 78 dB. Please see the below graphs.	1.28 Specialist response: The interpretation presented in the comment relies primarily on the numeric “safe distances” and noise thresholds described in Faiyetole et al. (2019). However, these values are not applicable to Cape Winelands Airport (CWA) and do not align with any internationally recognised method for assessing aircraft noise. The CWA Noise Impact Assessment was undertaken using internationally accepted aviation-noise prediction methods consistent with the South African methodology, which follows ICAO and FAA guidelines. These include the use of validated aircraft operational data, internationally recognised propagation formulas, and established acoustic metrics such as L_{Aeq}, L_{Amax}, L_{dn} and noise-exposure contour modelling. The methodology applied at CWA therefore reflects global best practice for assessing airport noise exposure. In contrast, the Faiyetole study does not use ICAO- or FAA-compliant techniques, does not apply standardised aircraft acoustic data and does not generate noise contours or any of the metrics normally used in aviation planning or environmental assessment. The distances cited in the study, i.e. 3 km, 3.6 km, 3.8 km or 4 km, are derived from a simple mathematical curve-fitting exercise based on conditions at a specific Nigerian airport and do not correspond to ICAO or FAA noise-propagation principles. These values are not recognised anywhere in international aviation practice as thresholds or limits. They do not appear in ICAO Annex 14, or the WHO community-noise guidelines, nor the SANS 10103. They are the product of a context-specific academic model that was not intended to function as a regulatory standard. By contrast, airport noise compatibility worldwide is assessed using noise-level criteria rather than distance-based exclusion zones, because noise dissipates non-linearly and depends on

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		 Fig. 2. Plots for a) morning and afternoon take-offs, and b) morning, afternoon and evening take-offs, c) comparison of the model functions in Eqs. (1) and (2) with the data for morning take-offs Above graphs taken from: Faiyetole A et al, VIBROENGINEERING PROCEDIA. MARCH 2019, VOLUME 22	the aircraft type, altitude, power setting, meteorology and flight paths. These factors not accounted for in the Faiyetole model.
		1.29 This data also corresponds well with the calculations made by an independent South African physicist, when using the following international Inverse Square Law Formula and Calculator. The calculator below is used to calculate the sound pressure level at a specific distance of 1400 meters from the sound source at the airport.	1.29 Specialist response: The assertion that aircraft noise at Fisantekraal High School should be “97.1 dB” based on the inverse square law is incorrect and cannot be used as evidence in an aviation noise assessment. The calculation presented takes an assumed source level of 140 dB at a 10-metre distance, substitutes this into the free-field inverse square formula, and then applies the result directly to the school’s distance from Cape Winelands Airport (CWA). This approach is not valid for aircraft noise,

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		The noise created by an airplane taking off is estimated at 140 dB. (Malouf WT et al, 2024) The effect on hearing as stated by Malouf et al is 'Immediate harm.' The Inverse Square Law Formula is $V_2 = V_1 - 20 * \log_{10}(d_2/d_1)$ and it is used to calculate the decibel level at the Fisantekraal High School which is situated approximately 1400 meters from the sound source at the CWA airport. $V_1 = 140\text{dB}$ at $d_1=10\text{m}$ and $d_2 = 1400\text{m}$ (https://observablehq.com/@categorise/how-noise-travels-fast) $V_2 = 97.1$ dB at the Fisantekraal High School, which is 1400 meters away from the airport. The calculator used can be found at https://www.engineeringtoolbox.com/inverse-square-law-d_890.html. The sound pressure level at Fisantekraal High School (1400 meters from the airport) will be 97.1 dB Realistically, a jet engine's volume is measured about 10 m away. With $d_1=10$ m, $V_2 = 97.1$ dB at the school, which is 1400 m away from the sound source. On average, the sound volume about 800 m away from the airport will be between 80-100 dB.	because real aircraft do not radiate sound from a fixed point source, do not emit 140 dB at 10 m during normal operations, and do not propagate sound in a simple spherical pattern as assumed by the formula. The inverse square law cannot be used to predict aircraft sound levels at long distances and is not accepted by ICAO, FAA, SANS, or any authority responsible for airport noise assessment. In addition, the assumption that the aircraft operating at Cape Winelands Airport will produce 140 dB at a distance of 10 metres in all directions during take-off is unrealistic. The value of 140 dB represents an extreme peak jet-blast condition measured directly behind the exhaust of a high-power engine under controlled test-cell or certification conditions. These measurements are taken with the engine restrained at ground level and at maximum thrust, and they do not represent the sound levels experienced at the side of a runway, nor do they occur at distances used for environmental-noise assessment. Even for large commercial jetliners, the noise emitted during actual take-off rolls is substantially lower than 140 dB at 10 metres, and aircraft climb rapidly, further reducing ground-level exposure through altitude, reduced thrust and atmospheric attenuation. Using 140 dB as a baseline source level therefore produces a grossly exaggerated and unrealistic prediction of noise at 1,400 metres from the runway and does not reflect the real acoustic behaviour of the aircraft operating at CWA. The inverse square law formula used in the comment is only applicable to idealised point sources in uniform, reflection-free conditions. Aircraft are neither point sources nor stationary sources. In contrast, they are moving, directional, multi-source emitters, with complex propagation characteristics that change continuously during take-off and climb-out. Aircraft noise propagation involves atmospheric absorption, engine directivity, ground-effect interference, airframe

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			noise contributions, and frequency-dependent attenuation. None of which can be captured using a simple geometric-spreading rule. For these reasons, ICAO and FAA explicitly prohibit the use of the simple inverse square law for predicting aircraft noise, and instead require specialised modelling systems that incorporate aircraft performance profiles, emission spectra, meteorological effects and 3D flight-path geometry. These modelling protocols were followed in the CWA Noise Impact Assessment, ensuring accuracy and compliance with international standards.
		Permissible Distance under EHS (Environmental Health and Safety) Guidelines 1.30 The World Bank/IFC (International Finance Corporation) EHS Guidelines for Noise Management recommend limiting daytime noise levels at sensitive receptors (e.g., residences, schools) to 55 dB and nighttime levels to 45 dB. (https://observablehq.com/@categorise/how-noise-travels-fast) The perceived aircraft noise (97.1 dB) at Fisantekraal High School will therefore be well above the legally perceived noise levels and will therefore harm children and severely disturb their studying. The American Academy of Audiology (2010) states that noise levels of over 85 dB for extended periods can cause permanent hearing loss. Due to well recognized sound attenuating factors, e.g. temperature, wind direction, humidity and echoing from fixed structures, it is reasonable to expect decibel levels to surpass 97.1 dB at intervals, which could lead to permanent hearing loss in this subgroup of children at Fisantekraal High School. It is unsure if these noise risks have been thoroughly discussed with pupils, parents and staff at Fisantekraal High School, not even to mention the severely detrimental effect on concentration, studying ability and the performance and studies of music. In support of this calculation a study	EAP response: All of these points were previously raised and thoroughly addressed in previous comments and responses and the final environmental impact report. See extract below: 1.30 Response by specialist (Appendix 29D of final EIAR page 73): “The average noise level (LAeq) at the school during maximum airport activity is projected to be 44.3dB(A), which is within acceptable limits for an educational environment. Additionally, the number of single noise events exceeding 70dB(A) (LAm_{ax}), such as during takeoff or landing, is expected to be fewer than three events during the school day. In this context, the primary noise source affecting the school will remain vehicular traffic, not aircraft operations. Overall, the predicted aircraft noise exposure at Fisantekraal High School is considered low and acceptable for a learning environment.” <u>Additional specialist response:</u> The claim that aircraft noise at Fisantekraal High School will reach “97.1dB” and therefore exceed IFC-recommended noise levels is based

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		from Korea found that chronic exposure to noise from military airfields influenced the cognitive functions, thereby reducing the learning performance of Korean children. (Baek K et al 2023)	on an incorrect calculation and an inapplicable assumption about aircraft source levels. The noise level of 97.1 dB was derived using a simplistic inverse-square-law calculation, based on an assumed 140 dB at 10 m source. As explained in the comment above, this value represents a jet blast test-cell measurement taken directly behind an engine at maximum static thrust. It is not the sound level generated during actual runway operations, and it is not used in ICAO or FAA environmental-noise modelling. When aircraft noise is modelled correctly, using ICAO/FAA-aligned prediction tools, validated climb-out data, altitude-dependent power settings, and frequency-attenuation functions, the noise levels at Fisantekraal High School are nowhere near the claimed 97 dB. The claim is therefore fundamentally incorrect. Regarding the mathematical model used by the appellant and its results, please refer to the previous comment further above. In addition, the citation of Baek et al. (2023), a study involving children exposed to chronic military-airfield noise in Korea, is not applicable to CWA. Military aircraft generate significantly higher noise levels than civil jetliners, often exceeding 140–150 dB at source, with frequent low-altitude manoeuvres, engine run-ups, afterburner use and flight patterns that do not resemble commercial operations. The Baek study examined continuous, long-term, high-intensity military noise exposure, which is entirely different from the intermittent and significantly lower-level civil aviation noise modelled at CWA. Such military-noise research should not be applied to a civil airport context and is not recognised in ICAO or FAA guidelines. The CWA Noise Impact Assessment used internationally recognised ICAO and FAA methodologies, validated aircraft acoustic data, SANS 10103 compatibility criteria and proper time-averaged noise metrics. These show that actual predicted noise levels at Fisantekraal High School remain well below harmful thresholds, far below the

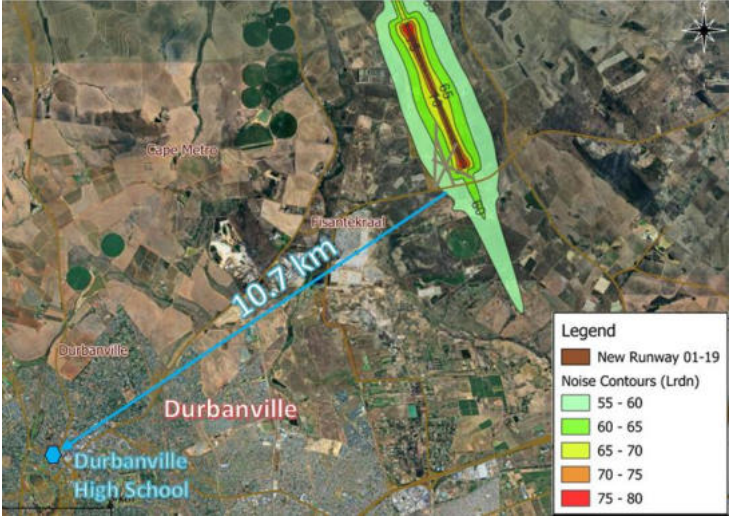
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			exaggerated values claimed in the inverse-square calculation, and fully within the ranges considered manageable and compatible with educational land uses under international and South African standards.
		1.31 Mathematical models therefore proof undoubtedly that the sound impact at Fisantekraal High School will therefore reach levels of at least 97.1 dB when an aircraft takes off at the airport. This will make it impossible for children to function, study or thrive at Fisantekraal High School. Music education in particular will be impossible at this distance from the runway.	EAP response: All of these points were previously raised and thoroughly addressed in previous comments and responses and the final environmental impact report. See extract below: 1.31 Response by specialist (Appendix 29D of final EIAR page 73): ”As per the specialist Noise Impact Assessment, the average noise level (LAeq) at the school during maximum airport activity is projected to be 44.3dB(A), which is within acceptable limits for an educational environment. Additionally, the number of single noise events exceeding 70 dB(A) (LAm_{ax}), such as during takeoff or landing, is expected to be fewer than three events during the school day. In this context, the primary noise source affecting the school will remain vehicular traffic, not aircraft operations. Overall, the predicted aircraft noise exposure at Fisantekraal High School is considered low and acceptable for a learning environment - only 17 aircraft movements are expected during school hours.” <u>Additional response by specialist:</u> Regarding the mathematical model used by the appellant and its results, please refer to previous comments.

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		1.32 Another academical institution which could also be negatively impacted by the proposed CWA development is the Durbanville High School, situated 10.67 km from the airport. The perceived noise as calculated by the Inverse Square Law Formula when aircraft take off at the proposed CWA, would be 60.6 dB at Durbanville High School, which is well above the international legal noise limit of 50 dB for schools. (Faiyetole et al 2019) These noise levels will influence the concentration levels of the students and will interfere with their studying. (Faiyetole et al 2019) Durbanville High School has one of the biggest music departments in the Western Cape and it is reasonable to assume that musical studies in particular will be negatively impacted due to perceived decibel levels above 50 dB. (Faiyetole et al 2019) Since the calculated decibel levels at Durbanville High School will exceed 60 dB, it is also reasonable to assume that there could also be associated health risks involved, even at a decibel level above 45 at night time. (Faiyetole et al 2019)	EAP response: All of these points were previously raised and thoroughly addressed in previous comments and responses and the final environmental impact report. See extract below: 1.32 Response from specialist (Appendix 29C of final EIAR page 325): “The contour with the SANS guideline of 55dB(A) is illustrated in the below image in relation to the Durbanville High School. The school is located approximately 10.7km outside the above-mentioned noise contour. The noise contribution of the CWA operations to the school will be less than 25dB(A). This contribution to the existing noise environment at the location of the Durbanville High School is expected to be negligible.

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			 Based on this contribution, the noise impacts of the aircraft operations are not anticipated to disturb any of the schools outdoor or indoor activities.” <u>Additional specialist response:</u> Regarding the mathematical model and its results used by the appellant, please refer to previous comments.
		1.33 The impact studies mention that the Fisantekraal community will fall outside the 4 km impact zone, but do not mention that the Fisantekraal High School will fall directly within this impact zone according to distances calculated by means of Google Maps 2025. The airport’s impact studies also do not mention at what decibel level a jet aircraft generally takes off, which is usually at a level of 140dB and causes immediate hearing harm (Malouf WT et al 2024) This will directly influence the perceived sound at Fisantekraal High School, which would according to international standards	EAP response: All of these points were previously raised and thoroughly addressed in previous comments and responses and the final environmental impact report. See extract below: 1.33 Response by specialist (Appendix 29D of final EAIR page 73):

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		be well above the legal level of 50 dB for undisturbed studying. (Faiyetole et al 2019) There will also be associated health risks involved for the group of students at Fisantekraal High School, since noise levels will exceed 60 dB. (Faiyetole et al 2019)	“The average noise level (LAeq) at the school during maximum airport activity is projected to be 44.3dB(A), which is within acceptable limits for an educational environment. Additionally, the number of single noise events exceeding 70dB(A) (LAm_{ax}), such as during takeoff or landing, is expected to be fewer than three events during the school day. In this context, the primary noise source affecting the school will remain vehicular traffic, not aircraft operations. Overall, the predicted aircraft noise exposure at Fisantekraal High School is considered low and acceptable for a learning environment.” <u>Additional specialist response:</u> Please refer to replies further above regarding the reference to the 140 dB engine sound level, and the use of the inverse square law formula for the calculation of the resulting noise levels at the school.
		1.34 McKoy states that the distance someone could experience 45 dB of aircraft noise could reach out as far as 22 miles from a major airport. Sound could therefore also negatively influence many other schools in the Durbanville and surrounding areas with severe detrimental effects on the health and studies of children. (McKoy J et al 2024)	1.34 Specialist response: The study referred by Jillian McKoy is the US study of 2023/2024 by Matthew Bozigar et al. and entails aircraft noise exposure and the body mass index of participants living around 90 airports in the United States. This report states that participants were excluded if they did not live within a “22.2-mi (35.7-km) radius buffer around one of the 90 study airports at baseline. It explains that this buffer “represented the maximal empirical extent of aircraft noise above a day–night average sound level (DNL) of 45 dB(A)” observed around any of the study airports. This buffer was therefore used as a study-design criterion, to define who is considered “potentially exposed” to aircraft noise for the epidemiological analysis.

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			The authors describe the 22.2-mile radius as the “maximal empirical extent” of 45 dB noise exposure found within their specific dataset of 90 large U.S. airports. Because this 22-mile value was used purely as a statistical sampling boundary for an epidemiological study, and not as a physically modelled noise contour, it cannot be taken as evidence that 45 dB will extend this far at every airport. It is especially unsuitable for extrapolation to airports with fundamentally different operational profiles, such as Cape Winelands Airport (CWA). Therefore, the reference to that buffer is a study-design tool (to define “exposed” vs “unexposed” participants), not an acoustic or regulatory threshold. Therefore, it cannot be used as a general rule or standard for aircraft noise propagation or safe-distance planning elsewhere, such as CWA.
		1.35 It is also documented that low-income populations are disproportionately exposed to aircraft noise. (Simon M et al 2022) This would unfortunately be a true prediction if the airports company is granted permission to build the airport in Fisantekraal. Simon et al states that this should provide valuable insight for local policy makers considering environmental justice issues.	1.35 Specialist response: Simon et al. studied environmental-justice differences in the United States, where large, densely populated metropolitan centres surround major hub airports with thousands of annual heavy-jet movements and highly complex traffic patterns. Their conclusions are therefore specific to the demographic distribution, urban morphology, and transport infrastructure of large U.S. cities, and cannot be directly applied to the South African context or to CWA. The ICAO/FAA-aligned modelling conducted for the CWA Noise Impact Assessment shows that predicted noise levels in surrounding residential areas, including lower-income communities, remain within SANS 10103 compatibility thresholds and do not approach the exposure levels associated with environmental-justice concerns. The claim that low-income communities in Fisantekraal would be

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			disproportionately harmed is therefore unsupported by the actual CWA noise predictions.
		1.36 Taking all the above factors into serious consideration we therefore strongly oppose the proposed plan to build and expand the proposed Cape Winelands Airport in the heart of the Western Cape Wine Country, since the community who will suffer the most because of this planned project would be the children of the Western Cape.	1.36 EAP response: This is an unfounded statement, in conflict with the EIA findings that are a result of a thorough process that included various specialist studies.
		Other aspects regarding the impact of the planned CWA are now discussed. Geographical Location (Measurements calculated according to Google Maps 2025) 1.37 Another important aspect of appeal against the expansion of the CWA is the location of the proposed airport. CWA is surrounded by several geographical mountainous elevations within close proximity of its planned runways. These locations include the Paarl Rock elevation [-33.73963073286203, 18.896754515611374] (14km from runway), Simonsberg elevation [-33.8406836738251, 18.8825667556681] (14.5km from runway), 'Kanonkop' elevation in Durbanville [-33.82034688631391, 18.592698735500765] (14.18km from runway), Tygerberg Nature Reserve elevation [33.8752199721784, 18.595710942888214] (16.5km from runway), Klappmuts elevation [33.82224089751027, 18.851811877059383] (11.17km from runway) and Paardenberg elevation [33.62885300157449, 18.79082044906599] (15.84km from runway). These mountainous elevations could pose a significant risk to incoming and outgoing aircraft during adverse weather conditions. It is reasonable to assume that this must have been the major reason why the Allied Fisantekraal airport of 1943, was not expanded, but that another location (Cape Town International Airport)	1.37 CWA response The specific terrain points raised—Paarl Rock, Simonsberg, Tygerberg, Klappmuts, and Paardenberg—are all well outside the critical radii used in obstacle limitation assessment and PANS-OPS procedure design. Terrain between 11–16 km from a runway is completely manageable using normal design standards. Furthermore, the suggestion that Fisantekraal Airport was abandoned due to terrain is historically incorrect. Fisantekraal was constructed as a WWII training base, with no intention of long-term civilian expansion. Cape Town International Airport (DF Malan at the time) was selected based on logistical access, land availability, and strategic location—not because of terrain around Fisantekraal, which is comparable to terrain around many South African and international airports. Fog Conditions Fog is a known meteorological factor in the Western Cape but is handled through:

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		was rather sourced with minimal surrounding geographical mountainous elevations.	• Instrument Landing Systems (ILS) • Required navigation performance (RNP) approaches • Established minima for visibility and decision height • Pilot in-command authority to divert when minima are not met Fog near elevated terrain does not pose a unique or insurmountable risk—this is standard operational practice at many airports (e.g., Zurich, Munich, Seattle). Airspace Congestion The claim that proximity to CTIA (24 km) would lead to unsafe congestion is not supported by specialist airspace studies. Independent airspace assessments have already confirmed: • There is sufficient terminal airspace capacity for both airports. • CWA traffic patterns can be strategically segregated from CTIA arrivals and departures. • The airspace can be safely managed through altitude stratification, route design, and sequencing. The comment misquotes Royal Haskoning DHV’s findings. Their report does not state that operations would be unsafe. It states that airspace procedures will need to be adjusted, which is routine and fully manageable. Nearly every new or expanding airport requires coordinated airspace planning (refer comment in 1.39). And again, global examples of airports far closer to each other and far busier than Cape Town International and CWA will be but operate safely: • London Heathrow & London City: 22 km • JFK, LaGuardia, Newark: 19–33 km cluster

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			• Tokyo Haneda & Yokota Air Base: 20 km • Los Angeles cluster (LAX, LGB, HHR): 10–15 km Therefore, the 24 km separation in Cape Town is well within acceptable operational norms. Conclusion Terrain, fog, and wildlife hazards are normal aviation considerations, not barriers to development. ICAO-compliant design, specialist studies, and established operational mitigation measures will ensure that the proposed Cape Winelands Airport can be developed and operated safely.
		1.38 As a longtime resident of Durbanville I am well aware of the frequent severe fog conditions during winter, when these above-mentioned geographical mountainous elevations could pose a significant risk to aircraft, when flight paths may need to be altered and navigation between several of these beacons might become severely challenging when flying big passenger aircraft. The location of the airport could therefore also pose a risk to passengers and crew combined with the fact that the two airports (Cape Town International and CWA) are in such close proximity to each other (only 24 km). 1.39 This could lead to a congested airspace with increased risk of collisions. This is also acknowledged by Royal Haskoning DHV (Pty) (Ltd) who ‘found that the expanded CWA will impact airspace operations in the area, as well as neighbouring developments.’	1.38 CWA response: Refer to 1.2.1 and 1.2.2 above 1.39 Refer to 1.37 above

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		1.40 It is interesting to note that other major world cities also have more than one airport, but not in such close proximity as is planned in the Western Cape. In London, Heathrow airport is situated 33.3 km from London City Airport; in Washington, Dulles International Airport is situated 36 km from Ronald Reagan Washington National Airport; in New York, John F Kennedy International Airport is situated 32 km from Newark Liberty International Airport; in Paris, Charles de Gaulle Airport is situated 34 km from Paris-Orly Airport (ORY); in Brussels, Brussels Airport (BRU) is situated 49 km from Brussels South Charleroi Airport (CRL) and in South Africa, OR Tambo International airport is situated 37.4 km from Lanseria International Airport. Other major cities with significantly bigger capacity than Cape Town only have one international airport to serve the community such as Berlin, Frankfurt, München, Barcelona, Copenhagen, Zurich and Vienna to mention a few. This raises serious questions regarding the need for a second international airport in the Cape Town area.	1.40 Refer to page 181, 587 Appendix 29D in the EIA final submission and the response to 1.37, above.
		Critically Endangered indigenous vegetation 1.41 It is mentioned in the development proposal that the construction will include the clearance of more than 300m² of critically endangered indigenous vegetation. The national guidelines are very clear in nature conservation areas and in the Western Cape that critically endangered vegetation may not be removed. The airport development will therefore harm indigenous vegetation and precious agricultural land and it is therefore not suitable to expand the airport in this location due to its negative impact on the environment.	EAP response: 1.41 The 300 sqm reference is derived from the NEMA Regulations Listing Notice 3 Activity 12. Due to this listing, it required the appointment of a botanist to assess the impacts of the development on the indigenous vegetation. The impact assessment was done according to the NEMA Regulations and Protocols and the outcome of the vegetation loss resulted in the protection of critically endangered vegetation as part of an off-set agreement where conservation will be sustainable after the implementation of the mitigation hierarchy. A specialist agricultural impact assessment was conducted as part of the EIA process that concluded while the impact of the loss of 168ha high potential productive land is regarded as high, it is deemed justified

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			in terms of the perceived importance of the proposed Cape Winelands Airport development as a key infrastructure node for the Cape Metropole and surrounding districts and is therefore supported and recommended for approval. A specialist Socio-Economic Impact Assessment was conducted as part of the EIA process and concluded that the analysis indicates that the benefits would outweigh the potential socio-economic costs of the proposed CWA expansion. The development will support exports of products, trade and tourism, all positively related to the wine industry.
		Birdlife 1.42 Point 42.4 of the environmental authorization states the following: ‘The exposed water surface area of the rehabilitated quarry must be suitably covered, as far as possible, in order to mitigate the attraction of birdlife and suitable vegetation must be planted on either side of the ponds to discourage bird movement between ponds.’ These rules have been advised to try to mitigate the risks of bird strikes in close proximity to the planned CWA. A study of water sources in close approximation to the airport has been made (Google maps 2025), and 5 very big sources were found. They are listed below. 1. [-33.77692704607007, 18.759690918678686] Water source 290X600 m situated 1200 m from airport. 2. [-33.77498864905356, 18.750250547170847] Water source 70X100 m situated 353 m from airport. 3. [-33.77770108595355, 18.753745716795297] Water source 100X180 m situated 765 m from airport.	1.42 CWA response: Refer to 1.15; 1.3 & 1.9 above

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		4. [-33.75589838666833, 18.732505312090396] Water source 170X50 m situated 500 m from airport. 5. [-33.76054266050489, 18.74190640464555] Water source 78X81 m situated 437 m from airport.	
		1.43 Durbanville has always been a bird sanctuary and these water sources have been crucial in maintaining the natural birdlife in this area. It would certainly not be possible to cover such vast amounts of water to try and mitigate and reduce the movement of birds and in the process natural habitat will be destroyed. No vegetation planted on the sides of these 'lakes' would be able to prevent birds from migrating over lakes or from one source to the other, according to their natural instincts and habitat. Looking at the vast quantities of water in close approximation to the proposed airport expansion, it is reasonable to assume on scientific and factual grounds, that birdlife in this area will pose a significant threat to any jet propelled aircraft. This will inevitably pose a significant risk to both passengers and residents. The impact assessment states that there is a primary bird hazard zone surrounding the airport site which is attributed to the agricultural land use and water bodies. This attributes to the abundance and presence of high risk bird species which may collide with an aircraft. The impact study clearly states that there is a risk for bird strikes, a risk in my opinion which is not worth taking.	1.43 CWA response: Refer to 1.15; 1.3 & 1.9 above
		1.44 The impact assessment also states that ICAO guidelines for bird strikes include the consideration of a 13km radius around the site, which needs to be investigated for a source of birds. The above mentioned water sources, which attracts most species of birds, falls well within this impact zone.	Response from specialist: A comprehensive avifaunal risk assessment was conducted for the airport by a qualified specialist, thoroughly evaluating bird diversity within the vicinity and across the recommended 13km ICAO assessment zone. This process identified species that may present potential risks to aircraft operations; these findings will inform the development of an integrated wildlife hazard management plan for the

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			airport. Airports universally encounter varying levels of bird strike risk, which are addressed through a range of both active and proactive mitigation strategies, designed and managed as components of their wildlife hazard management programs. The implementation of this program will commence prior to airport operations and will continue throughout the operational lifetime of the facility.
		1.45 As mentioned in the environmental authorization, the famous national bird of South Africa namely the Blue crane bird (<i>Grus paradiseus</i>), ‘which particularly favours the on-site cultivated fields’ adjacent to the airport, will be severely negatively impacted. 1.46 Many other indigenous bird species will also be threatened by the proposed development and these birds will unfortunately also pose a significant risk to aircraft safety. These facts again accentuate the unsuitability of this area for an airport expansion.	1.45 Refer to 1.3 and 1.9 1.46 CWA response: See 1.15; 1.3 and 1.9 above
		Sustainability and Climate change 1.47 The impact studies state that the total emissions for the airport by 2050 are estimated at 5.3 million tons of carbon dioxide equivalent, which is mentioned as a medium impact in the environmental authorization. A Google AI overview though states differently, that it is considered a very high amount and comparable to the annual emissions of a large industrial facility or a small city. This will have a severely detrimental impact on the Western Cape Winelands, and therefore internationally there is a strong drive to reduce long haul flights and to build fewer airports. The same principles of reducing our emissions should also be applicable to South Africa, according to COP30.	EAP response: All of these points were previously raised and thoroughly addressed in previous comments and responses and the final environmental impact report. See extracts below: As part of the EIA process a Climate Change Impact Assessment was completed as a specialist study that concluded “In conclusion, it is our opinion that the Project can align with national and global climate goals while ensuring resilience against evolving climate challenges by implementing the planned mitigation and adaptation strategies. In this

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			respect, we also considered that the emissions controlled by the airport are low compared to the emissions related to fuels burnt by incoming and outgoing flights, which will be managed through future carbon budgets imposed on airlines under the Climate Change Act. Furthermore, the additional benefits in terms of decongestion and enhanced operational efficiencies that come with the role of the Project in the region may facilitate sustainable growth.” The accuracy of a Google AI overview is questioned and its authority over a site specific Climate Change Impact Assessment is disputed. Response from CWA: “All airlines have committed to and are working towards net zero carbon footprints by 2050. Likewise, the Cape Winelands Airport prides itself on being a green and environmentally friendly airport, as part of this commitment vehicles deployed to support and service the airport and airlines will be electrical vehicles. As confirmed in the specialist reports, the Cape Winelands Airport will allow airlines to significantly reduce their fuel uptake and burn i.e. up to 5% based on the more efficient diversion option it will provide to airlines flying to Cape Town.”
		1.48 Taking all the above-mentioned factors into careful consideration we therefore strongly oppose the proposed expansion of the Cape Winelands Airport on scientific merits, due to the unsuitability of the location.	1.48 EAP response: The appellant, who is not qualified in Environmental Impact Analysis, has not used a specialist consultant to assess the scientific aspects referred to in the appeal, therefore this statement is rejected.

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		References 1. Faiyetole A, Toyin I, Predicting the aircraft take-off noise level, VIBROENGINEERING PROCEDIA. MARCH 2019, VOLUME 22 2. . Wigatiningrum R, Wiranegara H W, Luru M N, Effect of distance of housing to airport on noise disturbances level (case: housing around Soekarno-Hatta International Airport) The 5th International Seminar on Sustainable Urban Development, IOP Publishing, IOP Conf. Series: Earth and Environmental Science 737 (2021) 012030, doi:10.1088/1755-1315/737/1/012030] 3. Malouf WT et al, Evaluation of hearing loss: Understanding Audiologic Testing to refine Image Interpretation, RadioGraphics, 2024, Volume 44 (10) 4. American Academy of Audiology (2010), Levels of Noise 5. Baek K, Park C, Sakong J, The Impact of Aircraft Noise on the Cognitive Function of Elementary School Students in Korea, Noise Health, 2023 May 12;25(117):83-91 6. McKoy J, Airplane Noise May Be Bad for Your Health, The Brink, Boston University Public Health, June 4, 2024 7. Simon M, Hart J, Levy J et al; Sociodemographic Patterns of Exposure to Civil Aircraft Noise in the United States; Environmental Health Perspectives, Feb 2022, Vol 130, Issue 2	Noted

ANNEX 2

RESPONSE TO COUNTY FAIR

PROPOSED EXPANSION OF THE CAPE WINELANDS AIRPORT – RESPONDING STATEMENTS TO APPEALS RECEIVED AGAINST THE EA GRANTED

Registered IAPs Notified of EA: 30 October 2025

Appeal Period Closure: 19 November 2025

Responding Statements to Appeals Received			
No.	Name & Presenting unit	Appeal	Responding Statement
Appeals received within 20 calendar days from the date this decision was sent to the registered I&AP's by the holder (applicant) of the decision [i.e. Appeals received on or before 19 November 2025]			
Appellant 2 - James Brand - County Fair The appeal submission consists of the following: - A completed appeal application form (Responded to below) - An appeal letter (Responded to below) - A report from a veterinary expert, Dr Obed Lukhele, dated 29 November 2024 submitted as part of the EIA Public Participation Process (Responded to in C&R Report – App29C – pg288 – 292) - A copy of a letter to DEA&DP dated 6 August 2025 (Responded to below)			
2	James Brand - County Fair	<u>Appeal Form received via email dated 17 November 2025</u>	
		Grounds of Appeal 2.1 Grounds of Appeal are fully set out in the accompanying letter from ENS dated 18 November 2025 in paragraphs 1 to 8 thereof.	2.1 Noted
		Is your appeal based on factors associated with the process that was followed by the applicant/Environmental Assessment Practitioner/Competent Authority in reaching the decision? 2.2 No	2.2 Noted
		Is your appeal based on factors associated with matters of unacceptable environmental impacts/extenuating circumstances not taken into account by the Competent Authority?	

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		2.3 Yes, as fully set out in the accompanying letter from ENS dated 18 November 2025 in paragraphs 1 to 8 thereof	2.3 Noted
		Have your appeal issues been raised previously in the public participation process? 2.4 Yes, comments were made at each stage of the public participation process and were contained in the following letters from ENS to PHS Consulting : 07/12/2023 (on the pre-application draft scoping report); 23/08/2024 (on the in-process draft scoping report); 13/01/2025 (on the draft EIA report); and 13/05/2025 (on the amended in-process draft EIA report).	2.4 Noted
		Are you fundamentally opposed to the decision (e.g. to any development activity on the site)? 2.5 Yes, as fully set out in the accompanying letter from ENS dated 18 November 2025 in paragraphs 1 to 8 thereof	2.5 Noted
		Are you in favour of the decision if your concerns can be remedied by rectifying the process or by mitigating or eliminating an impact/s of the activity/ies? 2.6 No, as fully set out in the accompanying letter from ENS dated 18 November 2025 in paragraphs 1 to 8 thereof	2.6 Noted
		Please indicate what measures you propose to have your concerns remedied 2.7 While the Appellant objects to the proposed expansion of the Cape Winelands Airport, if all the landside activities were to be developed to the east of the proposed new runway, and the alternative measures listed in	2.7 Noted

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		paragraph 8 of the accompanying ENS letter dated 18 November 2025, are implemented, the Appellant's operations on its farms may be able to coexist alongside an expanded airport.	All of these points were previously raised and thoroughly addressed in previous comments and responses and the final environmental impact report. See extracts below: 2.7 Response from CWA: "CWA stands by its previous comments as to why the landside developments are on the western side of the runway and not the eastern side. Landside layout was determined by the preferred runway orientation and airside positioning. Once the runway orientation was determined (through rigorous analysis), the 3.5km runway positioning on site had to be determined. The runway could not be shifted further West, due to the physical constraints on site, such as the quarry, property boundaries and topography of the site. The runway could not be shifted further East because of space and boundary constraints. The runway had to maintain an orientation of 01-19 to allow for parallel airspace operations with Cape Town International Airport to allow for safer and more efficient airspace operations. Once the runway orientation and placement were concluded as per current proposal, vacant land existed on the West and the East for landside development. The integration of the landside development into the urban area as per planning documents (such as the CoCT 2023 MSDF) had to be evaluated and minimising the loss of productive agricultural area and avoiding and minimising impacts on the biophysical environment was also a consideration. The incremental growth and consolidated areas for the urban area also needed to be considered as per CoCT 2023 MSDF. By proposing landside development on the East of the fixed runway would have resulted on further encroachment of productive agricultural area and wetland environments and not fitting in with the MSDF.

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			Developing on the western side of the fixed runway it would result in infill development partly inside the urban edge and aligned with the MSDF and directly adjacent to other approved and recognised urban development. Further to this the proximity to access roads and other service alternatives and the railroad favours landside development on the West. Further to the above, the Poultry Biosecurity report assessed the impacts associated with the development of CWA, inclusive of landside development on the West, and proposed mitigation measures, which have been included in the EIAR and EMPr. Please refer to page 25 of the Poultry Biosecurity report where it states: In general, with suitable mitigation measures it should be possible for the farm and the proposed airport to coexist.” The Appellant and the Applicant have a shared boundary that has remained unchanged since before the chicken farming operations began. At the time of establishing the chicken farming operations, it was known that the adjacent land was used as an operating airport. Ever since then, the land use as an airport has remained unchanged. The airport predates the Chicken Farm by a significant period of time and the two have coexisted satisfactorily. Further, the independent specialist has concluded that the two businesses can continue to coexist in future, provided that suitable mitigation measures are implemented.
		Does your appeal contain any new information that was not submitted to the Environmental Assessment Practitioner (EAP) / or registered I&APs/ or the competent authority prior to the decision?	2.8 Noted

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		2.8 No	
		<u>Letter of appeal received via email dated 18 November 2025:</u>	
		2.9 We act for County Fair, a division of Astral Operations Limited, which was registered as an Interested and Affected Party (I&AP) during the EIA process which led to the abovementioned authorisation. On the basis of the grounds set out below, our client has mandated us to lodge this appeal on its behalf. This letter will be submitted simultaneously with your Department's prescribed appeal form and as such, forms part thereof.	2.9 Noted
		2.10 Because we are aware that the final EIA report and its supporting annexures run to some 3,878 pages, we thought it would be useful for you when considering our client's appeal to set out our client's location in relation to the abovementioned properties forming part of the proposed expanded airport. Our client owns and operates a poultry laying facility on Portion 2 of Farm Lichtenburg 175 and Portion 9 of Erf 724 Joostenbergvlakte. Our client's farm is immediately adjacent and to the west of the existing Fisantekraal airfield and thus immediately adjacent to the proposed expansion of the Cape Winelands Airport. A portion of our client's operation can be seen from the image reflected on page 15 of the Environmental Authorisation (EA) and from the second locality map in Annexure 1 to the EA. Our client's operation therefore stands to be directly impacted by the proposed expanded airport which has now been authorized in terms of the EA granted.	2.10 Noted
		<u>Grounds of Appeal:</u> 1. In the reasons for the decision set out in Annexure 4 to the EA, the issue of poultry biosecurity and impacts is dealt with in paragraph	1. CWA response

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		3.9 on pages 48 and 49 of the EA. It is clear from what is set out in those paragraphs that reliance has been placed solely on the Biosecurity and Poultry Health Study by Dr Deryn Petty. Although Dr Petty did address some of the concerns which we raised on our client’s behalf during the various phases of the EIA process (such as her agreement to exclude chicken manure as a feedstock for the proposed biodigester), it would seem that insufficient consideration was given to the input by our client’s own veterinary expert, Dr Obed Lukhele. His report dated 29 November 2024 was annexed to the comments we submitted on 13 January 2025, and for your ease of reference, a further copy thereof is attached hereto, marked “A”.	The Applicant holds the view that the Competent Authority would have considered all inputs prior to granting authorisation for the further development and expansion of the Airport to proceed. For the sake of full transparency, it is necessary to clarify—specifically in terms of NEMA and the 2014 EIA Regulations—that although Dr Lukhele is a competent and qualified veterinarian, he does not meet the legal requirements for <i>independence</i> when submitting specialist input into an EIA process. Regulation 13 of the EIA Regulations requires that any specialist providing input must be independent, meaning (as defined in Regulation 1) a person who— • <i>“has no business, financial, personal or other interest in the activity or application,”</i> and • <i>“will not benefit in any manner from the outcome of the application.”</i> On Dr Lukhele’s own disclosure, he is both a Director of County Fair and in its full-time employment. This establishes a direct and ongoing business and financial interest in the outcome of the appeal and in any findings that could influence the future operation or valuation of County Fair’s poultry enterprise. In terms of NEMA, this relationship automatically disqualifies him from being considered an <i>independent specialist</i>. His submission must therefore be treated as an interested party’s technical comment, not as an independent specialist report capable of carrying the evidentiary weight required under an EIA process. This clarification is procedural, not personal: it does not reflect on Dr Lukhele’s professional competence, but simply ensures that the record

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			accurately distinguishes between independent specialist evidence, which the competent authority must rely upon, and internal expert commentary, which is weighed differently under NEMA. It needs to be noted that Dr Petty is an independent specialist. It is assumed that the competent authority did not rely solely on the Petty report; it had available to it specialist inputs submitted during the EIA process, including the report by Dr Obed Lukhele. The Final EIAR expressly records that <i>all</i> expert submissions—whether from the applicant’s appointed specialists or those submitted by I&APs—were reviewed, responded to, and integrated where relevant. The fact that the authority ultimately preferred the findings of the Biosecurity and Poultry Health Study does not mean Dr Lukhele’s report was ignored. It simply reflects that the decision-maker is entitled to weigh competing expert opinions and adopt the one it considers more robust, consistent with the Fuel Retailers principle. Moreover, the specific issue raised—chicken manure as feedstock—was addressed directly in the EIA, and the applicant agreed to exclude it, demonstrating that concerns were heard, incorporated, and resolved. In short, disagreement with the outcome does not amount to “insufficient consideration.” The administrative record shows proper assessment, full inclusion of all expert inputs, and a rational basis for the decision.

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		2. Furthermore, we commented on the inadequacy of her revised report in the comments which we submitted on the amended draft EIA report dated 13 May 2025 and draw your attention in particular to paragraphs 33 and 34 on page 10 and following of those comments.	Specialist response: This contention has been addressed at length in the poultry biosecurity and health report. The reader is referred to this report (see Appendix 35 to the final EIAR). 2. CWA response: As a responsible developer the Applicant has spent a significant amount of time over the last 2-4 years, with inputs from independent specialists, better to understand the County Fair operations and the impact that the expanded Airport might, or might not, have on the County Fair operations. Some of the key outcomes and high-level conclusions are the following: There exists no reason why County Fair and CWA cannot coexist, noting suitable mitigation; In terms of bio-security risks for County Fair, the greater risks resides in other, historic and current internal factors that are far greater i.e. close proximity of the Fisantekraal community and public road as well as internal compliances issues related to lay-out and design clearances within the boundaries of the County Fair farming precinct, rather than from CWA. EAP response: These comments and associated responses can be found in Appendix 29D in the final EIAR, page 121 – 128. This comment is unfounded. The mere fact that County Fair repeated its earlier criticism of the revised Petty report does not render the specialist study inadequate.

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			The revised Biosecurity and Poultry Health Assessment incorporates updated findings, expanded scientific literature, new modelling inputs, and revised mitigation measures as of January 2025, directly demonstrating that comments received—including those from County Fair - were taken into account. More importantly, none of the issues raised in paragraphs 33 and 34 of County Fair’s May 2025 comments identify any scientific flaw, methodological defect, or regulatory non-compliance in the revised report. They amount to disagreement with the conclusions, not evidence that the specialist failed to address the issues. The EIA process does not require specialists to adopt an I&AP’s preferred outcome; it requires that the concern be considered and the record shows that it was. The revised report explicitly integrates these themes, including: the baseline biosecurity risks present on the farm itself (pp. 5–7), the removal of poultry manure from the biodigester proposal (pp. 21–22), detailed modelling of noise events and their biological thresholds (pp. 13–17), updated assessment of wild bird attractants, stormwater design, and waste handling (pp. 8–12; 19–24), all of which contradict the allegation of inadequacy. The authority is entitled to weigh expert evidence, and County Fair’s persistent disagreement with the professional findings does not convert adequately addressed issues into “inadequacies.”

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		3. In addition, and because we were concerned with how the environmental assessment practitioner dealt with our comments as set out in our letter of 13 May 2025, we were constrained to address an urgent letter directly to your Department on 6 August 2025 and a copy of that letter is attached hereto marked “B”.	3. EAP response The EAP was not copied in the letter sent to DEA&DP on 6 August 2025. The IAP has not provided proof that this letter was submitted to DEADP. CWA response: The Applicant has no record of this 6 August 2025 letter: RE: PROPOSED EXPANSION OF CAPE WINELANDS AIRPORT: DEA&DP REF 16/3/3/2/A5/20/2046/24 and signed by Mr James Brand. Notwithstanding the above, should the Minister consider the content of that letter, the following inputs should be taken into account. These are high level in terms of process and principles and provided without breaching confidentiality or disclosing sensitive information. The following disclosures are done in the spirit of transparency and to provide the Minister with line of sight of the efforts made by the Applicant over the last 4 years to reach an amicable way forward with the Appellant. CWA remained active and committed to fostering an open and constructive dialogue with County Fair (CF) prior and throughout the EIA process by initiating meetings as early as August 2022, followed by February 2023, May 2023, June 2023, August 2023, August 2024 and March 2025 with relevant CF officials. These meetings, all initiated by CWA, included senior representatives such as the Group Chief Operating Officer, the Chief Operating Officer of the Western Cape, and the Agricultural Manager, among others.

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			During this ongoing process CWA had also secured land which was identified by CF's internal experts as suitable for relocation. However, given that no agreement could be reached, CWA was forced to allow this offer to purchase on behalf of County Fair to lapse, as there would be no purpose in acquiring the land. CF was not willing to proceed with any agreement based on the principle of betterment. CF at the time held that, should a relocation take place, CWA must construct new facilities to replace those at Fisantekraal, on a like-for-like basis, without applying depreciation or cost reduction due to the age or condition of the existing infrastructure. The above was viewed as neither fair nor reasonable by CWA, its position at the time remained that it was prepared to contribute towards the relocation through payment of the depreciated replacement cost, which reflects the current state of the existing facilities. CWA cannot accept the obligation to provide brand-new infrastructure at full replacement value. In addition to the depreciated replacement cost, the understanding at the time was that CWA would pay for land which would effectively be replaced. Given the above positions the parties effectively reached an impasse in May 2025. In June 2025, in the interest of finding a solution to the impasse, CWA investigated alternative modular building/structures on behalf of CF that would reduce building costs whilst offering improved bio-security and energy consumption solutions. The specifications of these solutions were shared with CF with a request for a meeting to discuss them; regretfully these requests were not responded to. Noting the above, the Applicant submits that it did everything possible and reasonable to reach an agreement with the Appellant over the last

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			2-3 years. In the absence of an agreement, CWA accepts that it will coexisting with CF, which situation has been confirmed by the specialists in the EIA process to be feasible for both parties. Most/more recently, i.e. after the issue of the environmental authorisation, CF indicated a willingness to meet again, the Applicant is encouraged by that and it remains available, open and fully committed to reaching an agreement with CF on terms that are fair and reasonable to both parties and their respective Boards and shareholders.
		4. The concluding paragraph on page 49 of the EA demonstrates our client's assertion that insufficient consideration was given by the Competent Authority who considered the application for the EA as you state "the Biosecurity, Poultry Health Study concluded that with suitable mitigation measures it should be possible for the said poultry breeder farm and the proposed airport to coexist." A proper consideration of our client's repeated comments as well as the report by Dr Lukhele, puts the doubt into this "possibility". Inasmuch as our client's operations have been in existence for some 58 years and supplies approximately 38% of our client's broiler stock in the Western Cape, the Department ought to have worked with "probabilities" rather than mere "possibilities".	EAP response: Even though the operation has been in existence for 58 years, it is at biosecurity risk notwithstanding the expansion of the CWA. The CF site is part of the Incremental Growth & Consolidated Area as per the CoCT MSDF, 2023 and it is inside the Urban Edge as per the Northern District SDF, CoCT 2023. The future extension of Lucullus Road is also proposed through the CF site, all reflecting that the CF operation will have to adapt to coexist with urban developments and considering the specialist report done by Dr Petty and the findings it is clear that coexistence is possible. The appellant's argument incorrectly equates the use of the term "possible" with inadequate consideration. In environmental decision-making, specialists routinely express outcomes in terms of likelihood subject to mitigation, because impacts are managed through enforceable conditions, not absolute guarantees. The fact that the Biosecurity and Poultry Health Study concludes that coexistence is <i>possible with suitable mitigation</i> does not suggest uncertainty or

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			superficial analysis; it reflects the accepted and legally recognised methodology for assessing environmental risk. Dr Petty’s revised report provides a detailed, evidence-based explanation supporting this conclusion, including: • confirmation that <i>no documented biosecurity risk exists solely by virtue of proximity to an airport</i> (p. 7), • identification and removal of the only high-risk element—poultry manure in the biodigester (pp. 21–22), • quantitative noise modelling showing thresholds remain below levels that cause panic responses in poultry (pp. 13–17), • explicit mitigation measures addressing wild birds, waste, traffic, lighting, stormwater, pest control and human movement (pp. 22–23). Although DEADP defined these as “possibilities”, they are probability-based scientific findings supported by international literature and site-specific data. By contrast, the appellant provides no empirical evidence showing that coexistence is <i>unlikely</i>. Simply invoking the age of the operation or its contribution to production does not alter the technical facts or negate the specialist’s findings. The competent authority was required to rely on substantiated expert assessment, not on unquantified assertions of risk, as is the Minister. Accordingly, the conclusion that the poultry farm and airport can coexist, subject to mitigation, is both scientifically grounded and properly, independently considered.

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		5. We note the references in paragraph 3.9 of the EA to various conditions, some of which we will deal with hereunder, and whilst some of the conditions go somewhat to addressing some of our client's concerns, the landside developments being immediately adjacent to and in very close proximity to our client's nearest chicken houses, remain concerns that have been inadequately addressed. In summary, our client contends that it will not be possible for the expanded airport and its poultry operations on its farm to coexist.	Specialist response While the statement regarding biosecurity compliance on breeder farms belonging to companies is higher than if the farms belonged to contractors or independent farmers, this does not address the issue that the distance between breeder farms is less than optimal. The biosecurity of sites so close together is less than optimal even if the flocks are managed by the same company. Diseases that could be introduced in one flock can easily spread to other flocks on other sites
		6. The reasons for the decision to grant the EA commences on page 31 thereof and it is stated that in reaching its decision, the Competent Authority considered, inter alia, "(d) the comments received from I&APs and the responses thereto, included in the final BAR". From what we have set out above and in what follows, it is clear that the Competent Authority could not have adequately considered our client's comments in reaching its decision.	EAP response: The C&R Report provided adequate responses to the comments received, these responses were based on specialist input from Dr Petty. The CA obviously read those responses that allowed it to come to a conclusion. Simply because the competent authority did not agree with the appellant, it cannot be concluded that its submissions were inadequately considered.
		7. We note also, in passing, that in paragraph (f) on page 31, reference is made to a site visit having been conducted on 22 October 2025, a mere 5 days before the EA comprising 66 pages was issued. This begs the question as to the purpose of that site visit and whether anything gleaned thereat contributed to the EA which our client respectfully submits, was probably fully drafted and almost ready to be issued by then. This observation lends further support to our client's contention that inadequate consideration was given to its concerns by the Competent Authority.	EAP response: During the EIA process the EAP and DEA&DP had numerous engagements to clarify various aspects, issue and concerns. Most specialists' reports contained detailed photographs, photo reports and simulations were available and considering that the site and the neighbouring land-uses are very clear on Google Earth. In addition to the visual aids provided to enable the the competent authority to understand the site, the decision maker also went to site in order to verify certain aspects to inform the decision. This is acceptable procedure and demonstrates prudence on behalf of the decision-

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			maker. The EAP is of the opinion that DEA&DP had all the information that it needed to make an informed decision.
		8. The EA imposes a number of conditions which will impact on our client's operations and no opportunity exists for our client to comment thereon. These outstanding aspects ought to have been addressed by the applicant during the EIA process in order to enable I&APs like our client to deal therewith. The conditions we are referring to are the following:	
		8.1. Condition 29 deals with the need to address a number of aspects including fencing, walls, entrances and boundary interfaces, and lighting, all of which must be submitted as part of the Urban Design Guidelines to the City of Cape Town for approval/input and must be submitted to the Competent Authority with the comments obtained for record purposes prior to the commencement of earthmoving or construction activities. Light pollution was identified as a major concern for our client's laying stock and even the authors of the Visual Impact Assessment conceded that the absence of an approved lighting design made it difficult for them to fully comment on the impact that the substantial lighting required by the expanded airport would have on our client's laying stock.	8.1. EAP response: These aspects are regarded as detail design typically dealt with later in the process. However the mitigation was offered as per the C&R that, subject to consultation with CF, CWA will provide a barrier, that must align with the regulatory guidelines and requirements to achieve dust, noise and lighting impact mitigation. The Urban Design Guidelines typically cover this design and, considering that consultation between CWA and CF will take place to ensure that the barrier is sufficient, it will constitute further consultation required by CF. CWA Response: This criticism misrepresents both the Visual Impact Assessment and the structure of the conditions in the EA. Lighting impacts were not deferred or ignored, they were assessed at a conceptual level, and the EA explicitly requires a detailed, approved lighting design to be submitted before any construction begins. This is standard practice,

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			because lighting specifications are finalised during detailed design, not at EIA stage. Dr Petty’s revised biosecurity report also sets out clear mitigation measures for poultry-sensitive lighting, including: • preventing light spill into poultry houses, • hooded and directional fittings, • road alignment and barriers to block headlights, and • minimising night-time operational lighting (pp. 22–23). These measures directly address the concerns raised and are now enforceable conditions of authorisation. The VAI authors did not state that they were unable to assess lighting impacts, they correctly noted that final fixture specifications would follow in the Urban Design Guidelines phase, which is precisely why Condition 29 requires the lighting plan to be reviewed and approved before implementation. In short, lighting impacts have been fully accounted for through assessment and binding conditions, and the appellant’s suggestion of uncertainty is unfounded. It is entirely consistent with NEMA, the EIA Regulations, and long-established administrative practice that certain <i>detailed</i> management plans, design specifications, operational protocols, and method statements are finalised after an Environmental Authorisation is granted but before construction or operational activities commence. These instruments are implementation mechanisms—not impact-determination tools—and therefore do not require a new public

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			participation process unless expressly directed by the Competent Authority. Each condition correctly: 1. identifies the specialist or discipline responsible for preparing the plan; 2. requires submission to, and approval by, the Competent Authority prior to commencement of the relevant activity; and 3. provides the competent authority full discretion to call for amendments, additional information, or stakeholder input where necessary. This approach is lawful, appropriate, and standard for environmental authorisations in South Africa. The impacts have already been assessed during the EIA phase, and the conditions secure the mitigation measures through enforceable compliance obligations. There is no legal requirement that every post-approval plan be automatically circulated to I&APs, and the absence of such a mechanism does not render the conditions inadequate or procedurally flawed.
		8.2. Condition 30 deals with the need to implement a Groundwater Monitoring and Management Plan which must be approved by the National Department of Water and Sanitation and be submitted to the Competent Authority for record purposes prior to the operation of Phase 1 of the development. Our client as a groundwater user would surely need to have an opportunity to comment on the adequacy or otherwise of the Monitoring and	8.2. EAP response: The Groundwater Monitoring and Management Plan will include the monitoring of neighbouring sites that is in line with the hydrocensus approach already conducted to date. During the hydrocensus the existing boreholes of CF were recorded. Consultation and engagements with other groundwater users will therefore continue Refer to the response to 8.1.

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		Management Plan and no provision is made for any consultation with our client as a condition of the EA	
		8.3. Condition 31 deals with the need for a Dust Management Plan which is still to be approved by the relevant authority (by which we assume the City of Cape Town) to be implemented and submitted to the Competent Authority for record purposes prior to the commencement of earthmoving and construction activities. Our client's concern with dust was recognised even by Dr Petty and here again there is no provision for our client to comment on the Dust Management Plan so as to ensure that its concerns are adequately addressed.	8.3 EAP response: The EMPr was approved as part of the EA, and dust management does form part of this, and it includes measures directed at mitigating impacts on CF. Condition 31 is an this additional requirement imposed in the EA to ensure a dedicated plan is drafted to address all areas of dust impact, including at the CF site. This plan is concerned with detail, and CF will have the right to communicate during construction with CWA if additional dust mitigation is required. Communication channels will therefore be open to ensure CF's concerns are addressed. Refer to the response to 8.1
		8.4. Condition 32 deals with the need for a Water Scarcity Management Plan being developed by a suitably qualified specialist to mitigate water scarcity risks and its implementation. Here too this plan must be submitted to the Competent Authority prior to the commencement of earthmoving and construction activities. Our client, as a sensitive water user, would surely need to comment on this plan and no provision has been set out in the conditions for this to occur.	8.4 EAP response: The EMPr approved as part of the EA does address water saving mechanisms, however the requirement for a dedicated plan places the emphasis on a more detailed plan to ensure the best possible management of water is ensured in future. The implementation of such a plan will be beneficial for all surrounding land users. Refer to the response to 8.1
		8.5. In Condition 40.1, it is provided that an Overall Lighting Report must be prepared by a suitably qualified electrical engineer and must be implemented. This approved overall lighting report that incorporates comments from the City of	8.5 EAP response: Detailed lighting design doesn't typically take place as part of the EIA process. However, the competent authority obviously regarded this condition as necessary to ensure that construction lighting is correctly installed to avoid impacts. As part of the EIA

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		Cape Town, must be submitted to the Competent Authority with the comments obtained prior to the commencement of earthmoving construction and activities. Inasmuch as lighting has been recognised even by Dr Petty as being problematic for our client's operations, the fact that no provision is made for engaging with our client on such a report represents a serious omission on the part of the Competent Authority. The same applies to the condition in Condition 40.2.	process, a barrier was proposed and, subject to consultation with CF, that must align with the regulatory guidelines and requirements to achieve dust, noise and lighting impact mitigation. The lighting report will consider this design. As explained above, the nature of that barrier will be discussed with CF and that should address CF's concerns. Refer to the response to 8.1
		8.6. In Condition 42.1, the need for a certified Pest Control Company to be appointed at the onset of construction and operational phases to ensure that preventative measures are put in place, is noted. Because open composting is envisaged for the development, we made available when we commented on the amended draft EIA report, a copy of a report by Prof. Daniel Barry which related to a different project for which environmental authorisation was obtained and in which he dealt with what needed to be implemented for the management of, in particular, flies. Accordingly, our client would need to see the proposed preventative measures by the appointed Pest Control Company to ascertain whether the proposed measures would be effective and whether they would align with what Prof Barry had recommended in similar circumstances.	8.6 EAP response: The Pest Control Company will be a reputable entity who specialises in this scale projects, and the issues to be addressed will be shared as part of the brief. The implementation of the plan will be monitored as a typical plan component. CF will have the right to engage with CWA during construction and operation to lodge any issues with regard to Pest Control and vice versa. Refer to the response to 8.1
		8.7. In Condition 46, a Noise Mitigation and Management Plan with measurable goals to prevent and intricately manage noise emissions from the operational phase of the development must be compiled and implemented and submitted to the Competent Authority prior to the commencement of any earthmoving or construction	8.7 EAP response: The EMPr states that it should be noted that even though several mitigation measures have been identified in this section for the airport's operations, the identification of the most suitable and cost-effective mitigation measures, together with a realistic time schedule for their implementation, can only be a result of consultation between the various stakeholders associated with all the airport

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		activities. Notwithstanding the opinion expressed in the Noise Impact Assessment Report dated June 2025 compiled by DDA Environmental Engineers, that the noise cones will not impact on our client's operations, both Drs Petty and Lukhele recognise that the excessive and sudden noises of the larger aircraft landing and taking off impact negatively on our client's laying stock, with Dr Petty raising the rather absurd opinion that our client's laying stock will become habituated to such excessive noise. Her opinion is based on studies conducted on turkeys and no indication has been given as to how those studies would relate to chickens. On the contrary, and based on Dr Lukhele's input, our client could sustain severe losses occasioned by the poultry attempting to escape the noise and trampling each other causing mortalities. This was fully addressed in all our comments submitted and appears to have been ignored by the Competent Authority.	operations, and taking into consideration the safety and security requirements associated with these airport operations. Once these consultations take place and the mitigation measures, together with the implementation schedule, have been determined, their effects can be quantified and the mitigated impact rating tables determined. For this reason, the compilation of a Noise Mitigation and Management Plan (NMMP) will take place post authorisation. It is clear that further consultation will take place as part of the implementation and monitoring of this plan in order to address stakeholder concerns including those of CF. Refer to the response to 8.1. Specialist response: Since turkeys (<i>Meleagris gallopavo</i>) and chickens (<i>Gallus gallus domesticus</i>) are both domesticated gallinaceous birds belonging to the order <i>Galliformes</i>, studies on habituation to noise in turkeys can often be applicable to chickens. Furthermore, in addition to studies using turkeys, other studies using broiler chickens were quoted (Stadelman et al, Mc Farlane et al).
		8.8.All these conditions refer to documentation still to be prepared and in respect of which there is no provision for an opportunity for our client to engage on. While these conditions are clearly well intended, without our client being afforded an opportunity to comment on these various studies still to be carried out, our client has no way	8.8 EAP response: As per the responses above, these reports will contain more detail than is currently captured in the EMPr. It is not new mitigation, but will include dedicated and detailed plans directed at specific impacts to ensure enhanced mitigation implementation and monitoring.

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		of knowing whether its concerns in regard to these aspects, will be adequately addressed or not.	As previously pointed out, CWA will consult with CF regarding a barrier for dust, noise and lighting that is regarded as an opportunity to engage pre the erection of the barrier. The reports to be completed by experts will inform the nature of the barrier which will also need to comply with applicable laws and regulations. The Noise Mitigation and Management Plan will be subjected to continued stakeholder engagement that will incl. CF. Typically during construction, any I&AP can lodge a complaint or comment on impacts being experienced that have to be addressed through further engagement. All of the above will ensure that CF's concerns are adequately addressed. Refer to the response to 7.1
		9. In these circumstances, our client respectfully submits that the Competent Authority's grant of the EA is not only premature, but is also biased in favour of the applicant for the EA. Accordingly, our client submits that the EA be set aside. Alternatively, and in the event of our client's appeal being dismissed, our client respectfully requests the Appeal Authority to suspend the EA until such time as: 9.1.the documentation referred to in paragraph 7 above is procured; 9.2.subject to a round of public participation to enable comments of I&APs, including our client, to be obtained; and	EAP response: As fully explained above, where appropriate, CWA will consult with CF regarding mitigation measures to be implemented in its detailed, impact-specific management plans and CF will be free to raise legitimate concerns with CWA during construction and operation of the expansion. It is respectfully disputed that the EA was prematurely granted or that it should be amended. It is also disputed that these detailed management plans ought properly to be the subject of further public participation beyond the consultation and communication committed to above.

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		9.3. amending the conditions of the authorisation in accordance with the comments received	
		<u>Annexure A – Letter by Dr Lukhele</u> I refer to your email dated 21 November 2024 requesting my comment to Dr Deryn Petty’s Poultry Biohazard Assessment (“Appendix 39”) titled the “IMPACT OF PROPOSED DEVELOPMENT OF AN AIRPORT IN THE CAPE WINELANDS ON POULTRY BIOSECURITY AND HEALTH”.	All of these points were previously raised and thoroughly addressed in previous comments and responses and the final environmental impact report. See extracts below: Previous response by Dr Petty to Annexure A Letter (page 288 Appendix 29C of final EIAR): “Response to COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT ASSESSMENT REPORT FOR THE PROPOSED EXPANSION OF THE CAPE WINELANDS AIRPORT ON FARMS 10/724, RE/724, 23/724, 7/942, RE/474, 3/474 AND 4/474 (DEA&DP Ref No.: 16/3/3/2/A5/20/2046/24 and DWS Ref No: WU33620) REF B Levetan/mhn/0532612 These comments relate to exclusively to the report as it pertains to the report - IMPACT OF A PROPOSED DEVELOPMENT OF AN AIRPORT IN THE CAPE WINELANDS ON POULTRY BIOSECURITY AND HEALTH. Please note that the report has been updated to reflect any additional concerns. The terms of reference for the response it to address point 6 as well as point 8, point 10 (note chicken manure has been removed from the feed to the biodigester), point 11.2, point 11.3, Annexure A. Other experts will address other comments that are relevant to their fields of expertise. Point 8 is not relevant to my field of expertise. Dr Petty’s response is as follows.

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			1. With regard to biosecurity and the existence of a buffer zone (point 6, point 8, annexure with regards to biosecurity), although a standard buffer zone is recommended for biosecurity reasons, it is clear that this is not in place on the Fisantekraal complex as it stands currently. The airport was built in 1943 and the poultry farm in the 1958. The airport thus predated the poultry farm and its situation close to the farm has always been an issue, although on a small scale. In addition, there has been urban creep which has resulted in greater traffic of both people and vehicles very close to the farm. While this may not have been anticipated, the fact that it has increased means that the risk that the farm may experience outbreaks of diseases is increased. It should be noted that the W Cape is known as a high risk area for HPAI. It appears from your response that there was an HPAI outbreak in the area. It is important to note that many of the farms in the W Cape experienced repeat outbreaks on the same farms in the same areas, despite increases in biosecurity which has led to the opinion that certain locations place poultry farms at risk regardless of any biosecurity protocols. Other transboundary diseases may exhibit the same tendencies. This needs to be borne in mind. Dr Lukhele is convinced that the biosecurity in place is effective in mitigating diseases and I agree with him. The occurrence of increased traffic due to the airport on biosecurity can thus easily be mitigated with the current practices in place, since the traffic would be unlikely to involve exposure to poultry or wild birds. Although the increase in traffic and people in the area are alleged to pose a biosecurity risk, the occurrence of wild birds and the biosecurity risk they pose will be decreased and better managed by implication through the construction of the airport, as the management and deterring of wild birds is a vital and ongoing safety management item for any airport.

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			With regards to point 10, it appears that the agreement not to use of poultry manure on or near the site has removed this particular biosecurity concern. Adequate waste management remains important to prevent the occurrence of rodents, wild birds and other pests. In summary, it is recommended for biosecurity reasons that poultry farms and especially breeder farms are in isolated areas as increased traffic results in an increased biosecurity risk. It is clear that this has been noted and taken into account already by the breeder farm. The level of vehicle and foot traffic in the area is already so high that it is moot whether any increase will result in a further decline in biosecurity, given how good the biosecurity protocols described and already in place are. 2. Dr Lukhele has raised several important points with respect to noise and light effects on broiler breeders. Noise is a significant factor . This factor was expanded in my report to be more specific and taking into account further input from the noise specialist, Mr D Draculides. In summary, the noise maps do not show any increase in the average noise levels at the poultry farm that can be attributed to the aircraft. The day night average decibel level modelled, taking into account the use of the runways as well as the type of aircraft and the times of the flights, is 55db in the worst case scenario. This would be unlikely to result in any disturbances for the poultry, however, of concern is the occurrence of events where the decibel levels rise abruptly to 70-80db as the result of aircraft landing and taking off and then declining as quickly to the baseline. The most likely effect resulting from this is a startle response and possible pile ups and as the result of that suffocation. However it has been shown that with careful management, habituation occurs within 5 events. It is important

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			to note that the noise levels will fall dramatically at night and the birds are not affected by background noise from aircraft. If there are dramatically fewer aircraft landings and taking offs, there will be fewer people, fewer vehicles and likely less noise from other sources. Noise at night is viewed more negatively than during the day. Please refer to the updated poultry report for references and a more complete explanation. Vibration Although this has been raised as an issue, careful reading of the relevant reference will reveal that the vibrations referred to are largely as the result of roads and equipment in the house and refer to a situation where the birds themselves are subject to prolonged vibration. This is not really relevant to the vibration which may be caused by a burst of sound. I refer the my updated report for a fuller explanation. Light As explained previously any extraneous sources of light at night will affect the circadian rhythm of the birds and therefore the egg laying. However, the number of aircraft landing and taking off at night is less than 3 and these before 11pm and therefore the need for lights in the parking area adjacent to the airport is similarly reduced. Hooding the light sources and directing the light away from the poultry farm, lights with motion sensors can all be used to achieve this goal. It must be noted that many breeder farms have spotlights on at night and as long as the light does not shine directly into the poultry house, it appears to have no effect. I refer to the final updated Visual Impact assessment for the proposed Cape Winelands Airport Development (F Smit) for more detail.

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			Mr Levetan and Dr Lukhele are to be thanks for raising relevant points and allowing me to clarify these issues.”
		Background The Fisantekop broiler breeder farm complex is composed of four (4) sites of six (6) houses each. These sites are Fisantekop, Wheatlands, Quarryside and Vergelee and together house a total of about 162 000 birds that produce hatching eggs for County Fair, a subsidiary of Astral Operations Ltd. The Fisantekop complex was built in 1970. The urban encroachment got closer to the commercial farms over the years and, as a result, the near-by informal human settlement was built in 1996. The nearest site to this human settlement, which is on the West, is Quarryside that is located about 440 meters away. The closest building of the proposed Cape Wineland Airport (CWA) will be about 270 meters from Vergelee.	Noted. Please refer to CWA’s response on relocation efforts point 3 page 36 of this report.
		Comments The aim of this biohazard assessment was “to investigate and as far as possible quantify the effect of a new airport on the adjacent poultry farms, focusing on those aspects that will affect the biosecurity of a poultry farm and the health of the poultry”.	
		The following were key concerns raised in this biohazard assessment report: 1. “..... There are four different parent flocks in close association with each other on this complex. The distance between the breeder flocks is certainly less that recommended for good biosecurity” (page 7). The broiler breeder birds that are placed on each of these sites originate from County Fair’s rearing farms that are all under the health care of the in-house veterinarian. These birds, both in rearing and laying, are	1. Noted

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		exposed to the same health and disease monitoring programmes. It was shown in Europe that biosecurity is complied with more in breeders (87%) and, on farms under contract with a company (82.5%) compared to independent farms (79.5%)	
		2. “However, it must be borne in mind that the biosecurity is already compromised by its situation close to a main road as well as a settlement” (page 27). The Biosecurity Procedures in Poultry Production, Chapter 6.5.1, of the OIE Terrestrial Animal Health Code was first adopted in 1982. This was at least twelve (12) years after the Fisantekop complex was built. Discouraging the location of poultry farms closer to the public roads became a relevant conceptual biosecurity phenomenon after Fisantekop was already built. The informal human settlement was established about twenty-six (26) years after the Fisantekop complex was built. The biosecurity risks that are associated with the main road (220 meters) and the informal human settlement (440m from Quarryside) were mitigated through various management / operational and physical pillars of biosecurity. The anticipated fold-reductions in highly pathogenic avian influenza (HPAI) risk infections in relation to the four levels of biosecurity has been demonstrated whereby preventing access to waterbodies reduced the risk of HPAI virus entry into the farm three (3) fold, routine daily biosecurity (boot disinfection, limiting visitors, rodent control, clean feed and water) resulted in four-fold reduction, while housing reduced the risk two-fold and, all that’s been mentioned prior plus showering, no visitors and dedicated staff and equipment limiting the risk forty-four fold.	2. Specialist response: This point has already been addressed in the report and subsequent letters . The specialist contends that all the management and operational interventions will further serve to reduce any risks associated with the airport expansion. CWA Response: County Fair’s response simply confirms the point made in CWA’s original statement: the farm’s biosecurity vulnerabilities arise from its own long-standing proximity to public roads and human settlement, not from the airport. Its own submission acknowledges that (1) the OIE biosecurity guidance dates back to 1982, (2) the Fisantekop complex was already situated close to a main road when built, and (3) the settlement developed decades <i>after</i> the poultry farm was established. These are historic, structural conditions inherent to the farm’s location and not caused, exacerbated, or introduced by CWA. Moreover, County Fair’s explanation of existing mitigation measures—roadside control, visitor limitations, rodent control, clean feed and water, showers, and restricted access—demonstrates precisely why Dr Petty concluded that the airport does not pose a material additional biosecurity risk. These measures already manage the very routes through which diseases might enter, and the revised specialist report confirms that <i>airports themselves are not recognised biosecurity</i>

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			<i>threats</i> and that proximity to an aerodrome is not a documented risk pathway (pp. 5–7). Importantly, County Fair’s own analysis shows that its operational systems have successfully reduced HPAI risk “three-fold... four-fold... two-fold... forty-four-fold”—an admission that effective mitigation is entirely achievable, and indeed already in place. Its comment therefore inadvertently reinforces CWA’s central points: • The farm’s baseline risk originates from its siting near public interfaces, • Those risks have long been effectively managed through internal biosecurity controls, and • The proposed airport does not introduce any new, recognised biosecurity exposure that these controls cannot accommodate. County Fair’s restated objection does not identify any new risk arising from the airport, nor does it contradict the specialist’s finding that coexistence remains feasible with mitigation.
		3. In Figure 2 (page 10), “The six ponds that will be developed to channel water from the site are shown; however, it is important to note that five out of six ponds are dry ponds and, as a result, will not attract birds.” It is further stated on page 11 that “Pond No. 2 is the closed quarry in the process of rehabilitation, which will hold 95,000 liters of surface water. If not carefully managed, this pond may attract birds.” and “Figure 3 indicates that the quarry will be used for rainwater storage, and if rehabilitated, it may attract wild birds”. The development of the CWA closest (270m from Vergelee) to the Fisantekop complex will increase biosecurity risks due to the rain water	3. Specialist response: Any open water pond will be netted to control wildbird usage of the water source. Dry ponds are not designed to hold water hence it is difficult to understand why these are seen to be wild bird attractants. CWA Response: County Fair’s response repeats a generic concern about waterbodies attracting wild birds but does not engage with the actual stormwater

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		that will accumulate in the ponds (five dry and one rehabilitated) as well as in the quarry resulting in more wild bird population drawn closer to the Fisantekop complex. Farms that are located less than 500 meters from water bodies with high number of migratory birds had higher risk of being infected with the HPAI virus. The wild birds are known to carry and transmit various infectious diseases such as the HPAI. The anticipated fold-reductions in HPAI risk infections in relation to the four levels of biosecurity also applies here.	design, the rehabilitation approach, or the specialist mitigation already incorporated into the EIA. First, the earlier CWA response correctly noted that five of the six ponds are dry detention ponds, designed to remain dry between storm events. As confirmed in both the Engineering Services Report and Dr Petty’s revised study, dry ponds do not attract waterfowl, and the FAA and ICAO expressly endorse dry-detention systems as appropriate for airports precisely because they <i>minimise</i> avian attraction. Second, the only feature capable of holding water—the rehabilitated quarry—has already been addressed in the specialist reporting. Dr Petty notes that any waterbody capable of attracting birds must be actively managed using established airport bird-control measures such as netting, deterrents, and design features to reduce attractiveness (pp. 8–12; 20–24). These measures are standard globally and are now tied into the mitigation and conditions of authorisation. Third, County Fair’s claim that this will “increase biosecurity risks” is speculative and unsupported by evidence. Dr Petty’s study shows that: • the presence of waterbodies is already a baseline feature in the region, • existing farm risks arise from siting near settlement and roads, • airports themselves are not documented sources of avian influenza transmission, and • proper management of stormwater features prevents sustained wild-bird congregation. Lastly, County Fair’s reference to distance thresholds (<500 m) ignores that dry detention basins do not constitute waterbodies, and that the rehabilitated quarry will be subject to mandatory bird-attraction mitigation as part of standard airport wildlife management protocols.

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			In summary, the stormwater design does not introduce new biosecurity risks, and County Fair provides no contrary hydrological or ecological evidence. The concerns raised are already fully mitigated in the EIA and reflected in the authorisation conditions.
		4. Abiotic stressors such as temperature, noise and light result in compromised health (welfare), bird behaviour, growth and productivity of poultry. The assessment report only made mention of the intensity (levels) of noise. The duration of noise and its ability to cause vibration was not considered. In this report, three scenarios were mentioned and it was concluded that “All scenarios remain below the 80 dB level associated with harm to poultry and are only slightly higher than current levels”. Small changes of 10 dB is enough to have a significant impact in inducing tonic immobility (TI) or fear duration⁵. A single short stress due to aircraft noise did not affect egg production but exposure of the birds to the noise stress for a period of three to four days reduced egg production⁵. The fear in hens was increased when exposed to noise intensity of 90 dB that was caused by trains, trucks and aircraft for one (1) hour compared to hens that were housed in the environment with 65 Db sound. Vibration stress physiology is closely related to noise stress as they are both energy waves. The location of animal farms near workshops, railways, construction sites and other such areas induce stress from ground-borne vibrations³. Sound vibrations greater than 1.0 cm s⁻¹ had a negative effect on egg production.	4. Specialist response: Both noise and light are addressed in the specialist study and have been dealt with there (p 13-18). Temperature has not been addressed since there is no indication that the temperature will rise as the result of aircraft activity.

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		5. Lighting The intensity, wavelength and duration of lighting from the airport has not been quantified. A photoperiod of 23 hours of light elevated stress and fear in the Ross 308 broiler. This prolonged exposure of birds to light disrupted the circadian clock gene expression and the microbiome diversity in the caeca in the Hy-line layer chicken and, has thus negatively impacted egg production and gut health of these birds. The flicker sensitivity of domestic poultry induces discomfort and stress within the frequency range of 39-71 Hz and under the light intensity of 10-1 000 Lux³. The long wavelength (nm) of 660nm (red light) increased egg production in Cobb broiler breeders.	5. Specialist response: There is mitigation suggested for this issue (light directed away from the farm, hooded light etc).
		Conclusion The proximity of the Fisantekop broiler breeder complex farm to the public road and to the informal settlement are not due to poor compliance with conceptual biosecurity by County Fair. The informal settlement was established about twenty-six (26) years after the farm was built. The Biosecurity Procedures in Poultry Production as outlined by the World Organisation for Animal Health (WOAH, formerly OIE) was only adopted twelve (12) years after building the farm. Developing an airport next to the Fisantekop laying farm will continuously expose the birds to abiotic stressors and compromise their health and welfare. In addition, the shortcomings mentioned earlier in conceptual biosecurity will be compounded. The latter effect has been demonstrated through the fold-reductions in HPAI risk infections in relation to the four levels of biosecurity, namely, prevention of access to waterbodies, housing, routine biosecurity and high biosecurity level that includes showering, no visitors as well as dedicated staff and equipment.	Even though the operation has been in existence for 58 years, it is at biosecurity risk none withstanding the expansion of the CWA. The County Fair (CF) site is part of the Incremental Growth & Consolidated Area as per the CoCT MSDF, 2023 and it is inside the Urban Edge as per the Northern District SDF, CoCT 2023. The future extension of Lucullus Road is also proposed through the CF site, all reflecting that the CF operation will have to adapt to coexist with urban developments and considering the specialist report done by Dr Petty and the findings it is clear that coexistence is possible. Please refer to CWA's response on relocation efforts point 3 page 36 of this report.

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		The abiotic stressors can lead to negative changes in metabolism, bird behaviour and immunity that result in compromised bird health, welfare and even mortality. All components of light and noise must be addressed. This includes vibrations and duration of noise as well as the intensity, wavelength and duration of lighting from the CWA have not been quantified or made-mention of in the biohazard assessment report. The prevailing winds during the construction phase requires more attention to help alleviate the impact of dust, noise and other abiotic risk factors. References 1. Souillard, R., et al (2024). Biosecurity implementation on large-scale poultry farms in Europe: Aqualitative interview study with farmers. Preventive Veterinary Medicine, 224. 2. OIE Terrestrial Animal Health Code (2021). 3. Ncho, C. M., et al (2024). Abiotic stressors in poultry production: A comprehensive review. J Anim Physiology Nutr., 2024, 1-21. 4. McMullin, P. (2022). Infectious diseases in free-range compared to conventional poultry production. Avian. Pathology, 51(5), 424-434. 5. Campo, J. L., (2004). Effects of specific noise and music stimuli on stress and fear levels of laying hens of several breeds. Appl. Anim. Behav. Sci., 91, 75-84. 6. England, A., & Ruhnke, I. (2020). The influence of light of different wavelengths on laying hen production and egg quality. World Poul. Sci. J., 76(3), 443–458	
		<u>Letter to DEADP dated 6 August 2025:</u>	NOTE: The EAP was not copied in this letter to DEA&DP. The Appellant also did not include proof that this letter was sent to DEA&DP.

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		We act for Astral Operations Limited through its County Fair Division and have been mandated by it to address this letter directly to you even though the formal public participation for the proposed project, has closed. The reason for our addressing this letter directly to you will become apparent from what we set out below. We were notified on 16 July 2025 that the finalised EIA had been submitted to your Department for decision.	Noted
		Our client is a registered interested and affected party in respect of the above project being a directly adjacent neighbour to the proposed project. Our client has, through ourselves, engaged fully in the public participation process but for reasons which will become apparent, needs to draw your attention to certain aspects which, although pertinently raised by us on our client's behalf when commenting on the amended EIA report, have either not been adequately responded to by the EAP in the case of certain of our client's concerns for its laying stock on its laying complex, or have been glossed over by both the EAP and the applicant's poultry specialist.	EAP response: County Fair has been a registered IAP from the outset of the EIA process and has submitted comments at each stage of of the public participation process.
		<u>Offending paragraph in the comments and responses report (appendix 29C) to the documents submitted</u> On page 103 of 629 in appendix 29D being the comments and responses report on the amended EIA report, you will observe that we pertinently raised the paragraph reflected in bold at the top of page 246 of 416 of appendix 29C. We stated that the meetings and engagement between our client and the applicant were off the-record to enable the parties to speak freely and the nature of the discussions ought not to have been reflected in appendix 29C. As stated by us on page 103 of 629 of appendix 29D, the statement in bold at the top of page 246 of 416 of appendix 29C conveys the incorrect message to the competent authority and should not have been included at all.	EAP response: the EAP stands by the initial response. Engagement between the Applicant and stakeholders, especially adjacent landowners, are of concern to the competent, and, in an open and transparent process, should not be withheld. CWA response: At no point did CWA divulge sensitive commercial information or details. Instead, the intention was to demonstrate that extensive engagements were taking place over a lengthy period of time in order to find alignment. CWA is committed to continue working to find alignment and agreement with County Fair.

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		The response from the applicant which is also reflected on page 103 of 629 indicates that what was included in appendix 29C “was an accurate reflection of the process and progress made at the time, this without disclosing confidential or sensitive information”. The EAPs response on the same page is to the effect that off-record minutes of engagements between the parties are not included in the C&R but “merely the summary of engagements and that is ongoing. This documentation is already in the public domain so removing it serves no purpose”. In appendix 40A, the engagements between the applicant and our client are set out in paragraph 5.2 on page 16. It will be observed that what is reflected there amounts to merely reflecting the dates and type of engagement but no detail whatsoever is reflected. Because the detail of the engagement was at all times confidential, the details thereof as reflected on the top of page 246 of 416 of appendix 29C ought never to have been reflected in a public document. In any event, what is reflected in that bold paragraph is (a) not a response to any comment made by us on our client’s behalf and (b), to the knowledge of the applicant, their engagement has ceased with no outcome and certainly not the outcome reflected in that bold paragraph. Accordingly, our client informs the competent authority that there is no consensus in principle reached between it and the applicant and furthermore, that it remains a strenuous objector to the proposed project on all the grounds raised by it in its various comments at every stage of the EIA process	
		<u>Responses attributed to the applicant’s poultry specialist in appendix 29D</u> 1. On page 107 of 629, a reference is made to the HPAI outbreak experienced on our client’s complex. This incident occurred in 2017 and made up, according to Astral’s Technical Executive : Agriculture, Dr Obed Lukhele, only about 6% of the HPAI cases in Astral during that year. This was an isolated occurrence which, due to our client’s	1. EAP response: Dr Petty is an independent specialist, and her findings are relevant as per her report under Appendix 35 of the EIA.

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		stringent biosecurity controls, which include the draining of all water bodies to prevent the attraction of wild birds, our client's complex has not suffered a recurrence. For the applicant's specialist to rely on an occurrence which occurred some 8 years ago for the possible recurrence on our client's complex, is simply unsubstantiated. However, the development of the land side facilities in very close proximity to our client's chicken houses, constitute a potential source of its biosecurity being breached with HPAI being one of the potential consequences.	
		2. On page 108 of 629, the applicant's specialist responds by referring to an increase in vehicular traffic and to the fact that the complex lies some 600 m from a township. The concern which was raised on our client's behalf in its comments was not limited to vehicular traffic passing so near to its chicken houses, but rather the substantial increase in human activity related to the proposed land side activities in close proximity to our client's chicken houses. Dr Lukhele comments that both vehicle and human traffic are biosecurity risks. People walking past the farm cannot introduce the pathogens (viruses, bacteria, etc) into the farm. The biosecurity risks associated with the main road and the informal human settlement have been successfully mitigated through various management/operational and physical pillars of biosecurity. This, says Dr Lukhele, is in line with the biosecurity fold-reduction of disease risk.	CWA response: All of these points were previously raised and thoroughly addressed in previous comments and responses and the final environmental impact report. 2. Response from poultry specialist: "The concerns regarding increased human activity, proximity of landside development, potential for increased traffic, and wild birds as well as waste management practices are acknowledged as relevant biosecurity considerations. The core question, however, is whether the airport and farm can coexist without harm to the poultry farm, and if so, the significance of the airport's impact on farm biosecurity. Any increase in traffic, both foot and vehicular, inherently affects biosecurity. This is discussed below: It is crucial to consider the existing biosecurity context of the poultry farm. The farm is currently located 600m from a township, a proximity that carries significant biosecurity risks. It is highly probable that township inhabitants keep poultry and may purchase cull chickens from other operations, which is a major pathway for disease introduction. This existing proximity and associated traffic would have likely

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			contributed to the HPAI outbreak referenced in paragraph 8. The HPAI outbreak, despite the farm's excellent procedural biosecurity, represents a failure of the overall biosecurity situation, indicating that the farm's location has become a persistent biosecurity risk. Therefore, the current traffic on the R312, which includes cull trucks, manure transport, and poultry workers from other farms, remains a significant, if not the greatest, biosecurity concern. The quality of traffic associated with the airport is distinct; individuals traveling to or working at the airport are unlikely to be transporting disease vectors such as cull chickens or dead wild birds. Currently Melish Road carries very low traffic volumes. Future traffic will mostly be airport-related. There will be an estimate of a total of 700 vph in both directions for phase 1 with an approximate 50:50 split (i.e 350 vehicles per hour per direction). Also note that when the East-West link road connects the proposed Bela Riva development with Melish Road, future traffic from this development may use Melish to access Lichtenburg Road towards Stellenbosch and we assumed approximately 100 vph from Bela Riva. The expected number of pedestrians is very difficult to estimate at this stage. Based on the CTIA survey data, 3% of the total trips to the airport may be pedestrians (the above information is supplied by Johan Brink, the Traffic Engineer). It appears that the bulk of the traffic will be vehicular traffic going to the airport for work or travel and thus unlikely to carry a risk to the poultry farm. While any increase in traffic near a poultry farm is undesirable, the risk associated with airport-related traffic is not equivalent to that emanating from the nearby township.”

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		3. On page 125 of 629 of appendix 29D, when dealing with the concept of the poultry becoming habituated to the noise impulses from the airport, the applicant's specialist refers to a study dealing with the behavioural traits in broiler chicks. She appears to lose sight of the fact that our client's complex is a laying farm with mature hens and roosters and not young broilers. She makes the statement on page 127 of 629 that "it should be noted that since the flocks will be exposed initially during rear, habituation should be completed before the onset of lay." This comment on her part would not apply to our client's laying complex which may have birds of varying ages and cycles in the component farms at any one point in time and the more mature layers will certainly be negatively impacted by the lack of so-called "habituation" to the noise impulses. As Dr Lukhele points out, the birds on the complex will be in a production/laying stage. There is no rearing of flocks on our client's complex. Dr Lukhele points out, however, that it is worth realising that "habituation" to noise or any stress factor is not standard practice and cannot be accepted as the norm. Any form of stress must be avoided as it compromises bird health and welfare.	3. Response from Specialist It needs to be noted that noise increase will be gradual, the gravel road (Mellish) to the east of the CF site and the R312 to the south of the CF site carries considerable amount of traffic that generates significant noise. These roads were less busy when CF first started out 58 years ago. To date the operation is still ongoing therefore it has "survived" the increase in noise levels which is proof that habituation is the norm especially under bird species and chickens. The activities at the CWA also increased over the years, the increase in aviation activities didn't result in complains from CF, again proof that habituation is applicable to chicken operations. With the expansion the same will apply - the increase in noise will be gradual and habituation will apply. The reference to rearing is salient as the birds are moved to laying facilities prior to the onset of lay, usually at 21-22w . Laying commences at around 24w and peaks at about 28 w. This there is a period of two weeks of more where habituation will occur. It must further be noted that any studies on layer flocks that have shown negative effects are at decibel levels that are substantially higher than those that are expected to occur in this breeder farm(Stadelman used sounds of 115 db Stadelman, W. J. (1958b). The effect of sound on broiler and layer performance. Poultry Science, 37(5), 1243
		Conclusion Because of the inability to respond to these aspects in appendix 29D due to the public participation period having closed, we felt constrained to address this letter directly to yourselves in order to ensure that these important aspects are drawn the decisionmaker's attention and to obviate a simple acceptance of the responses set out in appendix 29D, without more.	Noted EAP response: Late comments received post closure of the public participation period were recorded and responded to and provided to the CA during its decision-making period. These were also shared with all I&APs as Appendix 29D Addendum.

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		Kindly confirm receipt hereof by signing and stamping the copy hereof delivered to you simultaneously herewith, and to the extent that you may require clarification on any aspect contained herein, please do not hesitate to contact us.	No proof of DEA&DP's receipt of letter was provided by the Appellant.

ANNEX 3

RESPONSE TO MORNING STAR FLIGHT SCHOOL

PROPOSED EXPANSION OF THE CAPE WINELANDS AIRPORT – RESPONDING STATEMENTS TO APPEALS RECEIVED AGAINST THE EA GRANTED

Registered IAPs Notified of EA: 30 October 2025

Appeal Period Closure: 19 November 2025

Responding Statements to Appeals Received			
No.	Name & Presenting unit	Appeal	Responding Statement
Appeals received within 20 calendar days from the date this decision was sent to the registered I&AP's by the holder (applicant) of the decision [i.e. Appeals received on or before 19 November 2025]			
Appellant 3 The appeal submission consists of the following: - RS Inc Appeal Statement on behalf of Morningstar Flyers Association NPC dated 19 November 2025 (Responded to below) - Annexures A, B and D - A Resolution of the Directors of the Morningstar Flyers Association NPC - The prescribed appeal form was submitted to DEADP			
3	Richard Summers Inc - Morningstar Flyers Association NPC	RS Inc Appeal Statement on behalf of Morningstar Flyers Association NPC received via email dated 19 November 2025	
		1. We act for Morningstar Flyers Association NPC (Registration No. 2014/267363/08) (the Appellant).	Noted
		2. This appeal statement contains the appeal by the Appellant against the decision by the Western Cape Department of Environmental Affairs and Development Planning (DEADP) dated 17 October 2025 to grant environmental authorisation for the proposed expansion of the Cape Winelands Airport under DEADP reference number 16/3/3/2/A5/20/2046/24 (EA). The EA is attached hereto as Annexure A. The Appellant was notified of the granting of the EA on 30 October 2025. Proof of notification is attached hereto as Annexure B.	EAP response: The Appeal submitted by Richard Summers Incorporated on behalf of Morningstar Flyers Association was not submitted on the prescribed appeal form to the holder of the EA, contrary to regulation 4(3)(a). Please see Covering Appeal Response.

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		3. This appeal is submitted in terms of section 43(1) of the National Environmental management Act 107 of 1998 (NEMA) and is in compliance with the National Appeal Regulations, 2025, published under NEMA, as amended, within 20 days of the date on which the Appellant was notified of the decision. A copy of the appeal is submitted to Capewinlands Aero (Pty) Ltd (c/o Mr. Deon Cloete) (Applicant) on the same day that it is submitted to the Appeal Authority in accordance with regulation 4(2) of the National Appeal Regulations, 2025. Proof of notification to the Applicant is attached hereto as Annexure C.	The appeal is not in compliance with the National Appeal Regulations as per 2 above.
		4. In summary, the grounds of appeal are as follows: 4.1. Ground 1: There is inadequate assessment of safety impacts of the flight activities from CWA on surrounding commercial and recreational aviation activities that make use of the uncontrolled airspace currently in existence for the purpose of, among others, flight training and fire and rescue operations.	CWA response: The allegation of an “inadequate assessment of safety impacts” is unfounded. The EIA process did assess the potential aviation safety implications at an appropriate level of detail for an environmental authorisation and the process correctly distinguished between (a) environmental impact assessment requirements under NEMA and (b) the separate, highly specialised airspace design and safety approval processes governed by the South African Civil Aviation Authority (SACAA), NASCOM and ICAO standards. An Airspace Concept of Operations (ConOps) was developed for CWA by Netherlands Airport Consultants (NACO), Royal Netherlands Aerospace Centre (NLR) and Air Traffic and Navigation Services (ATNS) and was made available for comment by the IAPs as part for public participation process. A wide range of air navigation and aviation agencies actively participated in the development and refinement of the CWA Airspace Concept of Operations throughout its drafting and maturation. Their collective involvement ensured that the ConOps was shaped by recognised operational knowledge, regulatory insight and industry best

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			practice. At no point during this collaborative process did any participating organisation raise safety concerns about the proposed concept or its underlying assumptions. It is important to emphasise that, at the conceptual planning stage of an airport development, the preparation of a formal safety case is neither required nor expected under prevailing regulatory processes. A ConOps serves to define the intended operational environment and design intent, laying the foundation for the next stages of detailed analysis. Once physical parameters—such as final runway positions, airspace dimensions and detailed operational configurations—become available, a structured risk assessment process follows. During this phase, hazards are formally identified, assessed, and treated in accordance with established aviation safety methodologies. Standard risk-mitigation measures are then applied to manage all identified risks to a level that is as low as reasonably practicable (ALARP), ensuring full regulatory compliance and operational safety prior to commissioning. Airspace safety design does not occur in an EIA. It is a statutory aviation function that must follow the ICAO Doc 9992 process, which cannot legally be pre-empted or substituted by an EIA. Therefore, the EIA cannot be faulted for not producing a detailed, final airspace design—because the EIA process cannot usurp the functions of the South African Civil Aviation Authority (SACAA) and neither the Department of Environmental Affairs and Development Planning, nor the Minister, may exercise powers that are properly those of the CAA. The EIA properly fulfilled its mandate by: Identifying surrounding GA airfields, including Morningstar.

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			• Documenting existing airspace use patterns and the presence of training, recreational and emergency flying activity. • Assessing the potential for interaction between CWA operations and GA users. • Committing CWA to the mandatory SACAA/NASCOM airspace approval process where the detailed safety assessment, modelling, route deconfliction, and VFR corridors are legally required to be produced. • Confirming that a structured, collaborative multi-stakeholder technical process is already in place (ATM-CNS Committee, AARE Working Group, CWA Task Force), in which Morningstar has participated. Morningstar's assertion that safety impacts were "not assessed" is incorrect. It disregards the outcomes of the Airspace Concept of Operations, which was developed collaboratively by two internationally recognised firms together with the South African Air Traffic and Navigation Services (ATNS), the country's leading authority in airspace planning and management. The CONOPS process evaluated operational safety and did not identify any concerns. It further conflates two different regulatory processes. The EIA identifies and characterises the nature of the impacts; the SACAA/NASCOM process quantifies, designs, tests and finalises the airspace. That is the only lawful sequence in which this process can take place. As a result of the processes described above, to the extent appropriate, the EA included various conditions regarding air safety. They are contained in condition 48. For the sake of completeness, they are set out below.

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			1. RNP approach procedures; 2. Instrument Landing System approach procedures; 3. RNAV Standard Instrument Departures; and 4. RNAV Standard Instrument Arrivals (standard terminal arrival routes) As a result of discussions after the granting of the EA with Mr Lord (mentioned in more detail below), an expansion of condition 48 is requested. It is also explained in more detail in the Covering Appeal Response.
		4.2. Ground 2: There is an inadequate assessment of socio-economic impacts of the CWA on surrounding commercial and recreational aviation operations.	EAP response: The SIA assessed the concerns raised by Morningstar <i>-primarily about the potential changes to airspaces and the impact they may have on their free and safe use</i> (page 77 Appendix 23). CWA response: The claim of an “inadequate socio-economic assessment” is misplaced. The EIAR did assess socio-economic impacts at the level required under NEMA, including employment, economic stimulus, regional growth and aviation-sector benefits. The EIA correctly scoped socio-economic issues at a strategic level, and detailed operational effects will be addressed in the statutory aviation process. Morningstar’s own participation in technical engagements contradicts the claim of exclusion. There is therefore no basis for asserting that the EIAR failed to assess socio-economic impacts.

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		4.3. Ground 3: The Public Participation Process is defective and non-inclusive as it excluded key aviation authorities and stakeholders and withheld essential information.	EAP response The statement is incorrect. The public participation process included all stakeholders and aviation authorities identified during the pre-application phase and through the process. All studies and information was shared with all registered IAPs, with two open days, four rounds of public participation and all documentation is available (still to this day) on the PHS website, and in hard copy at Fisantekraal library. The IAP is requested to specify which essential information was withheld. CWA response: The allegation of a “defective and non-inclusive” public participation process is incorrect. All statutory requirements under the NEMA EIA Regulations were met, notices were issued, documents were made publicly available, multiple rounds of comment were undertaken, and all registered I&APs—including Morningstar—were consulted and responded to in the Comment & Response Reports. Key aviation stakeholders, including Morningstar itself, participated in many meetings, workshops, task groups, and technical engagements. Furthermore, the allegation that essential information was withheld is incorrect. • The EIA process was conducted openly, with all required documentation, findings and supporting studies published for

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			public review in full compliance with the requirements of the NEMA and its associated regulations. Four rounds of public participation were conducted, two open days and one townhall meeting, all of which were advertised and IAPs were given multiple opportunities to engage, submit comments and raise concerns during the prescribed consultation periods. In short, the public participation process was lawful, extensive and inclusive, and the allegations to the contrary are unfounded.
		4.4. Ground 4: There is an absence of adequate conditions of authorisation that mitigate the impact of the CWA on existing aviation activities.	CWA response: The claim that the EA lacks “adequate conditions” is unfounded. The Environmental Authorisation correctly includes conditions requiring CWA to undergo the mandatory SACAA/NASCOM airspace design and approval process, which is the only lawful mechanism through which detailed mitigation for aviation interactions—such as VFR routing, deconfliction measures, and Letters of Procedure—can be formalised. Imposing detailed airspace conditions in the EA would be unlawful, as NEMA cannot override or pre-empt aviation safety regulation. The EA therefore appropriately sets the framework, with operational mitigations to be finalised through the specialist aviation process where Morningstar and other stakeholders are already participating. The assertion that agreed measures were “omitted” ignores that these measures must be validated, tested and approved within SACAA’s regulatory structures, not written into an EIA. The conditions imposed are therefore both appropriate and legally compliant, and the allegation of inadequacy is without merit.

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			The EIA process cannot usurp the functions of the SACAA and neither the Department of Environmental Affairs and Development Planning, nor the Minister, may exercise powers that are properly those of the CAA.
		BACKGROUND TO MORNIGNSTAR AIRFIELD 5. The following section is provided by way of background to Morningstar Airfield: 5.1. Morningstar Airfield was founded in 1986 and is a registered airfield located to the north of Cape Town along the West Coast. The airfield is used for recreational, training as well as fire and rescue aviation operations by an excess of 600 members.	Noted
		5.2. Morningstar Airfield accommodates two active training schools, with a collective student body of approximately 250 students. Morningstar Airfield also accommodates 94 hangars housing in excess of 230 light aircraft.	Noted
		5.3. A recent creation of a separate radio frequency to cover the 5nm radius of the Morningstar Airfield was instituted to avoid the Airfield's volume of radio traffic crowding out the regional general Traffic Information Broadcast frequency.	Noted
		5.4. The aircraft at Morningstar Airfield comprise of experimental and kit-form types, through the greater volume of moderate sized tourer and training type aircraft, to the high performance, cutting-edge developments, for which the very existence of non-type certified aircraft has been the rebirth of aviation development.	Noted

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		Aircraft utilising this collective airspace have widely differing speeds ranging between 70 knots to 180 knots or more.	
		5.5. Piloting these aircraft include many pilots licenced to fly in VFR conditions only, as with solo students and freshly licenced PPL pilots, most of which are flying basic training aircraft with only the required limited onboard navigation facilities. At the other end of the spectrum, are high-tech flying machines, fitted with industry leading technology, capable of flying in almost all conditions.	Noted
		5.6. Much of the flying activities involve local flights, for building flying hours for the local pilots; local flights to nearby airfields; community fun flights; but also GA traffic leaving Morningstar to fly to or from distant airports.	Noted
		5.7. The 12 – 14 school registered aircraft dominate the airspace. Not only school aircraft, but also a constant stream of private and commercial pilots who attend either of the schools at Morningstar Airfield for their licence revalidations and upgrades, in their own aircraft.	Noted
		5.8. Aircraft transiting through the airspace utilise the Morningstar Airfield's Fuel Bay, where there is a reliable source of aviation-specific fuel supply.	Noted
		5.9. The AMO at Morningstar, Sideslip Aviation Worx, sees a steady traffic of aircraft from airfields in the greater Province flying in for repairs, servicing or overhaul	Noted

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		5.10. Those forming part of the Morningstar flying community attend recognised Fly-In events around the Western province on the weekends, with 90 aircraft attending the annual Robertson Fly-In, for example.	Noted
		6. It is clear from the above that the Morningstar Airfield accommodates extensive general aviation (GA) activity, affirming the inclusion of the airfield as part of one of the City of Cape Town’s strategic intents as part of the Municipal Spatial Development Framework dated 26 January 2023 which is to “Maintain a network of airfields used for civil aviation purposes, such as Morningstar”.	EAP Response: This statement is reiterated in the SIA (page 49 Appendix 23): <i>Policy 5.2: Support land use intensification at CTIA and the CWA to enhance Cape Town’s aviation-enabled competitive advantage. Maintain a network of airfields, such as Morningstar, for civil aviation purposes.</i>
		BACKGROUND TO THE PROCESS LEADING UP TO THE EA 7. From 24 July 2024 up to and inclusive of 26 August 2024, an In-Process Scoping Report was circulated for public comment regarding the proposed expansion of Cape Winelands Airport (CWA). As early as the scoping phase, the Appellant’s Morningstar Airfield was identified by I&APs as a key aerodrome in the study area, necessitating the inclusion of the Morningstar Airfield into the Concept of Operations (CONOPS) Report for the project as part of the Draft Environmental Impact Assessment Report (Draft EIAR) for the CWA. In other words, the Morningstar Airfield was not identified as a key aerodrome as part of the scoping phase for the project and was only included from the Draft EIAR onwards because I&APs questioned the lack of inclusion of the airfield in the scoping phase for the CWA. This is despite the Morningstar Airfield having been in existence for over 5 decades, with	EAP response: Morningstar was identified as an IAP in the scoping phase. The following contact details were included in the pre-application scoping phase IAP list: • Morningstar Airfield- Safety Officer Mark Hensman - markhensman@me.com. • Timothy Irvine from Morningstar Flying Club provided comments during the pre-application scoping phase (Comment 70 found on Page 202 of Appendix 29A) and the in-process scoping phase (Comment 184 and 211 in Appendix 29B). Further proof of EAP communications with representatives of Morningstar Airfield during the pre-application scoping Phase (November 2023) can be provided.

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		a national and international popularity as a commercial and recreational airfield.	CWA response: The assertion that Morningstar was not identified during the scoping phase and was only incorporated into later reports is incorrect. Morningstar Airfield was listed as an aviation feature in the Scoping Report and formally registered itself as an Interested and Affected Party in December 2023, demonstrating full awareness and engagement from the outset. As with all EIAs, further refinement between the Scoping Report and Draft EIAR is standard and does not indicate exclusion, but rather the normal iterative improvement of specialist inputs as more technical information becomes available. The inclusion of Morningstar in the CONOPS and subsequent specialist studies has occurred as part of the normal EIA progression, with Morningstar fully participating as a registered I&AP. Any suggestion of exclusion is contradicted by both the public process record and Morningstar’s own early engagement. In summary, Morningstar was identified, included and consulted from the beginning, and the narrative that it was omitted or only added later is factually incorrect and unsupported by the record.

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		8. Concerns with reference to the Morningstar Airfield raised during the scoping phase include:	EAP response: Sub comments in 8.1-8.2 were raised and addressed during Scoping, fully included in the updated CONOPS.
		8.1. “The airspace will compromise recreational aviation, a simple flight from Morningstar to FASH [Stellenbosch Airfield] will become problematic”. The Environmental Assessment Practitioner (EAP) for the project insufficiently responded with “Morningstar Airfield and Stellenbosch Airfield are registered IAPs for the proposed project”.	EAP response: Comment 8.1 was submitted during the EIA process by Mr Fred Berrange, a Durbanville resident, and not on behalf of Morningstar Airfield or the Morningstar Flyers Association. The response by the EAP was to indicate that FASH and Morningstar are both registered IAPs and will raise issues/ concerns with the EAP in their own capacity.
		8.2. The Appellant stated that “Our concerns related primarily to the potential changes to airspaces and the impact it may have on our free and safe use of the airspaces”.	EAP response: This comment was from Timothy Irvine from Morning Star Flying Club. CWA response: CWA previously confirmed—in writing—that Morningstar Flyers Association NPC is recognised as the managing entity for Morningstar Airfield and that its participation in all airspace-related processes is ensured. CWA also recorded that airspace matters fall under the statutory NASCOM process, and that extensive engagement had already occurred outside the EIA process with: • NASCOM, • ATM/CNS Implementation Committee, and

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			AARE Working Group. On the advice of these bodies, CWA established the Cape Winelands Airport Task Force (CWATF), the mandated industry-wide consultative forum for considering the proposed airspace changes. Morningstar is a member of the CWATF and was represented at the CWATF kick-off meeting on 23 March 2023, confirming its inclusion and participation from the outset. CWA further confirmed that Morningstar would remain a registered I&AP in the EIA process and that all contact details were added to the I&AP register.
		9. On 12 November 2024, the Draft EIAR was circulated for public comment until 13 December 2024. At this stage, the Morningstar Airfield was included as part of the Concept of Operations (CONOPS) report attached to the Draft EIAR as Appendix 19, and in terms of which the operations at Morningstar Airfield were acknowledged as being substantial in nature.	EAP response: The Airspace CONOPS was updated prior to the commencement of the EIA Phase to include Morningstar, and it was subjected to two rounds of public participation during the EIA Phase.
		10. The concerns raised by Morningstar during the public participation process for the Draft EIAR (c/o the-then Chairman of the Appellant and senior pilot, Timothy Irvine) include:	EAP response: The detailed responses to these concerns are set out below.
		10.1. “Morningstar Airport is almost completely left out of this report [Draft EIAR] even though they are as large as FASH [Stellenbosch Airfield] operations wise and a destination for rotax maintenance”.	EAP response: This comment was submitted during the in-process Scoping Phase (and not on the Draft EIAR as stated in point 10 above). It was lodged by <i>ziandikbek@gmail.com</i> and not by Morningstar Airfield or the Morningstar Flyers Association. The response provided by CWA in the C&R reads:

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			<i>We acknowledge your concern regarding the omission of Morningstar Airport from the report. Morningstar's significance, particularly in terms of its operational scale and role as a destination for maintenance, has been noted. A reassessment of the airspace and traffic considerations will include a more detailed evaluation of Morningstar Airport's operations. This will ensure that all relevant aspects of General Aviation (GA) activity, including Morningstar, are comprehensively addressed in the final report.</i> CWA Response: The airspace concerns raised were fully addressed during the EIA process. The Cape Winelands Airport airspace design and change process is being undertaken in strict accordance with ICAO Document 9992, ensuring that the rights and responsibilities of all affected aviation stakeholders are transparently and properly observed. Morningstar Airport was never omitted from the assessment. It was: • identified in the Scoping Report, • incorporated into the updated CONOPS prior to the EIA phase, • included in Appendix 19 of the Draft EIAR, and • repeatedly addressed in the Comment & Response Report. In addition, other relevant airfields—including Stellenbosch, Grootfontein, and Wintervogel—were also considered. The record further reflects direct engagement with Morningstar through formal meetings and the industry task team structures. Accordingly, the allegation that Morningstar was excluded from the analysis is factually incorrect and cannot constitute a valid ground of appeal.

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		10.2. “Morningstar has not been identified as a place of significant GA activity, which it is. It is classified in the general classification of ‘minor airfields’ and in the context, this is not factually correct. It is highly likely to be the busiest GA airfield within the identified radius”.	EAP response: This comment was provided by Timothy Irvine in the in-process Scoping Phase, not the draft EIA phase as indicated in point 10 above. It was dealt with in previous comments and responses. Refer Appendix 29B page 84 of the final EIAR.
		10.3. The failure to address the safety issues and risk of VFR traffic in the area pertaining to training flights by inexperienced pilots:	

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		10.3.1. “By increasing controlled airspaces with admittedly non professional and student pilots operating in the immediate area, a hazard is being created. This is a significant safety concern which is not addressed”; 10.3.2. “The approach of the report [Draft EIAR] to the creation of new controlled airspaces appears to be that the IFR routing are being established first and only then VFR traffic routes “may” be considered”; 10.3.3. “To be truly safe and duly considered it is our contention that VFR routes need to be fully considered at the same time as the IFR routes. The GA traffic is present, is material and needs to be fully identified and considered at inception”; and 10.3.4. “In the absence of due consideration having being given by the report we remain concerned that around the edges of controlled airspace and on VFR passages, if indeed created, they may be narrow and constricted and create congestion points with non - sophisticated aircraft, with the bare minimum of instrumentation, piloted by non-professional pilots and student pilots”.	EAP response: These comments were provided by Timothy Irvine in the in-process Scoping Phase, not the draft EIA phase as indicated in point 10 above. Refer Appendix 29B page 85 of the final EIAR. CWA Repeats its response to the same comment: The importance of considering Visual Flight Rules (VFR) traffic, especially for training flights by less experienced pilots, is acknowledged. We agree that VFR routes should be carefully planned alongside Instrument Flight Rules (IFR) routes to prevent congestion and ensure safety.
		11. On 18 March 2025, a revised draft of the EIAR was made available for public comment. The concerns raised by the Appellant during the Draft EIAR public participation process were not adequately addressed in the revised Draft EIAR.	EAP response: The issues referred to by the Appellant were raised during the in-process Scoping Phase. No comments were submitted by the Appellant during the EIA Phase, meaning there were no outstanding issues from the Appellant to be addressed in the revised Draft EIAR.

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		12. On 11 July 2025, the Final EIAR, Environmental Management Programme and supporting documentation was provided to DEADP to decide whether or not to grant an environmental authorisation in terms of section 24 of NEMA.	Noted
		13. On 27 October 2025, the EA was granted to the Applicant for the development of the CWA.	Noted
		14. The reasons for the decision, attached as Annexure 4 to the EA, does not provide any confirmation that the safety and socio-economic impacts of the CWA on Morningstar Airfield were considered as part of the decision to grant the EA. The consideration of the impacts is instead unlawfully deferred to a later stage in which a detailed airspace design is developed for the CWA as evident in the statement in the EA that “...the surrounding civil aviation sites and small aerodromes were identified. This information will be incorporated into the detailed airspace design of the expanded CWA to determine the measures required to ensure safe, efficient, and harmonious air traffic management. These considerations will be applicable when the airspace of the expanded CWA becomes available”.	EAP response The SIA considered concerns raised by Morningstar – refer 4.2. As explained above, detailed airspace design (and incorporation of safety concerns) fall outside the EIA process and DEA&DP’s (and the Minister’s) competence . CWA response: The assertion is incorrect. The safety and socio-economic implications for Morningstar Airfield were fully considered during the EIA process and formed part of the decision-making record. Morningstar was identified in the Scoping Report, incorporated into the updated CONOPS prior to the EIA Phase, assessed in Appendix 19 of the Draft EIAR, and repeatedly addressed in the Comment & Response Report. Both the Civil Aviation and OLS specialists evaluated Morningstar’s operations as part of the cumulative airspace environment. The referenced statement in the EA does not defer the assessment; it merely explains that <i>detailed</i> airspace design—required under SACAA and ICAO procedures—will occur in the next regulatory phase, as is standard for all airports. This does not replace or negate the EIA-level assessment already undertaken. The Department therefore did

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			consider these impacts, and any suggestion of unlawful deferral is unfounded.
		GROUPS OF APPEAL Ground 1: Inadequate assessment of safety impacts in the context of the impacted airspace and surrounding aviation activities	
		15. This ground of appeal demonstrates that the impact of new CWA on adjoining and adjacent airfield traffic is unresolved and unaddressed which results in the inescapable conclusion that a vast consideration of safety-related impacts similarly remain unresolved and unaddressed.	EAP response: This concern has been addressed above. CWA response: Refer to 4.1 above. The assertion that safety impacts on adjoining and adjacent airfields remain “unresolved and unaddressed” is incorrect. The impacts on Morningstar Airfield were comprehensively assessed throughout the EIA process: identified in the Scoping Report, included in the updated CONOPS prior to the EIA Phase, assessed in Appendix 19 of the Draft EIAR, and repeatedly addressed in the Comment & Response Report. Both the Civil Aviation and OLS specialists evaluated Morningstar’s operations within the broader regional airspace environment. The appeal further alleges that the Environmental Authorisation is defective because it does not assess safety impacts arising from future changes to the surrounding airspace. This is legally and procedurally misplaced. An EA cannot lawfully regulate controlled airspace, amend existing airspace structures, or alter the operating environment of any general aviation user. No airspace changes can occur until a formal

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			proposal is tabled at NASCOM in terms of ICAO Document 9992. It would therefore be impossible—and indeed unlawful—for the EIA to assess speculative “airspace safety impacts” relating to proposals that do not yet exist and cannot exist until the correct aviation regulatory process begins. Morningstar has been engaged throughout this parallel process. The Morningstar Flying Club has participated directly in aviation-related engagements, including the Cape Winelands Airport Task Force (CWATF). No competent aviation authority—neither SACAA nor ATNS—identified any unresolved safety concern or regulatory deficiency that would prevent the granting of the EA. Morningstar’s operations remain entirely unaffected by the EA and continue exactly as they have been. As confirmed in Mr Derek Lord’s affidavit, he is formally mandated by the Stellenbosch Flying Club, not Morningstar Flying Club. His evidence therefore cannot be attributed to Morningstar, nor can it be used to substantiate allegations that Morningstar’s safety concerns were overlooked or remain unresolved. As is explained in Mr Lord’s subsequently affidavit (dated 4 December 2025), which is an annex to the Covering Appeal Response, Mr Lord did not see the Morning Star appeal before it was submitted, and he has withdrawn his support for it. He has also asked that condition 48 of the EA be amended, as fully explained in the Covering Appeal Response . Further, Mr Lord’s affidavit, in fact, confirms constructive engagement over a two-year period within the NASCOM/CAA/ICAO processes, further demonstrating that aviation stakeholders—Morningstar

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			included—have been participating meaningfully in the parallel airspace deliberations.
		16. DEADP’s deferral of a detailed consideration and assessment of information with respect to airspace design of the CWA in light of the surrounding civil aviation sites and small aerodromes, and specifically the Morningstar Airfield, to a later stage in which a detailed airspace design is established is indefensible because this means that critical information regarding safe, efficient and harmonious air traffic movement was not before the decision-maker prior to the EA being granted, and the EA could similarly not provide for mitigation measures that serve the purpose of managing any of these unacceptable impacts.	EAP response: The consideration of airspace design and safety concerns do not fall within the mandate of DEA&DP and NEMA. CWA response: The allegation of “deferral” reflects a fundamental misunderstanding of both the EIA process and the civil aviation regulatory framework. As explained above, the EIA is not the instrument through which detailed airspace design is undertaken or approved. In terms of ICAO Document 9992 and SACAA procedures, detailed airspace design can only occur once a formal airspace change proposal is submitted to NASCOM. Until such a proposal exists, no new routes, controlled airspace, or modified procedures are available for assessment—making it both impossible and procedurally improper for the EIA to evaluate hypothetical or non-existent airspace configurations. At the EIA level, the required high-level aviation and safety context was fully assessed and formed the basis for the Airspace Concept of Operations. Morningstar Airfield and other aerodromes were appropriately included in the Scoping Report, updated CONOPS, Appendix 19 of the Draft EIAR, and multiple responses in the Comment & Response Report. Both the Civil Aviation and OLS specialists evaluated current operational environments and their interaction with CWA. Critically, no competent aviation authority—neither SACAA nor ATNS—identified any regulatory deficiency or required further airspace work prior to granting the EA.

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			The decision-maker therefore had all information legally required for the EIA stage of airspace safety considerations. Detailed airspace design will—correctly—follow in the mandated NASCOM/CAA/ICAO processes, where stakeholders, including Morningstar, are already engaged. Please also see the response to paragraph 4 of the appeal (above), in which the conditions of the EA relating to airspace safety are explained and a requested amendment to those is mentioned.
		17. This approach to environmental impact assessment where there are gaps in outstanding information, and the EA being granted on this basis, does not meet the threshold set out in section 2(4)(i) of NEMA which requires that “the social, economic and environmental impacts of activities, including disadvantages and benefits, must be considered, assessed and evaluated, and decisions must be appropriate in light of such consideration and assessment”.	As per 16 Above
		18. In support of this ground of appeal we submit the following: 18.1. On DEADP’s own version, the information on surrounding civil aviation sites and small aerodromes is required to “to ensure the safe, efficient, and harmonious air traffic management”. Safe, efficient and harmonious air traffic management, particularly in light of surrounding civil aviation sites such as the Morningstar Airfield, forms integral components to the determination of social, environmental and economic impacts of the CWA. Without a complete evaluation and assessment of these social, environmental and economic impacts, it is impossible to then propose mitigation measures that are adequately able to manage these impacts to ensure that there is safe, efficient and harmonious air traffic management.	EAP response: This concern has been addressed above. CWA response: The contention that the EIA failed to evaluate surrounding civil aviation sites, including Morningstar, is factually incorrect. The impacts of the expanded airport on Morningstar Airfield and other aerodromes were identified and assessed from the outset of the process—first in the Scoping Report, then in the updated CONOPS prior to the EIA phase, and again in Appendix 19 of the Draft EIAR. Their operational environments and interactions with CWA were addressed multiple times in the Comment & Response Report. Refer Response in Appendix 29C (comment 1.2, page 295 & 296); Appendix 29D (comment 6 page 154).

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			Also refer Appendix G in Appendix 40B to the final EIAR. Also refer Appendix 23 SIA – consideration of Morningstar operations in 6.3.1 Provision of Transport Infrastructure and 6.3.3 Impact on nearby farming and business operations. Both the Civil Aviation specialist and OLS specialist evaluations explicitly considered the existing aviation context, including recreational and training activities. The appellant conflates high-level EIA assessment, which is legally required, with detailed airspace design, which cannot lawfully be undertaken within an EIA. Detailed airspace design is governed exclusively by the NASCOM/CAA/ICAO process. It is a dynamic, continuously evolving environment that cannot be frozen or “approved” within an EIA and expected to remain static thereafter. The EIA therefore appropriately assessed the current operational context, not speculative future airspace scenarios that would only be defined once a formal airspace change proposal is submitted. No competent aviation regulator—ATNS or SACAA—identified any deficiency in the EIA’s treatment of aviation context, nor required additional assessments before the EA could be granted. The mitigation hierarchy embedded in the EIA is fully aligned with the level of assessment permissible and appropriate at this stage of regulatory process. Accordingly, the claim that it was “impossible” to assess or mitigate the social, environmental and economic impacts is unfounded and reflects a misunderstanding of both the EIA requirements and the aviation regulatory framework.

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		18.2. Without this information DEADP cannot attest to the safety and efficiency of air traffic movement of the CWA in light of the surrounding civil aviation sites and small aerodromes such as the Morningstar Airfield. This establishes a significant gap in information, particularly with respect to social, environmental and economic impacts, on which it is not possible to render a rational, reasonable and informed decision on the application for environmental authorisation submitted by the Applicant. This entirely subverts the impact mitigation hierarchy.	EAP response: The Appellant repeats the same concern at several points. This has been addressed above. The process of evaluation in terms of the requirements of NEMA has been exhausted. The more detailed airspace design (inclusive of safety, operational and by implication the socio-economic concerns of stakeholders) lies within another legislative process that is only commenced once the EA is granted. The Appellant cannot demand that the two processes are merged, neither can DEA&DP assume powers to decide on airspace design when it falls outside of its mandate under NEMA. CWA response: The claim that DEADP “cannot attest to the safety and efficiency of air traffic movement” reflects a misunderstanding of the respective mandates of environmental and aviation regulators. It is not the responsibility of DEADP to attest to, certify, or regulate the safety or efficiency of air traffic movement. That responsibility lies exclusively with the South African Civil Aviation Authority (SACAA), supported by ATNS and the NASCOM-mandated airspace change process under ICAO procedures. DEADP’s mandate is to assess environmental impacts—not to approve air traffic procedures. Contrary to the appellant’s allegation, the EIA record demonstrates that surrounding aviation sites, including Morningstar Airfield, were fully identified and assessed. Morningstar appears in the Scoping Report, the updated CONOPS, Appendix 19 of the Draft EIAR, and numerous responses in the Comment & Response Report. Refer Response in Appendix 29C (comment 1.2, page 295 & 296); Appendix 29D (comment 6 page 154). Also refer Appendix G in Appendix 40B to the final EIAR.

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			Also refer Appendix 23 SIA – consideration of Morningstar operations in 6.3.1 Provision of Transport Infrastructure and 6.3.3 Impact on nearby farming and business operations. Refer Appendix 18 CONOPS; and p133, 153, 346, 369, 378, 626, 694 of final EIAR for reference and consideration of Morningstar Flying club. The aviation and OLS specialists evaluated the existing operating environment and its interaction with CWA at the level required by the EIA Regulations. The appellant again improperly conflates the EIA with the separate, legally prescribed aviation process through which detailed airspace design is conducted. Detailed airspace design cannot be undertaken within the EIA because airspace is a dynamic, continuously adjusted system governed by ICAO-compliant SACAA procedures. It cannot be fixed or approved at a single point in time in an EIA and expected to remain static thereafter. Crucially, no competent aviation authority—neither SACAA nor ATNS—identified any missing information or safety concern that would prevent DEA&DP from issuing the EA. The decision-maker therefore had all information necessary to make a rational and lawful decision within its environmental mandate. Accordingly, the claim of a “significant gap” in information is unfounded and based on a mischaracterisation of the regulatory roles of DEA&DP and the aviation authorities.
		18.3. In terms of the Guideline for Involving Social Assessment Specialists in EIA Processes, “The purpose of an Environmental Impact Assessment is to provide decision-makers... with adequate	EAP response: This is a repeat of a concern raised and has been addressed above.

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		and appropriate information about the potential positive and negative impacts of a proposed development and associated management actions in order to make an informed decision regarding whether or not to approve, proceed with or finance the development”. The safety and efficiency of air traffic movement is a critical pre-requisite to any assessment and evaluation of the social, economic and environmental impacts of the CWA, which information has been deferred to a later stage by DEADP in the context of the EA. It is therefore inappropriate for DEADP to render a decision on this basis.	CWA response: The appellant’s reliance on the Social Assessment Guideline is misplaced, as it conflates the role of an Environmental Impact Assessment with the entirely separate mandate of the aviation regulatory authorities. The purpose of an EIA is to provide DEADP with sufficient information to assess the environmental implications of a proposed development—not to certify or determine the safety and efficiency of air traffic movement. That responsibility lies exclusively with the South African Civil Aviation Authority (SACAA), supported by ATNS and the NASCOM-led airspace change process under ICAO Document 9992. The EIA appropriately assessed the existing aviation environment and its social and economic interactions with CWA. Morningstar Airfield and other aerodromes were identified early in the Scoping Phase, considered in the updated CONOPS, evaluated in Appendix 19 of the Draft EIAR, and addressed repeatedly in the Comment & Response Report. Both aviation specialists (Civil Aviation and OLS) assessed the current operational context at the level required by the EIA Regulations. The appellant’s argument incorrectly demands that DEADP undertake detailed airspace design before issuing an EA. This is not legally possible. Detailed airspace and routing design—where safety and efficiency determinations are made—occurs only through the SACAA/NASCOM/ICAO regulatory process. Airspace is a dynamic, continually adjusted system and cannot be “fixed” within an EIA or approved at a single point in time. Furthermore, no aviation authority identified any gap in the EIA or required further safety evaluation before the EA could be granted. There is therefore no factual or legal basis for the claim that DEADP acted “inappropriately” or without adequate information.

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			The EIA supplied all information required within DEADP's environmental mandate; the safety and efficiency of air traffic movement will, as required by law, be addressed through the proper aviation regulatory processes. Further, as explained above, the EA imposed some conditions (in condition 48 of the EA) regarding airspace safety to the extent that it has the authority to do so. As explained in the Covering Appeal Response, an expansion of those is requested of the Minister, exercising his powers on appeal.
		18.4. We submit that the EA cannot satisfy the principles in section 2 of NEMA and the Environmental Impact Assessment Regulations, 2014 as amended, (EIA Regulations) if core social, economic and environmental impacts are not identified, assessed and considered as part of the application submitted by the Applicant. The circumstances constitute a deferral of the impact mitigation hierarchy, without any valid excuse for the assessment of the social, economic and environmental impacts associated with an airspace design being deferred to a later stage, especially in light of I&APs having raised these concerns throughout the environmental impact assessment process. For example, as part of the Appellants comments on the Draft EIAR, the following safety concerns and identification of risks were raised:	EAP response: This is a repeat of a concern raised and has been addressed above. CWA response: The allegation that the EA fails to comply with section 2 of NEMA or the EIA Regulations because of a supposed “deferral” of social, economic, or environmental impacts is incorrect. All relevant impacts were fully identified and assessed during the EIA. Morningstar Airfield and other surrounding aerodromes were incorporated throughout the assessment—appearing in the Scoping Report, the updated CONOPS, Appendix 19 of the Draft EIAR, and multiple responses in the Comment & Response Report. No deferral of required environmental assessment occurred. The appellant’s argument is based on the incorrect assumption that an EIA must include detailed airspace design and risk modelling. This is legally impermissible. Detailed airspace design is the exclusive mandate of SACAA, ATNS, and the NASCOM-led ICAO Document 9992 process.

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			Airspace is a dynamic system, continuously adjusted for safety and efficiency, and cannot be “fixed” or approved at a single point in time within an EIA. The EIA appropriately assessed the <i>existing</i> aviation environment, while the legally mandated aviation process will address procedural design and routing. No aviation regulator—SACAA or ATNS—identified any deficiency or missing information that would prevent DEADP from issuing the EA. Accordingly, there is no basis for claiming non-compliance with NEMA or the mitigation hierarchy.
		18.4.1. “By not knowing the size of the GA community and traffic it cannot address the issue as no appropriate risk assessment can be made and valid, safe conclusions reached”; and 18.4.2. “By increasing controlled airspaces with admittedly non professional and student pilots operating in the immediate area, a hazard is being create. This is a significant safety concern that is not being addressed” (own emphasis)	18.4.1 CWA response: The claim that the EIA “cannot address the issue” because the “size of the GA community and traffic” is unknown is incorrect. General aviation activity at Morningstar, Stellenbosch, and other aerodromes was assessed at the level required for the EIA and incorporated into the updated CONOPS and Appendix 19 of the Draft EIAR. These inputs were explicitly considered by the aviation specialists. An Airspace Concept of Operations (ConOps) was developed for CWA by Netherlands Airport Consultants (NACO), Royal Netherlands Aerospace Centre (NLR) and Air Traffic and Navigation Services (ATNS) and was made available for comment by the IAPs as part for public participation process. A wide range of air navigation and aviation agencies actively participated in the development and refinement of the CWA Airspace Concept of Operations throughout its drafting and maturation. Their collective involvement ensured that the ConOps was shaped by recognised operational knowledge, regulatory insight and industry best

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			practice. At no point during this collaborative process did any participating organisation raise safety concerns about the proposed concept or its underlying assumptions. It is important to emphasise that, at the conceptual planning stage of an airport development, the preparation of a formal safety case is neither required nor expected under prevailing regulatory processes. A ConOps serves to define the intended operational environment and design intent, laying the foundation for the next stages of detailed analysis. Once physical parameters—such as final runway positions, airspace dimensions and detailed operational configurations—become available, a structured risk assessment process follows. During this phase, hazards are formally identified, assessed, and treated in accordance with established aviation safety methodologies. Standard risk-mitigation measures are then applied to manage all identified risks to a level that is as low as reasonably practicable (ALARP), ensuring full regulatory compliance and operational safety prior to commissioning. Furthermore, CWA's response in the Comment & Response Report acknowledged the need to consider VFR traffic, including training flights by less experienced pilots. CWA committed to refining the aviation analysis to provide greater detail on VFR routing between the West and East of the proposed airspace and to address potential hazards around controlled airspace boundaries. This refinement correctly occurs within the SACAA/NASCOM airspace process, not the EIA. Further, as explained above, the EA imposed some conditions (in condition 48 of the EA) regarding airspace safety to the extent that it has the authority to do so. As explained in the Covering Appeal

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			Response, an expansion of those is requested of the Minister, exercising his powers on appeal. 18.4.2 The assertion that introducing controlled airspace with “non-professional and student pilots” creates hazards that are “not being addressed” is speculative and unsupported by any aviation regulatory authority. Neither SACAA nor ATNS identified any unresolved safety issue, risk, or deficiency in the EIA that would prevent the granting of the EA. Airspace design, routing, classification, and separation standards are established through the ICAO-compliant NASCOM process. Morningstar and other GA stakeholders participate directly in these deliberations. The aviation authorities—not the EIA process—determine how VFR and IFR traffic will safely integrate with any future CWA airspace. CWA’s ongoing engagement through the Cape Winelands Airport Task Force (CWATF) and commitments to refine VFR considerations demonstrate that these matters are being addressed appropriately within the proper regulatory framework.
		18.5. Sections 24(1) and 24O(1)(b)(i) of NEMA requires all relevant factors and impacts to be evaluated, considered and assessed by the competent authority prior to any authorisation in terms of section 24 of NEMA being granted. The above gaps in information create the necessary inference that this threshold has, in fact, been circumvented by the EA. As such, the EA issued contemplated a post-approval assessment of project impacts in a manner that falls foul of what is required of NEMA and the Environmental Impact Assessment Regulations, 2014, and which project impacts directly relate to human safety and livelihoods.	EAP response: This is a repeat of a concern raised and has been addressed above. CWA response: The assertion that the EA “circumvented” the requirements of sections 24(1) and 24O(1)(b)(i) of NEMA is unfounded. These provisions require the competent authority to evaluate and consider all relevant environmental factors within the scope of an EIA, not to undertake functions that fall under separate statutory mandates. The EIA did

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			exactly what NEMA requires: it assessed the social, economic, and environmental impacts reasonably capable of assessment at this stage of the project. The appellant’s argument incorrectly assumes that a detailed airspace design and safety assessment is a prerequisite for a lawful EA. This is incorrect both legally and procedurally. Detailed airspace design, classification changes, separation standards, and procedural routing fall exclusively under the jurisdiction of SACAA, ATNS and the NASCOM-led airspace change process prescribed by ICAO Document 9992. These matters cannot be assessed or approved within an EIA because airspace is a dynamic operational environment that continually evolves and cannot be fixed at a single point in time. The EIA appropriately assessed the existing aviation environment, including surrounding aerodromes such as Morningstar and Stellenbosch. These facilities were included in the Scoping Report, the updated CONOPS, Appendix 19 of the Draft EIAR, and multiple responses in the Comment & Response Report. Both the Civil Aviation and OLS specialists evaluated the current aviation context. No aviation authority—neither SACAA nor ATNS—identified any “gap in information” or required additional assessment before an EA could be granted. There is therefore no basis to infer that the EA contemplated a “post-approval assessment” of environmental impacts. Rather, the EA and the aviation regulatory process each perform their legally separate functions. The decision-maker had all information required under NEMA to issue the EA lawfully and rationally.

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			Further, as explained above, the EA imposed some conditions (in condition 48 of the EA) regarding airspace safety to the extent that it has the authority to do so. As explained in the Covering Appeal Response, an expansion of those is requested of the Minister, exercising his powers on appeal.
		Ground 2: Inadequate assessment of socio-economic impacts in the context of the impacted airspace and surrounding aviation activities	This is a repeat of a concern raised and has been addressed above.
		19. The EA was issued without any detailed or final airspace design for accommodating CWA operations. The establishment of a new controlled airspace to accommodate operations at the proposed CWA would require converting large portions of the existing Cape Town Special Rules East and FAD69 areas. These areas are currently uncontrolled and used extensively for GA, flight training, microlight and recreational operations, as well as for access to multiple nearby airfields. In other words, this uncontrolled airspace currently provides significant socio economic benefit to the various commercial and recreational operations of those airfields that make use of the airspace as it currently stands, including the Morningstar Airfield.	CWA response: The allegation that socio-economic impacts were inadequately assessed is unfounded and rests on an incorrect premise. The socio-economic assessment undertaken during the EIA was based on the current airspace environment, which is the only lawful and rational basis for such an assessment. Morningstar Airfield, Stellenbosch, and other GA facilities were all identified, described, and considered in the Scoping Report, the updated CONOPS prior to the EIA phase, Appendix 19 of the Draft EIAR, and multiple entries in the Comment & Response Report. Their roles in training, recreational flying, microlight operations, maintenance, and regional GA activity were considered. The claim that the EA failed to assess socio-economic impacts similarly rests on the incorrect assumption that CWA's EA results in a <i>loss of uncontrolled airspace, restricted VFR access, or adverse training impacts</i>. As noted repeatedly above, the EA does not authorise airspace and therefore cannot result in any airspace-related socio-economic effect. No controlled airspace has been proposed, no routing has been tabled, and no changes to the Cape Town Special Rules East

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			or FAD69 exist. There is therefore no basis for evaluating economic consequences flowing from hypothetical airspace changes that have not been proposed and remain subject to a future NASCOM-led aviation process. The socio-economic component of the EIA fully complied with NEMA’s requirements. It evaluated job creation, regional economic uplift, construction-phase benefits, operational stimuli, and long-term growth potential associated with the establishment of CWA. Assertions of “loss of training areas”, “student flight inefficiencies”, or any purported economic harm are speculative, unquantified, unsupported, and inconsistent with the regulated process for future airspace changes. Morningstar is an independent, self-contained GA airfield whose flight operations, revenue model, student activity, and maintenance services remain entirely unchanged by the EA. Nothing in the EA restricts or affects Morningstar’s access to existing uncontrolled airspace. In fact, regional aviation growth driven by CWA is likely to stimulate additional general aviation demand—including aircraft movements, training requirements, and maintenance needs—which directly benefit facilities such as Morningstar. Finally, no aviation authority—neither SACAA nor ATNS—identified any socio-economic or operational deficiency in the EIA or raised any concern that would preclude issuing the EA. The appellant’s position is therefore speculative and not grounded in the record or in the applicable regulatory framework. Accordingly, the socio-economic assessment was comprehensive, compliant with NEMA, and properly informed the EA. The appellant’s claims do not constitute a valid ground of appeal.

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		20. The conversion of major portions of the currently uncontrolled airspace into a controlled airspace volume reserved exclusively for CWA is no minor procedural adjustment, but rather represents one of the largest losses of uncontrolled Class G airspace in decades within the Western Cape and will have significant, irreversible consequences for general aviation, recreational flying and especially ab-initio and advanced commercial pilot training.	CWA response: Refer to 19 above. Any conversion of uncontrolled airspace can occur only through the formal SACAA/NASCOM airspace change process governed by ICAO Document 9992. While this process is underway and has reached advanced technical stages, it remains entirely unfinished and not yet submitted for regulatory approval. No controlled airspace volumes, classifications, route structures, or boundary adjustments have been approved. Until this approval takes place through an airspace change proposal, and subject to full stakeholder consultation, including Morningstar, the existing Class G airspace remains fully intact. It is therefore incorrect and premature to assert that any loss of uncontrolled airspace “will” occur or that irreversible consequences have been triggered by the EA. The EA does not authorise airspace and has no legal or practical effect on current airspace structures or GA operations.
		21. In light of the above, the proposed CWA will give rise to and/or cause the following impacts which significantly undermine and risk the socio-economic sustainability of operations at the Morningstar Airfield:	CWA Response: The impacts alleged in paragraphs 21.1 to 21.4 are entirely speculative and do not reflect any approved airspace design, nor any socio-economic reality assessed in the EIA process. These claims rely on assumed future airspace outcomes that have not been proposed, approved, or implemented by SACAA. The EA does not authorise airspace changes and therefore cannot restrict VFR routes, alter training access, compress Class G airspace, or force detours. Accordingly, none of the claimed socio-economic impacts are grounded in fact or capable of assessment under NEMA.

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		21.1. Sever direct VFR access between the Morningstar Airfield and all points East including Stellenbosch Airfield (FASH) as the only licensed night-training GA field in the region, as well as airfields in Worcester and Overberg, among others.	21.1 No airspace changes exist that would sever Morningstar's VFR access to Stellenbosch, Worcester, Overberg, or any other eastern destinations. Existing Class G access remains intact, and Morningstar's VFR pathways have not been altered in any way. The advanced NASCOM process has not produced a final airspace structure. Until SACAA approves a design, no restriction or changed routing can occur. It is therefore impossible for the EA to have caused, or for the EIA to assess, socio-economic effects arising from VFR loss that have not occurred and may never occur. Morningstar's socio-economic functioning—training, maintenance, club operations, and recreational flying—remains unaffected.
		21.2. Force detours north around Paardeberg which add 15-25 minutes and approximately 50km to every training flight. This not only comes at a significant monetary cost, but also an environmental cost of having to burn 15-25 minutes of extra fuel.	21.2 No SACAA-approved airspace design requires or proposes detours around Paarl Mountain or anywhere else. No routing adjustments, controlled airspace volumes, or VFR corridors have been approved. Training flights currently operate freely under Class G rules and will continue to do so unless and until SACAA approves a change, after full stakeholder consultation. Speculative, unapproved detour paths cannot be used to claim socio-economic impacts under NEMA. The EIA properly assessed the <i>existing</i> environment, and no additional cost, time, or fuel burden exists or can be attributed to the EA. 21.3 This claim is factually incorrect and contradicted by the aviation regulatory record. No airspace classification change has been approved by SACAA.

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		21.3. Severely compress the remaining Class G “slot” below the Cape Town TMA (which is currently only 500-2000 ft AGL in certain places). In this regard we note that it is likely that 80-90% of the Cape Town East Special Rules will be converted to controlled airspace for the CWA, and the remaining 10-20% thereof would likely be too small to retain for practical purposes. A considerable section of the southern part of the FAD96A will most likely also be converted.	No proposal to convert “80–90%” of Special Rules East has been tabled for approval. Existing Special Rules and Class G areas remain fully operational. Airspace compression is therefore not occurring and cannot be claimed as an impact. Because the EA does not determine airspace, the alleged socio-economic consequences—loss of training volume, reduced usable Class G “slot,” or impairment of Morningstar operations—are not attributable to the EA and fall outside the scope of NEMA’s socio-economic impact evaluation. When such a change is considered, it will be subject to full stakeholder consultation.
		21.4 Make the vast majority of commercial pilot training operating from Morningstar Airfield impossible or economically unviable without guaranteed, clearly defined VFR corridors.	21.4 This claim is unsupported and speculative. Morningstar’s training operations, student throughput, and revenue model continue unchanged. Nothing in the EA or the current airspace structure limits: • ab-initio training, • circuit work, • cross-country operations, • microlight or recreational flying, or • access to uncontrolled airspace. Furthermore, any future airspace design must, by law, include stakeholder consultation and be evaluated by SACAA and NASCOM with specific consideration of GA and training needs. Morningstar participates directly in this process. There is no evidence that commercial pilot training will be impaired, nor that CWA’s EA causes any economic harm to Morningstar. In truth, regional aviation growth associated with CWA is likely to increase local GA demand, benefitting training operations.

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			EAP response: The above response was reviewed and agreed to by the SIA specialist.
		22. The impacts of the CWA’s conversion to controlled airspace and the resultant loss of this critical uncontrolled airspace which will have a direct and cumulative social, economic and environmental impacts on the Morningstar Airfield, and which impacts have not been identified, evaluated and assessed as part of the environmental impact assessment process underpinning the EA. This is despite concerns of this nature having been raised throughout the public participation process. For example, Timothy Irvine, the previous chairman of the Morningstar Flying Club and senior pilot that is still very active at the club stated:	22. CWA response: The claim that the EA failed to assess socio-economic impacts arising from “conversion of uncontrolled airspace” is misplaced. The EA does not authorise or change airspace, and therefore cannot generate any airspace-related socio-economic impact. Airspace classification and routing fall exclusively under SACAA, ATNS and the NASCOM/ICAO 9992 process. No airspace changes have been approved, and the current Class G environment—on which Morningstar’s operations depend—remains fully intact. Because no airspace change exists, the alleged socio-economic impacts (loss of access, training constraints, detours, or reduced flying opportunities) are entirely hypothetical. NEMA requires assessment of impacts that actually arise from the activity applied for—not impacts dependent on future regulatory decisions by another authority. The EIA therefore correctly assessed socio-economic impacts within the existing airspace context, including Morningstar’s training, recreational flying and economic activity. These were incorporated in the Scoping Report, updated CONOPS, Appendix 19 and multiple responses in the C&R Report. Statements from individual Morningstar members do not demonstrate any gap in the socio-economic assessment and are not

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			supported by any aviation regulator. Morningstar’s current operations, revenue model and airspace access remain unchanged. Accordingly, the appellant’s claims do not reflect deficiencies in the EIA and cannot substantiate Ground 2. The socio-economic assessment was comprehensive, compliant with NEMA, and correctly based on the environment as it exists today—not on speculative future airspace scenarios.
		22.1. “We are concerned that the report does not sufficiently detail the significant amount of GA activity that operates within the affected area, and much of it is from Morningstar. With no accurate assessment of the GA activity no valid and safe assessment can be made of the impact of the proposed changes”. In response, the EAP promised a “thorough risk assessment of the GA activities and their interaction with the proposed controlled airspace”	22.1 EAP response: This comment was raised in the statutory Scoping Phase (Appendix 29B to the Final EIAR) and responded to. The response was by CWA and not the EAP. CWA response: The assertion that the EIA did not sufficiently detail GA activity is incorrect and repeats a comment already raised and fully responded to during the EIA process. GA activity at Morningstar, Stellenbosch and other aerodromes was identified early and assessed in Appendix 19 of the Draft EIAR, and addressed multiple times in the Comment & Response Report. Importantly, CWA previously responded to this exact concern, confirming that the significance of VFR operations—especially training flights by less experienced pilots—was acknowledged. CWA explicitly committed to refining the aviation work by:

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			• providing a more detailed analysis of VFR traffic, • evaluating west–east routing options, and • assessing potential hazards near controlled airspace boundaries. These refinements appropriately fall within the ongoing NASCOM/SACAA ICAO 9992 airspace process, not the EIA itself, because the EA does not authorise controlled airspace and no such airspace design has been approved. Without an approved airspace structure, it is neither lawful nor possible for the EIA to conduct a “risk assessment” of interactions with hypothetical controlled airspace. The EIA correctly assessed GA activity and socio-economic implications within the current environment, as required by NEMA. Morningstar’s GA operations, training activity, revenue streams and access to Class G airspace remain unchanged by the EA. Accordingly, this appeal point is both repetitive and based on a misunderstanding of the EIA’s scope. It cannot substantiate the alleged inadequate assessment of socio-economic impacts
		22.2. “By increasing controlled airspaces with admittedly non-professional and student pilots operating in the immediate area, a hazard is being created. This is a significant safety concern which is not addressed”. In response, the EAP agreed that “VFR route should be carefully planned alongside Instrument Flight Rules routes to prevent congestion and safety”.	CWA response: This concern was previously raised during the EIA process and fully addressed in the Comments and Response Report.. At that time, CWA acknowledged the importance of considering Visual Flight Rules (VFR) traffic, particularly training flights undertaken by less experienced pilots. CWA also confirmed that VFR routes will need to be carefully planned in parallel with Instrument Flight Rules (IFR) routes to prevent congestion and ensure safety. As stated in the earlier response, the aviation work will be refined to include a more detailed assessment of VFR traffic, including west–east

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			routing options and the potential hazards near controlled airspace boundaries. These refinements form part of the ongoing NASCOM/SACAA aviation process and are not triggered by the EA. EAP response: This comment was raised in the statutory Scoping Phase (Appendix 29B to the Final EIAR) and responded to. The response was by CWA and not the EAP.
		23. The related gaps and shortcomings of the assessment by the EAP and relevant specialists of the social, economic and environmental impacts of converting significant portions of uncontrolled airspace is demonstrated by the following:	CWA response: The claim that the EIAR and specialist studies failed to assess the social, economic, and environmental impacts of “converting significant portions of uncontrolled airspace” is based on an incorrect premise. The EA does not authorise, initiate, or predetermine any conversion of uncontrolled airspace. Airspace design is governed solely by the SACAA and NASCOM under ICAO Document 9992. Until SACAA approves an airspace change proposal, which approval will be subject to stakeholder engagement, all existing uncontrolled airspace remains intact, and no socio-economic impact of the type alleged exists. The EIA is required to evaluate impacts arising from the listed activity, not speculative impacts dependent on future aviation regulatory decisions.
		23.1. The revised Draft EIAR and Final EIAR do not include a thorough risk assessment of GA activities, their interaction with the proposed controlled airspace, and the social, economic and environmental impacts as a direct result thereof. There is also no	CWA Response:

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		evidence of VFR corridors having been planned, and which have a direct impact on the socio-economic sustainability of the Morningstar Airfield.	23.1 - This is factually incorrect and repeats concerns already addressed in the Scoping Report, updated CONOPS, Appendix 19, and the Comment & Response Report. The appellant again assumes that the EIA must assess GA activities <i>in relation to a proposed controlled airspace</i>. This misunderstands the regulatory framework. There is no approved controlled airspace, and therefore no lawful basis for the EIA to conduct a “risk assessment” of GA interactions with hypothetical airspace structures. CWA has already responded to this same concern in the EIA process, acknowledging the importance of VFR traffic—especially training flights by less experienced pilots—and committing to refine the aviation work by providing: • A more detailed VFR analysis; • West–east routing considerations; and • Evaluation of potential hazards near controlled airspace boundaries. These refinements form part of the ongoing NASCOM/SACAA process, not the EIA, and the absence of an airspace design in the EIAR is therefore proper, lawful and consistent with NEMA.

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			There is no socio-economic impact arising from airspace that does not yet exist.
		23.2. The Airspace and Capacity Study by Straten Consulting Services Ltd, attached as Appendix 20 to the revised Draft EIAR, is dated 22 March 2024. Despite the EAP’s indication that a “VFR route should be carefully planned alongside Instrument Flight Rules routes” and the promise that “a thorough risk assessment of the GA activities and their interaction with the proposed controlled airspace” would be undertaken, the Airspace and Capacity Study dated 22 March 2024 was republished when the revised Draft EIAR was published for public comment on 18 March 2025, instead of being updated to address the above concerns raised by Timothy Irvine of the Morningstar Flying Club which the EAP confirmed would be assessed and addressed.	23.2 This allegation is misplaced. The Airspace and Capacity Study is one of several inputs informing the EIA and was never intended to substitute the ICAO 9992-mandated airspace change process. The study assessed the current aviation environment, as required for the EIA, and cannot lawfully pre-empt detailed airspace design. The appellant incorrectly claims that the study should have been “updated” to reflect interactions with “the proposed controlled airspace.” No proposed controlled airspace exists, and none has been submitted or approved by SACAA. Therefore, no such update was possible or required. The previous commitment to consider VFR routing and GA activities refers to the subsequent aviation regulatory process, which is precisely where such detailed assessments must occur. This is fully compliant with NEMA and the EIA Regulations.

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		23.3. In light of the above, the Airspace and Capacity Study completely fails to identify, consider and assess the impact of designing and implementing a controlled airspace for the CWA in the context of the significant GA activities in the immediate vicinity. The Airspace and Capacity Study confirms this failure by the explicitly limited scope of work that the study aims to address which is: “the study has focus on the response from ACSA [Airports Company South Africa] regarding the airspaces impacts future FAWN [CWA] operations will have on operations at FACT [Cape Town International Airport]”.	23.3 This claim is incorrect and fundamentally misunderstands the nature of the Airspace and Capacity Study and the EIA process. The EIA cannot design or implement controlled airspace; that is exclusively a SACAA function. The Airspace and Capacity Study: • Assessed the existing aviation environment; • Identified GA traffic patterns; • Evaluated regional airspace interactions; and • Provided the appropriate level of analysis required for an EIA. It is not the purpose of the study, nor of the EIA, to undertake SACAA-level procedural design. The appellant’s reliance on a comment from a previous Morningstar chairman does not demonstrate any regulatory deficiency. No aviation authority—neither ACSA, SACAA nor ATNS—has identified any error, omission, or missing socio-economic assessment. Morningstar’s operations, training, maintenance activity and economic model remain entirely unchanged by the EA.

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		23.4. The impacts on connectivity between Morningstar, Stellenbosch, Grootfontein and Wintervogel airfields were ignored and the impact neither evaluated nor considered as part of the environmental impact assessment process and associated specialist studies.	23.4 This allegation is incorrect. Connectivity between surrounding airfields—including Morningstar, Stellenbosch, Grootfontein and Wintervogel—was identified and assessed during the EIA process. These airfields appear in the Scoping Report, were incorporated into the updated CONOPS prior to the EIA phase, are reflected in Appendix 19 of the Draft EIAR, and are addressed repeatedly in the Comment & Response Report. No airspace change exists that affects connectivity. The EA does not authorise controlled airspace, alter Class G access, or restrict VFR routing between any of these aerodromes. Therefore, no socio-economic disconnection or operational disruption arises from the EA, and there was no impact for the EIA to evaluate beyond the existing environment— which is what NEMA requires.
		23.5. The increased risk of airspace congestion and safety conflicts in adjacent areas was not assessed.	23.5 This is speculative and unsupported. There is no approved airspace design, no new controlled airspace, and no change to current routes or procedures. Without any SACAA-approved airspace structure, it is not legally or technically possible to conclude that congestion will increase. The EIA appropriately assessed the current aviation environment, and both the Civil Aviation and OLS specialists found no airspace-safety or congestion concerns arising from the proposed development. SACAA and ATNS also raised no concerns of this nature.

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			Socio-economic impacts arising from hypothetical, unapproved airspace are not impacts of the listed activity and cannot constitute a valid ground of appeal. The appellant will need to raise these concerns with the SACAA when the application for airspace design is finalised and tabled for approval.
		23.6. No mitigation measures or conditions are suggested or imposed to safeguard existing aviation activities, and the safety, social, economic and environmental impacts as a direct result thereof.	23.6 This allegation is unfounded. Mitigation measures relating to aviation safety, airspace structure, VFR/IFR integration, routing, and procedural design fall within the mandate of SACAA and NASCOM, not DEA&DP. The EIA cannot impose mitigation measures for airspace that does not yet exist. The EIA did, however, incorporate appropriate mitigation within its mandate, including: • ongoing engagement with the aviation community through NASCOM and the CWATF; • refinement of VFR considerations (as previously committed by CWA); and • ensuring future airspace design is undertaken through the ICAO 9992 process, which inherently embeds safety safeguards and stakeholder involvement.

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			Because the EA does not change airspace, no aviation activity requires mitigation . Morningstar and other airfields continue to operate under identical airspace conditions.
		24. The economic, environmental and social impacts of the CWA that were not identified, considered, or assessed as part of the environmental impact assessment process include:	EAP response: The concerns are noted. They are however based on the assumption of the loss of uncontrolled airspace. This concern has been addressed and the proper forum for raising it has been explained, therefore the concerns are not valid in this appeal process.
		24.1. According to the Appellant, made up of various senior pilots with decades of experience in the field, Cape Town is at risk of no longer being considered as one of the top three destinations globally for overseas and up-country students wishing to complete PPL, CPL, ME and ATPL training rapidly due to the year-round VFR weather and uncongested training airspace.	CWA response: The socio-economic concerns raised in paragraphs 24.1 to 24.3 are entirely speculative and based on the incorrect assumption that the EA results in a loss of uncontrolled airspace, restricted VFR access, or reduced training capacity. As repeatedly clarified, the EA does not authorise any airspace changes , cannot convert Class G airspace, and has no legal impact on VFR access, training routes, or Morningstar's operations. Airspace design falls solely under the jurisdiction of SACAA , ATNS and the NASCOM/ICAO 9992 process, which is still underway and not finalised. Until SACAA approves an airspace change, the current airspace environment remains unchanged and Morningstar continues to operate identically to today.
		24.2. A large portion of the approximate 250 active students at the Morningstar Airfield are foreign or from other provinces and therefore provide significant financial contribution to the local economy annually through accommodation, tourism and job creation when attending flight training at Morningstar Airfield. The sustainability of Morningstar Airfield's operations are at risk of irreparable harm with the intended conversion of uncontrolled airspace to accommodate the CWA, resulting in the risk of losing these students and their associated financial contribution to the local economy.	
		24.3. Any significant curtailment of training capacity at the Morningstar Airfield will force flight schools to relocate to the Eastern Cape, Kwa-Zulu Natal or even overseas resulting in direct, permanent job loss at existing airfields, flight schools etc and the	The statement referred to in 24.1 that Cape Town is "at risk of no longer being considered one of the top three destinations globally for pilot training" is not referenced to any published studies and

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		loss of revenue that these operations generate for the local and regional economy in the Western Cape.	therefore reflects opinion rather than substantiated fact. Assertions based solely on opinion or personal experience, even of senior pilots, cannot be equated with empirical evidence required under NEMA and aviation regulatory frameworks. Because the alleged impacts depend on hypothetical future airspace structures that do not exist, the EIA could not—and was not required to—assess them under NEMA. The socio-economic assessment appropriately evaluated real, existing conditions, including Morningstar’s contribution to local tourism, student activity, accommodation spending, and regional aviation employment. No aviation authority identified any socio-economic risk arising from the EA. The claims that Cape Town will lose its standing as an international training destination (24.1), that Morningstar’s 250 students face “irreparable harm” (24.2), or that flight schools will be forced to relocate to distant provinces (24.3) are unsupported, unquantified, and inconsistent with the regulatory reality. Morningstar is an independent GA airfield whose operations, student activity, revenue model, and economic contributions remain unaffected by the EA. In fact, growth in the broader aviation sector driven by CWA is more likely to increase demand for GA training, maintenance, and recreational flying, benefitting facilities such as Morningstar. Accordingly, the concerns in paragraphs 24–24.3 do not reflect deficiencies in the socio-economic assessment but rather

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			misunderstandings about the scope of the EA and the airspace regulatory process. They cannot constitute a valid ground of appeal under NEMA.
		25. The potential impact of the proposed CWA project on other key aviation sites impacted by the project was not addressed in the environmental impact assessment process, resulting in various socio-economic impacts not being identified and placed before the decision-maker prior to deciding on whether or not to grant the EA:	CWA response The allegations in paragraphs 25.1 to 25.3 rest entirely on the incorrect assumption that the Environmental Authorisation results in, or predetermines, the conversion of uncontrolled airspace into controlled airspace. This is not the case. As explained above, the EA does not authorise any airspace changes, impose transponder requirements, alter access rights, or affect the operational freedoms of Wintervogel, Grootfontein, Rondebossie, or any other aviation facility. Airspace design and classification fall solely under SACAA , ATNS and the NASCOM/ICAO 9992 process, which is still underway and not yet finalised. Until SACAA formally approves an airspace change proposal, which process will be subject to stakeholder engagement, all existing uncontrolled airspace, including Class G and FAD69, remains unchanged.
		25.1. Wintervogel Airfield situated in Malmesbury is a microlight and gyrocopter base, the use of which will effectively be sterilised by the proposed CWA for the majority of the current users who cannot afford transponders worth over R70 000.00 which will be a critical pre-requisite to their making use of a newly controlled airspace as a result of the CWA conversion. The majority of current users of Wintervogel Airfield situated in Malmesbury rely on the relatively low entry cost that weight-shift microlights represent, as this facility represents one of the few cost-effective facilities of this nature in the local area and region. The Wintervogel Airfield situated in Malmesbury lies directly within the existing FAD69 airspace, which would need to be converted into a newly controlled airspace to accommodate the proposed development of the CWA project. This would have an irreversible impact on the sustainability of existing operations at this airfield, which activities contribute directly to local skills development, recreational aviation and the small-scale aviation economy. However, none of these socio economic aspects or impacts were considered in the environmental impact assessment process or, therefore, the	The EIA assessed socio-economic impacts within the existing aviation environment , which it did. Wintervogel, Grootfontein and Rondebossie were all identified as relevant aviation sites, and their operations remain unaffected under the current airspace structure. Assertions that Wintervogel will be “sterilised”, that Grootfontein will “lose departure and arrival rights”, or that Rondebossie will “cease

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		competent authority as required in terms of NEMA and the EIA Regulations prior to granting the EA.	operating” are speculative and unsupported by any evidence or aviation authority.
		25.2. Grootfontein Airfield near Fisantekraal is a registered airfield whose based aircraft will potentially lose independent departure and arrival rights, thus crippling the operations of this airfield. This airfield is located in close proximity to where the runway for the CWA will be and falls within the Special Rules East airspace (i.e. uncontrolled airspace), relying on the Special Rules East to access this airfield. This was not considered as part of the environmental impact assessment process and associated specialist reports and, consequently, was not considered by the competent authority prior to granting the EA.	The EIA cannot assess impacts that depend on hypothetical future SACAA decisions. No aviation regulator—SACAA, ATNS or ACSA—has identified any socio-economic concern related to these airfields or raised any deficiency in the EIA. All three facilities continue to operate exactly as they do today, and their training, recreational and economic contributions remain intact.
		25.3. Rondebossie situated west of the Fisantekraal Airfield is the only remaining hang-gliding training site in the greater Cape Town area which stands to be significantly impacted by the CWA, effectively preventing the continued operation thereof. Any Letter of Agreement signed in this regard, without the contents of such being incorporated as a condition of authorisation in the EA, is mere window dressing.	Accordingly, paragraphs 25.1 to 25.3 do not demonstrate any failure in the socio-economic assessment and cannot constitute a valid ground of appeal.
		26. In light of the above, we confirm the following:	
		26.1. Consequently, there is no quantitative assessment of the social and economic impacts of the CWA on the sustainability of surrounding aviation operations. Therefore, there is no objective basis upon which the competent authority is positioned to assess the sustainability of the CWA and to make an informed and rational	EAP response: This concern has been raised and addressed above. The appellant’s argument that the socio-economic impacts of the CWA were not adequately assessed is based on the incorrect assumption

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		decision on the need and desirability of the proposal. The assessment and determination of the sustainability, need and desirability of the CWA goes to the heart of the efficiency and effectiveness of the environmental impact assessment as a whole. If significant gaps remain outstanding, such as those identified in this appeal statement, the competent authority is unable to make an informed and rational decision on the sustainability, need and desirability of the CWA as required by the environmental impact assessment regime.	that the Environmental Authorisation changes airspace, converts uncontrolled Class G to controlled airspace, restricts VFR access, or impacts the operations of surrounding airfields. This is factually and legally incorrect. The EA does not authorise any airspace change, and cannot affect routing, transponder requirements, training patterns, or the economic sustainability of Morningstar, Stellenbosch, Grootfontein, Wintervogel or Rondebossie. Airspace design and all associated socio-economic implications fall exclusively within the jurisdiction of SACAA, ATNS and the NASCOM/ICAO 9992 airspace change process. That process is ongoing, has not been finalised, and therefore no airspace-related socio-economic impacts exist for the EIA to assess.
		26.2. Evaluating the full cost-benefit analysis of the CWA project without an objective, independent and comprehensive assessment by an appropriately qualified expert of the social and economic impact of the CWA on aviation operations in the immediate vicinity is flawed, and any decision rendered on this basis is irrational and unreasonable.	Because the alleged socio-economic impacts depend entirely on hypothetical, unapproved airspace structures, they are not impacts of the listed activity under NEMA and cannot form part of the socio-economic assessment. The EIA correctly evaluated socio-economic impacts within the current aviation environment, including GA training, tourism contributions, accommodation demand, employment, and broader regional economic linkages. Morningstar and other airfields were specifically identified and addressed in the Scoping Report, updated CONOPS, Appendix 19 of the Draft EIAR and multiple responses in the Comment & Response Report.
		26.3. The lack of a substantive, methodical and credible assessment of the socio-economic impacts of the CWA on surrounding aviation operations is a material deficiency. The Final EIAR and specialist assessments underpinning this should be rejected on the basis that the full range of socio-economic impacts of the CWA have not been identified, considered and assessed as part of the environmental impact assessment processes contrary to the prescripts of the following principles in section 2 of NEMA:	The assertion in 26.1–26.2 that no “quantitative assessment” was undertaken, or that decisions made on this basis are irrational, is incorrect. A qualified socio-economic specialist prepared a full assessment that complied with NEMA and the EIA Regulations. No aviation authority—SACAA, ATNS or ACSA—identified any gap or deficiency in that assessment. The competent authority therefore had all necessary information to make a rational, informed and lawful decision on the sustainability, need and desirability of the CWA.

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			The appellant's reliance on the the alleged breach of principles in section 2 of NEMA is similarly misplaced. • (26.3.1) The EIA placed people and their socio-economic needs at the forefront by assessing local job creation, training opportunities, economic uplift and potential indirect benefits of the CWA. • (26.3.2) The development is socially, environmentally and economically sustainable, creating long-term regional benefits without any demonstrated adverse effect on existing GA operations. • (26.3.3) The interests of all I&APs were considered, with Morningstar, Stellenbosch, Grootfontein and others fully participating in the EIA process. • (26.3.4) The EIA evaluated all <i>actual</i> social, economic and environmental impacts. It is not required, nor is it permissible, to evaluate speculative impacts dependent on future SACAA decisions. In summary, the EIA included a comprehensive, lawful and methodical socio-economic assessment based on real, existing conditions. It therefore placed DEA&DP in a position to make a decision which upheld the NEMA principles referred to by the appellant, and the Minister is in a similar position to do so. The appellant's submissions rely on predicted airspace changes that do not exist and therefore cannot support a claim of inadequacy under NEMA. The competent authority acted on a complete and proper
		2.6.3.1. "Environmental management must place people and their needs at the forefront of its concern, and serve their physical, psychological, developmental, cultural and social interests equitably".	
		2.6.3.2. "Development must be socially, environmentally and economically sustainable".	
		2.6.3.3. "Decisions must take into account the interest, needs and values of all interested and affected parties".	
		2.6.3.4. "The social, economic and environmental impacts of activities, including disadvantages and benefits, must be considered, assessed and evaluated, and decisions must be appropriate in the light of such consideration and assessment".	

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			record, and the allegations in paragraphs 26–26.3.4 do not constitute a valid ground of appeal
		27. It is clear that there is no substantive, quantitative socio-economic impact assessment of the effects of the proposed project which reflects the full range of socio-economic consequences of the CWA. The full range of socio-economic impacts of the CWA is a critical pre-requisite to the enquiry as to the sustainability of the development in light of existing aviation operations. The Constitutional Court in <i>Fuel Retailers Association v Director General (Fuel Retailers)</i> case is prescriptive in this regard: “...the objective of considering the impact of proposed development on existing ones is not to stamp out competition; it is to ensure the economic, social and environmental sustainability of all developments, both proposed and existing ones”. This threshold was not met in granting the EA.	EAP response: The concern has been raised and addressed above. The existing aviation operations (as listed in this document) are not in competition with CWA. CWA is an existing airport with existing rights and existing operations. CWA response: The appellant’s reliance on the <i>Fuel Retailers</i> case repeats the identical argument previously advanced in Garden Cities’ appeal. It is the same assertion—that the competent authority was obliged to assess all socio-economic impacts on competing or neighbouring facilities—but it is misapplied.
		28. The Constitutional Court in <i>Fuel Retailers</i> also entrenches the inextricable link between socio economic considerations with environmental considerations: “Economic sustainability is not treated as an independent factor to be evaluated as a discrete element in its own terms. Its significance for NEMA lies in the extent to which it is inter-related with environmental protection... The essence of sustainable development is balanced integration of socio-economic development and environmental priorities and norms”.	<i>Fuel Retailers</i> does not require an EIA to assess impacts based on speculative future regulatory outcomes that fall under a different authority. Nor does it oblige an EIA to protect existing businesses or aviation activities from hypothetical operational changes that the EA does not authorise. In <i>Fuel Retailers</i>, the court held that socio-economic impacts arising from the activity applied for must be considered as part of sustainable development. Here, the activity applied for is a land-based airport development—not an airspace reclassification. The EA does not convert uncontrolled airspace, impose controlled airspace, or affect VFR routing, equipment requirements or access to surrounding airfields.

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			Those matters fall exclusively within the SACAA/NASCOM ICAO 9992 process which will be subject to stakeholder engagement, when the appellant can (properly) raise those concerns. Because no airspace change has been approved, no such socio-economic impacts exist for the EIA to assess. Accordingly, the “full range of socio-economic impacts” that <i>Fuel Retailers</i> refers to are those actually arising from the listed activities for which permission is sought, not hypothetical impacts based on unapproved future airspace structures. The EIA assessed all real socio-economic impacts, including employment, regional development, training demand, operational economic benefits and interactions with existing general aviation facilities. No aviation regulator has identified any socio-economic deficiency in the EIA. The requirement in <i>Fuel Retailers</i> was in fact met: the decision-maker considered the sustainability, need and desirability of the CWA based on actual environmental and socio-economic information. The appellant’s reliance on <i>Fuel Retailers</i> does not create a valid ground of appeal.
		29. The failure to identify and assess the implications of the CWA project on the existing commercial and recreational operations at the Morningstar Airfield, as well as those at the Wintervogel and Grootfontein Airfields, its users, and related training and economic activities, demonstrates an inadequate impact assessment in terms of section 24 of NEMA and a disregard for sections 24(1) and 24O(1)(b)(i) of NEMA. Consequently, the decision to issue the EA was made without full knowledge of all potential material environmental and socio-economic impacts. By omitting a detailed assessment of how the CWA’s impact on the surrounding airspace will affect existing GA, flight training and recreational flying, the EA was issued without full knowledge of relevant factors, rendering it procedurally and substantively non-compliant the requirement that a decision-maker must be presented with the full range of socio-economic and environmental impacts in order to render a rational and reasonable decision.	
		30. In short, the environmental impact assessment underpinning the EA has failed its most fundamental objective, which is to provide sufficient information to enable informed and credible decision-making and that ALL potentially significant project impacts are identified and assessed before a decision is taken to approve the CWA project. This did not happen and the information the EA was based on is materially deficient. NEMA and the EIA Regulations do not include empowering provisions	EAP response: The concern has been addressed above. Sufficient information after a rigorous public participation process, was presented to the CA for decision making. The mitigation hierarchy was applied during the process and not deferred.

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		providing for the impacts and mitigation measure to be retrofitted to the approval after an EA is granted. The decision to issue the EA in these circumstances is irrational. It is fundamentally unlawful to ignore or defer the impact mitigation hierarchy.	CWA response: The allegations in paragraphs 29 and 30 are based on the repeated misconception that the Environmental Authorisation alters airspace, restricts general aviation, or imposes new controlled airspace that would affect Morningstar, Stellenbosch, Grootfontein, Wintervogel, or other recreational aviation sites. This premise is incorrect. The EA does not—and cannot—change airspace. Airspace design, routing, transponder requirements, access rights and the classification of FAD69 or Special Rules East fall exclusively under SACAA, ATNS and the NASCOM/ICAO 9992 process, which is still ongoing and not finalised. Until SACAA formally approves an airspace proposal, the region’s existing Class G and special rules structures remain intact, and none of the impacts alleged by the appellant arise. Because the EA produces no airspace-related effects, the EIA was not required—nor permitted under NEMA—to assess speculative socio-economic impacts that depend entirely on hypothetical future airspace reconfigurations. The EIA is required to assess impacts arising from the listed activity (the airport development on the ground), not impacts dependent on future decisions of another regulator. The socio-economic assessment therefore correctly focused on real, existing factors: regional development, construction and operational jobs, training demand, tourism activity, accommodation spend and economic linkages. Surrounding airfields, including Morningstar, Grootfontein and Wintervogel, were identified and considered in the Scoping Report, the updated CONOPS, Appendix 19 and multiple responses in the C&R Report. The claim that the EA was issued “without full knowledge of all socio-economic impacts” is therefore unfounded. No aviation authority—SACAA, ATNS or ACSA—identified any unassessed impact or raised concern regarding the adequacy of the socio-economic assessment.

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			The appellant’s argument relies exclusively on hypothetical future airspace restrictions that have not been proposed, assessed or approved. Paragraph 30’s assertion that DEADP “failed its most fundamental objective” and issued an EA without sufficient information is similarly without merit. The competent authority had before it a comprehensive environmental record, including specialist studies, socio-economic assessments, aviation inputs and responses to all registered I&APs. The information was sufficient, rational and aligned with NEMA’s requirements. There is nothing “procedurally or substantively unlawful” about considering socio-economic impacts within the environment as it exists today—indeed, that is precisely what the law requires. Claims of “deferring the impact mitigation hierarchy” are misplaced. Airspace-related mitigation measures fall under the SACAA/NASCOM process, not the EA. DEADP cannot impose aviation operating conditions or pre-empt the ICAO 9992 airspace process. As mentioned above, the appellant’s concerns about airspace can be raised in that forum when the proposal has been developed and tabled. Accordingly, paragraphs 29 and 30 do not demonstrate any failure in the EIA, any breach of NEMA, or any basis on which the EA could be considered materially deficient. They cannot constitute a valid ground of appeal.
		Ground 3: Public Participation Process is defective, non-transparent and non-inclusive.	

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		31. The failure to provide any detailed airspace designs intended to accommodate CWA operations, which areas are currently uncontrolled and used extensively for GA, flight training, microlight and recreational operations, means that the various commercial and recreational aviators that make use of this uncontrolled airspace have been prevented from meaningfully participating in the EIA process and associated public participation process underpinning the EA. These aviators include those forming the Stick and Throttle Aviation Morningstar Flight Academy flight schools, as well as Morningstar Flying Club members and all other aviators operating in the area.	EAP response: The public participation included a rigorous process of four rounds of PPP, including 1 public meeting and 2 open days. The stakeholder engagement with particularly the General Aviation sector, was included in Appendix 40 of the final EIAR. It illustrates engagement on airspace design and concerns raised by the GA sector and the ongoing process of airspace design. CWA response: The claim that stakeholders were unable to “meaningfully participate” because no detailed airspace designs were provided fundamentally misunderstands both the scope of an EIA under NEMA and the regulatory process governing airspace. The EIA is not permitted to design or approve airspace structures, and it cannot produce controlled airspace designs because the Environmental Authorisation does not authorise airspace changes. Airspace design falls solely within the mandate of SACAA and NASCOM under the ICAO Document 9992 process, which is conducted separately from the EIA. Because no airspace change exists at the EIA stage, no airspace design could lawfully be provided. Stakeholders were not “prevented” from participating. They participated fully, repeatedly, and over an extended period. Their views were incorporated into the EIA record alongside the aviation specialist inputs, including the updated CONOPS and the Airspace & Capacity Study. The absence of detailed airspace designs at the EIA stage is not a procedural flaw; it reflects the correct legal separation of processes. Airspace design will occur through the dedicated NASCOM/SACAA

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			process—where all affected aviators will again participate—once an airspace proposal is formally submitted. Accordingly, paragraph 31 does not identify any defect in the Public Participation Process and cannot constitute a valid ground of appeal.
		32. This approach to impact assessment and public participation flies in the face of the following NEMA principles:	
		32.1. Section 2(4)(f) of NEMA which requires all people taking part in public participation processes to have the opportunity to develop the understanding, skills and capacity necessary for achieving equitable and effective participation. The Appellant, and other I&APs, have been deprived an opportunity to understand the full extent of the impact of the CWA on the airspace currently in use, and the nature, degree and severity of such impacts is unknown. This is not cured by the proposition by the developer that an agreement can be reached at some point in the future which, if and when agreed to, cannot in any way form part of the current EA's conditions of authorisation.	EAP response: Section 2(4)(f) of NEMA states: <i>The participation of all interested and affected parties in environmental governance must be promoted, and all people must have the opportunity to develop the understanding, skills and capacity necessary for achieving equitable and effective participation, and participation by vulnerable and disadvantaged persons must be ensured.</i> The public meeting shared initial information with IAPs, the four rounds of PPP enabled repeated engagement and submission of concerns from IAPs, which led to amendments of the EIAR or specialist reports as appropriate as illustrated in Table 136 of the Final EIAR. The two open days enabled IAPs to interact with specialists, including aviation specialists, to raise concerns, or understand potential impacts from the proposed project. This PPP allowed for equitable and effective participation. CWA response: The appellant's reliance on section 2(4)(f) of NEMA is misplaced. This provision requires that people participating in environmental processes must be given sufficient opportunity to understand the impacts of the listed activity under assessment—not to understand

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			hypothetical impacts arising from future regulatory decisions by entirely separate authorities. The Environmental Authorisation does not change airspace, introduce controlled airspace, impose equipment requirements, or alter VFR routing. These matters fall exclusively under SACAA and NASCOM via the ICAO 9992 airspace change process. Because no airspace change exists, there were no airspace-related impacts for the public to be trained or capacitated to understand during the EIA. All Interested and Affected Parties—including the appellant—were provided full access to all information relevant to the listed activity. This included the Scoping Report, Draft EIAR, Final EIAR, the updated CONOPS, the Airspace & Capacity Study, and the complete Comment & Response Reports. Morningstar, Grootfontein, Stellenbosch, Wintervogel and other GA stakeholders actively participated at multiple stages, submitted detailed technical comments, and received comprehensive responses. There is no factual basis for claiming that I&APs were “deprived of an opportunity” to understand the impacts of the project. The appellant’s argument repeats the misunderstanding that the EIA should have provided detailed airspace designs or assessed the severity of airspace impacts. Such assessments cannot exist at the EIA stage, because airspace changes are not authorised by the EA and can only be developed and approved through the SACAA/NASCOM process. NEMA does not require the EIA to capacitate I&APs on matters that do not form part of the EIA’s scope. Finally, the suggestion that future agreements “cannot form part of the EA conditions” is irrelevant. No such agreements were relied upon to justify the EA, and none are needed to validate the public participation process. The EIA stood on its own record, which was comprehensive, transparent and fully compliant with NEMA and the Public Participation Regulations.

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		32.2. Section 2(4)(g) of NEMA which requires the EIA and the competent authority to have taken into account the interest, needs and values of the Appellant and similar operators, but this is not possible in the current circumstances as the Appellant has been unable to express their interests and/or understand the precise nature of such impacts with respect to a detailed airspace design study as this design has been deferred unlawfully and irrationally to the post approval stage.	Accordingly, paragraph 32.1 reveals no defect in the public participation process and cannot constitute a valid ground of appeal. EAP response: Section 2(4)(g) of NEMA states: <i>Decisions must take into account the interests, needs and values of all interested and affected parties, and this includes recognising all forms of knowledge, including traditional and ordinary knowledge.</i> Morningstar was a registered IAP from the pre-application Scoping Phase, and in addition to this it was also part of the Aviation stakeholder engagement – refer Appendix G of Appendix 40B to the final EIAR. Its interests, needs and values were listed and engaged on right throughout the process. The decision made by DEA&DP apparently took this into consideration when making its decision. CWA response: The appellant’s reliance on section 2(4)(g) of NEMA is misplaced. This provision requires that the interests, needs and values of all I&APs be considered in relation to the impacts of the listed activity under assessment. The listed activity here is the physical development of the airport—not airspace design, which falls solely within the jurisdiction of SACAA and NASCOM and is governed by the ICAO 9992 process. Because the EA does not authorise controlled airspace or alter the existing Class G environment, there were no airspace-related impacts for the EIA to assess and no basis for the EIA to solicit “interests and needs” on hypothetical future airspace structures that do not exist. The appellant’s claim that they were unable to express their interests because no detailed airspace design was provided is therefore incorrect. The EIA cannot lawfully provide or assess detailed airspace

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			designs, because these are developed after the EIA through the dedicated aviation regulatory process. Requiring such designs at the EIA stage would be procedurally improper, outside the scope of NEMA, and would unlawfully pre-empt SACAA’s statutory mandate. The record shows that the appellant and all surrounding aviation stakeholders—including Morningstar Flying Club—did express their interests, needs and concerns throughout the public participation process. Their inputs were repeatedly invited, formally received, comprehensively responded to in the Scoping Report, Draft EIAR, Final EIAR and the Comment & Response Report, and incorporated into the aviation studies (CONOPS, Airspace & Capacity Study). Participation was therefore meaningful, informed, and fully compliant with NEMA. The suggestion that airspace design has been “unlawfully or irrationally deferred” misunderstands the separation of mandates. Airspace design must, by law, occur after the EIA as part of the SACAA/NASCOM process; it cannot form part of the EA conditions. Accordingly, the requirements of NEMA s 2(4)(g) were fully met, and paragraph 32.2 does not identify any defect in the public participation process or any valid ground of appeal.
		32.3. Section 2(4)(k) of NEMA which requires that decisions by the CA must be made in a transparent manner and access to all materially relevant impact assessment information must be made available as a critical prerequisite to any meaningful public participation process. On these facts, the EA was granted irrationally on the basis that there were various gaps and material flaws in the assessment and information tabled in the final EIAR, particularly with respect to aviators safety and socio-economic impacts on the sustainability of the operations of existing airfields	EAP response: Section 2(4)(k) of NEMA states: <i>Decisions must be taken in an open and transparent manner, and access to information must be provided in accordance with the law.</i> The decision made by DEA&DP to grant the EA was made based on information provided, which information was also made available to all IAPs. DEA&DP provided reasons for its decision in an open and transparent manner.

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		in the receiving environment, which is compounded by the fact that the Appellant, and others, are still unaware of the precise extent of which the CWA will impact their airspace operations.	CWA response: The appellant’s reliance on section 2(4)(k) of NEMA is misplaced. This provision requires that decisions be taken transparently and that all materially relevant information relating to the impacts of the listed activity be made available during the public participation process. The listed activity in this EIA is the development of Cape Winelands Airport on the ground—not the design or approval of controlled airspace. Therefore, the only “materially relevant information” is information relating to the environmental impacts of the physical development, which was fully disclosed in the Scoping Report, Draft EIAR, Final EIAR, specialist studies (including aviation studies), and the Comment & Response Reports. The appellant’s argument incorrectly assumes that detailed airspace designs, controlled airspace boundaries, VFR corridors or transponder requirements form “material information” that had to be disclosed for the EA. This is legally incorrect. No such information exists at the EIA stage, because the EA does not authorise airspace and cannot predetermine controlled airspace. Airspace design is developed separately through the SACAA/NASCOM ICAO 9992 process. Requiring detailed airspace designs at the EIA stage would be unlawful, procedurally improper, and an intrusion on SACAA’s statutory mandate. The assertion that the EA was granted “irrationally” due to gaps or material flaws is therefore unfounded. All relevant information relating to the listed activity was placed before the competent authority, including aviation-related specialist input on the current airspace environment, general aviation activity, training patterns, and potential interactions. No aviation regulator—SACAA, ATNS or ACSA—identified

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			any missing information or raised concerns about aviator safety or socio-economic impacts arising from the EA. The appellant's claim that they are "still unaware of the precise extent of the CWA's impact on their airspace operations" again reflects a misunderstanding: there is no impact, because no airspace change has been approved. The current Class G and Special Rules airspace remains intact, and no restrictions on Morningstar, Grootfontein, Stellenbosch, Wintervogel or any other facility arise from the EA. In summary, the public participation process was transparent, all relevant information was disclosed, and the competent authority had a complete and lawful record on which to base its decision. Paragraph 32.3 does not establish any procedural defect and cannot constitute a valid ground of appeal.
		33. We identify the following further examples of the materially inadequate and defective approach to public participation in the circumstances:	
		33.1. The Airspace and Capacity Study records several substantive stakeholder concerns that were either dismissed without further specialist investigation or deferred to a separate process in terms of the ICAO Document 9992, undermining the transparency required for any decision made by the competent authority under section 24 of NEMA.	33.1 EAP response: Appendix G in Appendix 40B to the final EIAR records General Aviation stakeholder engagement to illustrate how concerns are incorporated into the airspace development process. Even though it falls outside the EIA process, it was deemed important to include it to be transparent on the other, related, statutory process of developing an airspace model and proposal while the EIA was ongoing. CWA response

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			The appellant’s claim mischaracterises both the purpose of the Airspace and Capacity Study and the nature of the EIA process. The study correctly addressed stakeholder inputs relating to the current airspace environment, which is the only environment relevant to the EIA. Concerns that fell within the mandate of the SACAA/NASCOM ICAO 9992 airspace change process were properly identified as belonging to that separate statutory process. This is not “dismissal” but the legally required separation of mandates. The EIA cannot design controlled airspace, test hypothetical airspace arrangements, or pre-empt SACAA decisions. Where stakeholder concerns related to future airspace classification, VFR corridors, CTR expansions or traffic-flow implications, the appropriate and transparent response was to direct these issues to the dedicated aviation regulatory process—where all stakeholders, including the appellant, will again participate. All comments received during the EIA were recorded, acknowledged, and responded to in the Scoping Report, Draft and Final EIARs, the comments-and-response tables, and specialist appendices. Nothing was hidden or suppressed. Transparency was fully achieved.
		33.2. For example, ACSA raised that “any change to airspace arrangements, as a result of CWA impacting traffic flows outside the CTIA CTR, will negatively impact the aviation industry”. This concern was dismissed by Straten Consulting Services Ltd with the statement that “no evidence is provided by ACSA to support this statement... examples of high-capacity airports elsewhere in the world indicate this statement has no basis”, without conducting further investigations or commissioning a bespoke specialist study	33.2 CWA response: This assertion is inaccurate. ACSA’s comment did not provide evidence, data, modelling, or operational analysis supporting its claim that CWA “will negatively impact the aviation industry.” The specialist was therefore entitled—and professionally obliged—to note the absence of evidence and to contextualise ACSA’s comment within global experience. Moreover, any concerns about future controlled airspace are again matters exclusively governed by SACAA/NASCOM, not the EIA. The

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		or engaging other aviation stakeholders to investigate the substance of the concerns raised.	specialist could not, and may not, undertake controlled-airspace design, model speculative traffic flows, or duplicate the ICAO 9992 process simply to satisfy a comment that fell outside the scope of NEMA. The correct and lawful approach was taken: • The comment was recorded, • It was acknowledged, • It was responded to, and • Its proper regulatory forum was identified. This is the opposite of a “defective” public participation process. It reflects transparent, lawful handling of a comment that strayed beyond the scope of the EIA.
		33.3. Similarly, the Stellenbosch Flying Club expressed a “concern on the proposed change to FAD69”, to which the response by Straten Consulting Services Ltd in the Airspace and Capacity Study was that “CWA has initiated a Task group to ensure engagement by all stakeholders... it is not unreasonable to expect a reasonable outcome”. No information is provided on who constitutes this task group, how its members were selected or how its decisions will inform the final design or how this deferral of materially relevant investigations will be subjected to public scrutiny after the EA has already been issued. In addition, when stakeholders such as the Stellenbosch Flying Club, the Appellant and ACSA requested “clarity on VFR corridors”, the response by Straten Consulting Services Ltd was that “it would be premature to determine where VFR corridors can be defined... VFR transiting the airspace will be accommodated when possible”. This leaves open the possibility	EAP response: Stakeholder engagement on airspace design was illustrated in Appendix G of Appendix 40B of the final EIAR. CWA response: The concerns raised in 33.3 are based on the incorrect assumption that the EIA was required to provide final airspace designs, VFR corridors, or details of changes to FAD69. The Environmental Authorisation does not create controlled airspace, cannot amend FAD69, and does not define VFR routes. These matters fall solely under the SACAA/NASCOM ICAO 9992 airspace-change process, which occurs after the EIA and cannot be pre-empted by it. The Cape Winelands Airport Task Force (CWATF) was established at NASCOM’s instruction as part of this aviation process—not the EIA—

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		that such access could be denied which would irreparably damage the sustainability of aviation operations in the vicinity of the CWA. This impact has not been identified, considered and addressed.	and is an open, industry-wide consultative forum. It does not make binding decisions, nor does it replace or limit the formal public participation that will occur once SACAA considers any airspace proposal. Its role is to enhance, not undermine, transparency. Straten’s response that it is premature to define VFR corridors before airspace drafting begins is procedurally correct. Airspace specialists cannot design controlled airspace during an EIA, and no regulator has suggested that VFR access will be denied. Accordingly, the issues raised in 33.3 relate to a future SACAA process—not to the EIA—and do not demonstrate any defect in public participation or provide a valid ground of appeal.
		34. These dismissive and indeterminate responses, combined with the refusal to provide critical information on VFR corridors and airspace designs associated with the CWA with the Appellant and other stakeholders in order for them to meaningfully participate in the preceding public participation processes, is legally indefensible and contrary to the principles of NEMA. This has entrenched the gaps in information placed before the competent authority, creating a basis on which a reasonable, rational and informed decision cannot be reached.	EAP response: The claim is unfounded as stakeholder engagement outside of the EIA process on airspace design was also included in the EIA (Appendix 40B) to be transparent on the process to be concluded once the EA was granted.
		35. This approach to public participation, in which I&APs are provided a limited amount of information, expected to meaningfully participate, and expected to accept the loose verbal promise of a future agreement to accommodate all of their interests, is legally indefensible and cannot serve to inform rational and reasonable decision-making. This approach undermines the procedural integrity of the environmental impact assessment process underpinning the EA and infringes on the Appellants right to administrative justice enshrined in section 33 of the Constitution of the Republic of South Africa, 1996.	CWA response: The claim that stakeholders were denied “critical information on VFR corridors and airspace designs” is incorrect and misunderstands the EIA’s legal scope. The Environmental Authorisation does not establish controlled airspace, cannot define VFR corridors, and cannot produce airspace designs—these fall solely under SACAA and the NASCOM/ICAO 9992 process, which occurs <i>after</i> the EIA. It would have been unlawful and procedurally improper for the EIA to provide information that does not yet exist and cannot be created within this process. All information relevant to the listed activity was fully disclosed, and all aviation stakeholders—including the appellant—participated

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			extensively throughout the EIA. No regulator identified any gap in information or raised any procedural concern. Accordingly, paragraph 34 does not reveal any defect in public participation and cannot form a valid ground of appeal.
		Ground 4: Absence of adequate conditions of authorisation that mitigate the impact on existing aviation operations	
		36. Derek Johan Lord of the Stellenbosch Flying Club and its Flight School deposed to an affidavit, attached hereto as Annexure D, in which he confirmed the following:	36-36.7 CWA response: CWA responds as follows to the affidavit submitted by Mr Derek Johan Lord, dated 19 November 2025. Mr Lord makes clear in his affidavit that he is mandated solely by the Stellenbosch Flying Club (SFC) and its associated flight school. His affidavit therefore reflects the position of SFC alone. It does not represent Morningstar Flying Club, nor the broader general aviation community, and cannot be relied upon as evidence of a collective GA position. Further, notwithstanding his consent that his affidavit be submitted with the appellant's appeal, he has since distanced himself from the appeal. That is made clear in his affidavit which is attached to the Covering Appeal Response as Annex 7. The concerns raised in the affidavit relate entirely to airspace matters—specifically airspace design, routing, access, safety procedures, and the potential future treatment of FAD69. These matters fall exclusively within the mandate of the South African Civil Aviation Authority (SACAA) and NASCOM under the ICAO Document 9992 airspace-change framework. They do not fall within the scope of

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			the Environmental Impact Assessment, and they cannot be addressed or regulated through an Environmental Authorisation. Nothing in the affidavit alters the legal principle that the EA does not authorise or predetermine controlled airspace. It cannot establish VFR corridors, define IFR procedures, amend FAD69, impose transponder requirements, or regulate aviator access. These decisions lie solely with SACAA in a separate process that will include its own formal public participation and technical assessment. The affidavit itself also confirms that extensive engagement took place between CWA and the general aviation sector over a period of nearly two years. Mr Lord references multiple meetings, task teams, workshops and consultations, including the establishment of the Cape Winelands Airport Task Force at NASCOM's direction. These engagements demonstrate the opposite of what the appellant alleges: instead of being excluded, the GA community, including SFC and Morningstar, participated broadly and repeatedly throughout the process. The "mitigation measures" referred to in the affidavit relate to operational airspace considerations. Such measures can only be implemented through SACAA's regulatory process and cannot lawfully be included as conditions in the EA. The absence of airspace-related mitigations in the EA is therefore not an omission but a correct application of statutory boundaries. The affidavit does not identify any environmental impact that was left unassessed, nor does it point to any procedural flaw in the EIA or in the public participation process. It contains no new environmental information relevant to the EA. Instead, it raises issues that fall under a separate statutory regime and will be considered at the appropriate stage of the NASCOM/SACAA process.

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			Further, as explained above, and as fully set out in the Covering Appeal Response, CWA is requesting the Minister to expand condition 48 of the EA. This amendment was formulated in consultation with Mr Lord after he reviewed the Morning Star appeal. In conclusion, the affidavit does not demonstrate any defect in the EIA, any shortcoming in public participation, or any basis to conclude that the EA was improperly granted. It concerns matters outside the environmental process and therefore cannot constitute a valid ground of appeal.
		36.1. Mr. Lord participated in all task teams, technical workgroups and consultative processes convened as part of the environmental impact assessment process underpinning the EA that sought to:	EAP response: proof of stakeholder engagement on airspace design is included in Appendix G of Appendix 40B to the final EIAR.
		36.1.1. Design the proposed controlled airspace; 36.1.2. Schedule IFR aircraft routing associated with the CWA; and 36.1.3. Plan air traffic management to mitigate impacts of proposed airspace proclamations on existing GA operations in the affected areas.	Noted
		36.2. During the various engagements, significant concerns were raised by the GA community with respect to the adverse effects anticipated from the proposed airspace structures.	Noted
		36.3. Over a period of almost two years, the Applicant facilitated numerous structured engagements where the concerns of the GA community were deliberated extensively.	Noted

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		36.4. These engagements resulted in several mutually acceptable mitigation measures, developed collaboratively and accepted, in-principle, by the Applicant and participating I&APs.	Noted
		36.5. These mitigation measures addressed various key components: 36.5.1. Operational safety; 36.5.2. Equitable airspace access; 36.5.3. Routing deconfliction; and 36.5.4. The preservation of long-standing General Aviation corridors and training activities.	EAP response: the concerns raised as part of this appeal are acknowledged by the Appellant to have been resolved within the stakeholder engagement working groups which will feed into the airspace design and SACAA approval process, of which the Appellant is aware. The EIA is not the means to resolve these concerns and by participating in this stakeholder structure, the Appellant acknowledged this and chose to engage on the correct aviation stakeholder platform. To now claim the EIA should have incorporated these measures as conditions of EA illustrates the Appellant's misunderstanding of the two processes. There is no claim in the consultation record that the agreed measures will be incorporated into the EIA. The sole reason for the stakeholder engagement working group was to enable the development of these measures outside of the EIA process.
		36.6. Despite the Applicant's acknowledgement of agreed measures, the EA does not incorporate these measures as conditions of environmental authorisation nor does it show any evidence of having considered these measures.	EAP response: responded to above
		36.7. The omission of these agreed-on mitigation measures as conditions of authorisation constitutes a material deviation from the consultation record and directly impacts the rights, safety and operational viability of the GA community.	EAP response: responded to above

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		37. As confirmed above, the EA fails to impose binding mitigating conditions on the Applicant which serve to avoid, minimise or manage the significant impact of the CWA project on the existing aviation community and existing airfield operations identified in this Appeal. The specific omissions include:	EAP response: the inability of the EA to impose these binding measures are discussed above. Airspace design does not fall within the mandate of NEMA or DEA&DP, nor of the Minister on appeal.
		37.1. There are no directly relevant conditions of approval or mitigation measures that seek to safeguard the continued sustainable operations of existing airfields or accessibility for the surrounding aviation community such as those at the Morningstar Airfield, the Grootfontein Airfield as well as the Wintervogel Airfield. Although the precise degree of impacts on these airfields is as-yet unknown, due to the Applicant's and EAP's failure to discharge the onus to provide detailed airspace designs and assessments for the CWA as part of the EIA process, it is certain that the move from an uncontrolled to a controlled airspace will have a devastating impact on those forming part of impacted airfields in the vicinity.	CWA response: The allegation that the EA “fails to impose binding mitigating conditions” to safeguard the operations of Morningstar, Grootfontein and Wintervogel Airfields is based on the incorrect assumption that the Environmental Authorisation has the power to regulate airspace. It does not. The EA cannot create controlled airspace, cannot amend FAD69 or Special Rules East, cannot impose transponder requirements, cannot define VFR corridors, and cannot restrict or guarantee access to any general aviation facility. These matters fall exclusively under the mandate of the South African Civil Aviation Authority (SACAA) and NASCOM through the ICAO Document 9992 airspace-change process. <i>Because no airspace change has been proposed, approved, or implemented,</i> there is no “move from an uncontrolled to a controlled airspace” resulting from the EA, and therefore no airspace-related impact for the EA to mitigate. The premise of the appellant’s argument is factually incorrect. The EIA is required to address environmental impacts arising from the listed activity—the physical expansion of the airport—not impacts dependent on future regulatory decisions by SACAA. Consequently, the EA cannot contain airspace-operational mitigation measures, as these lie entirely outside its jurisdiction. Furthermore, the appellant acknowledges that “the precise degree of impacts is as-yet unknown,” which confirms that the impacts alleged

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			are speculative and hypothetical. NEMA does not require the EIA to assess or mitigate hypothetical future impacts arising from processes that fall under a different regulatory authority. The continued operation and accessibility of Morningstar, Grootfontein and Wintervogel Airfields remain entirely unaffected by the EA. Their existing uncontrolled airspace access remains unchanged. Any future airspace changes—if ever proposed—will be subjected to a full SACAA/NASCOM technical and public participation process, where all affected aviation stakeholders will again be consulted. Accordingly, paragraph 37.1 does not identify any omission in the EA and cannot substantiate a valid ground of appeal.
		37.2. The EA fails to include the mitigation measures recommended in Appendix 20 of the Airspace and Capacity Study regarding a Letter of Agreement to protect the South African Hang Gliding and Paragliding Association hang-gliding site, the only training hill for hang-gliding near Cape Town.	CWA response: The assertion that the EA is defective because it does not include a Letter of Agreement (LOA) to “protect” the South African Hang-Gliding and Paragliding Association’s training hill misunderstands both the scope of the EA and the purpose of the LOA referenced in Appendix 20. An LOA is an operational aviation instrument, negotiated between airspace users and subject to approval by the South African Civil Aviation Authority (SACAA). It governs flight procedures, coordination and operational coexistence. It is not an environmental mitigation measure and cannot lawfully be imposed as a condition of an Environmental Authorisation. Only SACAA may approve or enforce an LOA under the Civil Aviation Regulations. The EIA cannot regulate airspace, cannot impose aviation procedures, and cannot require operational agreements between aerodromes and

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			airspace users. Including an LOA in the EA would be ultra vires and procedurally improper. Furthermore, no airspace change affecting the hang-gliding site has been approved. The site currently operates within uncontrolled Class G airspace, which remains unchanged by the EA. Any future airspace considerations—including LOAs—must follow the ICAO 9992 NASCOM/SACAA airspace-change process, which includes its own stakeholder engagement. Accordingly, the absence of an LOA from the EA is not an omission, nor does it result in any unmitigated environmental impact. Paragraph 37.2 does not constitute a valid ground of appeal.
		38. Without the imposition of binding conditions on the Applicant and holder of the EA, all external agreements between the Applicant with the surrounding aviation community are mere window dressing, with little to no recourse for those whose operations, activities and livelihoods are impacted negatively by the direct, indirect and cumulative impacts associated with the introduction of a large-scale new international airport in the form of the CWA project. Section 24O(1)(b)(ii) of NEMA mandates the competent authority to ensure that mitigation measures imposed as part of the EA are adequate. In the circumstances, however, this critically important aspect of mitigation with respect to the harmful socio-economic impacts of the CWA on aviation operations in the immediate vicinity have been ignored and deferred to a post-approval context. We submit that the threshold of adequacy cannot be met in these circumstances where the impact assessment and impact mitigation hierarchy have been deferred and, as	CWA response: The premise of paragraph 38 is incorrect. The Environmental Authorisation does not give rise to any direct, indirect, or cumulative impacts on the operations of surrounding airfields because the EA does not authorise any airspace change. Airspace classification, routing, transponder requirements, controlled-airspace boundaries and VFR/IFR procedures fall exclusively under the mandate of SACAA and the NASCOM/ICAO 9992 process. Since no airspace change has been approved, none of the alleged “harmful socio-economic impacts” exist, and therefore there is no basis for imposing airspace-related mitigation conditions in the EA. Section 24O(1)(b)(ii) of NEMA requires the competent authority to ensure that mitigation measures relevant to the environmental impacts of the listed activities are adequate. The listed activities here involve the physical expansion of an airport—not the design or approval of controlled airspace. The EA therefore includes all mitigation measures

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		such, adverse impacts of the CWA have not been avoided, minimised or remedied in contravention of section 2(4)(a)(viii) of NEMA.	relevant to <i>actual environmental impacts</i>, while aviation-operational mitigations that fall within SACAA’s jurisdiction cannot lawfully be imposed as EA conditions. To do so would be ultra vires. External agreements between aviation stakeholders—such as Letters of Agreement or operational arrangements—are aviation instruments regulated under the Civil Aviation Regulations. They are not environmental mitigation measures and cannot be made part of the EA. Their existence does not reflect “window dressing”; rather, they reflect responsible ongoing collaboration within the appropriate regulatory framework. The allegation that the mitigation hierarchy has been “ignored” or “deferred” is therefore unfounded. There are no airspace-related impacts for the EIA to avoid, minimise or remedy because no airspace restructuring has occurred. The competent authority acted on a complete environmental record, and all required mitigation measures were imposed. Accordingly, paragraph 38 does not identify any defect in the EA or any non-compliance with NEMA and cannot constitute a valid ground of appeal.
		39. Without binding conditions of authorisation that are bespoke to the project-related impacts and mitigation measures, existing aviation operations are at risk of being cut off from the airspace that these operations have made use of for decades, rendering these operations inoperable or forced to close, resulting in irreversible socio-economic harm and non-compliance with NEMA’s sustainability and equity principles in section 2(4) of NEMA. In the circumstances, the economic, social and environmental sustainability of all developments, proposed	CWA response: The allegation in paragraph 39 is founded on the repeated but incorrect assumption that the Environmental Authorisation alters or restricts airspace in a manner that threatens the continued operation of surrounding airfields. The EA does not authorise any change to airspace, cannot cut off access to Morningstar, Grootfontein, Wintervogel or any other aviation facility, and does not impose or enable any restriction on VFR routes or GA operations. Airspace

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		and existing, have not been balanced in light of one another and in light of the impacts of the CWA on the environment. This promotes unsustainable development contrary to the tenets thereof outlined in section 24 of the Constitution, NEMA and by the Constitutional Court in <i>Fuel Retailers</i>.	classification and operational access remain entirely within the jurisdiction of SACAA and the NASCOM/ICAO 9992 process. Since no airspace change has been proposed, approved or implemented, the claim that existing aviators face “inoperability”, “closure” or “irreversible socio-economic harm” has no factual or legal basis. Because no airspace impacts arise from the listed activity, there is nothing for the EA to mitigate through binding project-specific conditions. It would be unlawful for DEADP to impose aviation-operational conditions—such as guaranteeing airspace access, defining VFR corridors, or protecting specific aerodromes—as these fall solely under the Civil Aviation Regulations. The absence of such conditions in the EA therefore reflects correct legal compliance, not a defect. The appellant’s reliance on section 2(4) of NEMA and the Constitutional Court’s <i>Fuel Retailers</i> judgment is similarly misplaced. <i>Fuel Retailers</i> requires the competent authority to balance the socio-economic and environmental consequences of a development arising from the activity under assessment, not hypothetical consequences arising from future decisions by other regulators. Here, all socio-economic and environmental impacts of the airport development itself were assessed in the EIA and considered by the competent authority. Alleged impacts on airspace access do not arise from the EA and therefore cannot be considered under <i>Fuel Retailers</i>. There is no evidence that the sustainability, equity or environmental principles in NEMA were violated. Rather, the EA reflects a lawful balancing of actual impacts, while matters relating to future airspace design will be dealt with in the appropriate SACAA-led process, which includes its own structured stakeholder engagement. Accordingly, paragraph 39 does not demonstrate any failure to balance competing interests, any risk to existing aviation operations, or any

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			non-compliance with NEMA or the Constitution. It cannot form a valid ground of appeal.
		CONCLUSION 40. For the reasons provided in this Appeal, the granting of this EA is fatally flawed and would not withstand judicial scrutiny.	EAP response: The responses provided to the points in this appeal illustrate the misunderstanding of the Appellant of the EIA and airspace design process, how these two processes run independently under different legislation and competent authorities, yet how they influence each other. The inclusion of the agreed measures as listed by the Appellant in the EA would be pre-emptive as firstly, the assessment and granting of these measures does not lie within DEA&DP's mandate, and secondly, the finalisation of the airspace design follows on the issue of the EA, as it is only once the EA is issued that CWA has the right to finalise the airspace design and apply for the authorisation. Therefore it is the opinion of the EAP that the EA is not fatally flawed. CWA response: The assertion that the granting of the EA is “fatally flawed” and incapable of withstanding judicial scrutiny is unsupported by facts, law, or the record of the EIA process. The appeal repeatedly relies on incorrect assumptions—most notably, that the EA alters airspace, restricts general aviation access, or produces socio-economic impacts arising from hypothetical future SACAA decisions. As demonstrated throughout this response, the EA does none of these things. The EIA fully complied with NEMA, the EIA Regulations, and all procedural requirements. Specialist studies were comprehensive, extensive public participation occurred, all Interested and Affected

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			Parties were notified and engaged, and no competent aviation authority (SACAA, ATNS or ACSA) has identified any environmental or operational concern that would render the EA unlawful. The appeal does not identify a process error, a substantive environmental impact that was not assessed, or any new information as required by Regulation 4(1) of the National Appeal Regulations. Instead, it advances airspace-related concerns that fall entirely outside the scope of an EA and will be addressed in the separate ICAO 9992 SACAA/NASCOM airspace-change process. Given this, there is no legal basis to set aside the EA. The decision to grant the EA was rational, informed, procedurally fair, and well within the competence of the authority. Accordingly, the conclusion in paragraphs 40 and 41 is unfounded, and the appeal should be dismissed.
		41. The Appeal accordingly should be upheld and the decision to grant the EA set aside.	Noted

ANNEX 4

RESPONSE TO CWA TENANTS

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Registered IAPs Notified of EA: 30 October 2025

Appeal Period Closure: 19 November 2025

Responding Statements to Appeals Received

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Appeals received within 20 calendar days from the date this decision was sent to the registered I&AP's by the holder (applicant) of the decision [i.e. Appeals received on or before 19 November 2025]			
Appellant 4 The appeal submission consists of the following: - RS Inc Appeal Statement on behalf of the Appellants dated 19 November 2025; and (Responded to below) - Annexures A and B - A Resolution of Directors of the 5 entities represented - The prescribed appeal form, was submitted to DEADP			
4	Richard Summers Inc:	RS Inc Appeal Statement on behalf the Appellants received via email dated 19 November 2025	
	1. Cape Town Flight Training Centre (Pty) Ltd; 2. Diepkloof Aircraft Maintenance CC; 3. 4 Aviators (Pty) Ltd; 4. Helivate Helicopter Services (Pty) Ltd; and	1. We, Richard Summers Inc. act on behalf of the following entities, by whom we are duly authorised to note and prosecute this appeal: 1.1. Cape Town Flight Training Centre (Pty) Ltd (Reg. No.2016/471831/07); 1.2. Diepkloof Aircraft Maintenance CC (Reg. No.1997/62715/23); 1.3. 4 Aviators (Pty) Ltd (Reg. No. 2017/296100/07); 1.4. Helivate Helicopter Services (Pty) Ltd (Reg. No. 2013/019844/07); 1.5. WCMS CC T/A AeroSport (Reg. No. CK 94/33151/23). (referred to collectively to as the Appellants in this appeal).	Noted. It is important to understand the context in which this appeal should be considered. The Cape Winelands Airport expansion will, once completed, deliver a vastly improved service offering to all airport tenants (including, off course, these appellants); one that simply cannot be achieved within the limitations of the current infrastructure. The modernised runway system, upgraded airside facilities, enhanced safety standards, improved utilities, and expanded commercial amenities will enable tenants to operate more efficiently, reliably, and competitively. These

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	5. WCMS CC T/A AeroSport.		upgrades will allow tenants to offer a far stronger value proposition to their own customers, unlocking new business opportunities, enabling operational growth, and positioning them to meet future market demands with confidence. Cape Winelands Airport places immense value on its tenants and is committed to working closely with them to support the long-term growth of their businesses. The airport recognises that tenants are integral to its ecosystem and that their success is directly tied to the success of the airport itself. While the development will inevitably bring a period of temporary disruption, the airport firmly believes that the inconvenience will be significantly outweighed by the long-term benefits. The expansion is designed with the future in mind ensuring that tenants are not merely accommodated, but empowered and able to thrive in a world-class aviation environment. Beyond tenant benefits, the improved connectivity and enhanced airport offering will serve not only airport users, but also the wider aviation industry, key to its sustainability and growth. The project will deliver meaningful advantages to the broader community through job creation and increased economic activity, both during construction and throughout ongoing operations. In this way, the expansion strengthens the region's capacity for growth, improves its connectedness and ultimately its competitiveness. In essence, the expansion represents a shared investment in the future; one that places tenants at the centre of long-term planning, prioritises regional development, and ensures that the gains realised will endure well beyond the construction phase. The short-term disruption will be far overshadowed by the long-term opportunity,

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			resilience, and growth that the expanded Cape Winelands Airport will unlock for everyone involved.
		2. The Appellants hereby appeals against the decision by the Western Cape Department of Environmental Affairs and Development Planning (DEADP) dated 17 October 2025 to grant environmental authorisation for the proposed expansion of the Cape Winelands Airport (CWA) under DEADP reference number 16/3/3/2/A5/20/2046/24 (EA). A copy of the EA is attached hereto as Annexure A. The Appellants were notified of the granting of the EA on 30 October 2025. Proof of notification is attached hereto as Annexure B.	Noted. CWA Response: The Appeal submitted by Richard Summers Incorporated on behalf of Appellants was not submitted on the prescribed appeal form, contrary to regulation 4(3)(a). These defects mean that this appeal fails to meet the minimum mandatory requirements and should accordingly procedurally invalid. Please see our Covering Appeal Response regarding non-compliance with statutory requirements.
		3. The appeal lodged in terms of section 43(1) of the National Environmental Management Act No. 107 of 1998 (NEMA), read with Chapter 2 of the National Appeal Regulations, 2025, published under NEMA, within 20 calendar days of the date on which the Appellants were notified of the decision i.e. the appeal is submitted within the statutorily prescribed timeframe referred to in Regulation 4(1)(a) of National Appeal Regulations.	Noted

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		4. The Appellants have complied with the requirement to provide a copy of this appeal to Capewinlands Aero (Pty) Ltd (c/o Mr. Deon Cloete) (Applicant) in this matter as set out in Regulation 4(2)(b) of the National Appeal Regulations. Proof of notification to the Applicant is attached hereto as Annexure C.	CWA Response: Annexure C Missing: This was not sent to Mr Cloete, but was forwarded by the Minister’s office on 20 November 2022.
		5. In summary, the grounds of appeal are as follows:	
		5.1. Ground 1: There is no assessment of socio-economic impacts of the CWA development on the Appellants’ operations. The EA was issued on the basis of significant gaps in assessment of socio-economic impacts.	EAP Response: The SIA (Appendix 3 to the final EIAR) acknowledges the presence of aviation tenants, reiterating the incorporation of GA in the design of the Preferred Alternative. Further to this Appendix G to Appendix 40B of the final EIAR illustrates consultation with the Appellants, inclusive of their socio-economic interests. Also refer to Appendix 1 of this appeal response for the record of PPP with Appellants. CWA Response: The assertion that there was “no assessment” of socio-economic impacts is factually incorrect and reflects a misunderstanding of what NEMA requires an EIA to assess. The socio-economic specialist study did assess the macro-economic and regional socio-economic implications of the CWA project, including aviation-sector contributions, local employment, training-related economic activity, and the broader benefits associated with the airport’s expansion. NEMA does not require a project-specific business-viability analysis of

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			individual private companies, nor does it require the EIA process to protect commercial lease interests, operational preferences, or turnover structures of tenants operating on privately-owned land. The Appellants are attempting to transform commercial and contractual issues—governed by leases and private negotiation—into environmental impact issues, which they are not. The Appellants were always aware of the long-term airport development trajectory, and socio-economic considerations in an EIA cannot be extended to guarantee the continuity, profitability, or specific operational arrangements of private enterprises. The socio-economic assessment met all statutory requirements, and the alleged “significant gaps” relate not to omissions in the EIA, but to matters that fall outside its legal mandate.
		5.2. Ground 2: Due to the failure to identify, evaluate and assess the socio-economic impact of the CWA development on the Appellants, there is an absence of mitigation measures proposed and endorsed as conditions of authorisation to safeguard the Appellants’ interests.	EAP Response: The SIA (Appendix 3 to the final EIAR) acknowledges the presence of aviation tenants, reiterating the incorporation of GA in the design of the Preferred Alternative. Further to this Appendix G to Appendix 40B of the final EIAR illustrates consultation with the Appellants. Also refer to Appendix 1 of this appeal response for the record of PPP with Appellants. CWA Response: This ground rests on the same incorrect premise as Ground 1—namely, that the EIA process is required to assess and mitigate private commercial impacts on individual tenants. NEMA does not impose such a duty. The EIA regime requires mitigation of environmental impacts,

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			not the safeguarding of business arrangements, lease positions, or commercial interests of parties operating on the property. The absence of project-specific commercial mitigation measures in the Environmental Authorisation is therefore not an omission but a reflection of the correct application of the law. Mitigation conditions under NEMA cannot be used to secure operational continuity, relocation compensation, or bespoke protections for private enterprises. These matters fall squarely within contractual negotiations between the airport operator and its tenants and cannot properly be regulated by conditions of an environmental authorisation. The socio-economic specialist assessment properly addressed impacts at the community, regional and sectoral levels, which is what NEMA requires. The Appellants' demand for personalised business guarantees is beyond the scope of the EIA and an environmental authorisation. It therefore cannot form a lawful basis for appeal.
		BACKGROUND TO THE APPEAL 6. The Appellants are residents of the present-day CWA as tenants, and which residency and continued business operation is critical to the socio-economic sustainability of each of the Appellants' business operations.	Noted CWA Response: It is misleading to suggest that the Appellants are "residents" in that it conveys a greater security of tenure than can properly be claimed by tenants which derive their right to occupy premises from commercial leases. EAP comment: Appendix 40B to the final EIAR contains records of engagement with aviation stakeholders, inclusive of Helivate Helicopter Services, Aerosport and CTFTC. Helivate Helicopter Services,

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			CTFTC, Aerosport and Diepkloof Aircraft Maintenance were also registered IAP's for the EIA process. They were informed of the EIA process and provided with all documentation and timeframes in order to comment and provide concerns. No comments were received during the EIA process.
		7. At the outset, we are instructed to record that the Appellants do not object to the CWA development in principle and are willing to ensure that their aviation operations co-exist with that of the CWA. We are instructed that the following options have been verbally expressed by the Applicant to be under consideration:	CWA Response: It is noted and welcomed that the Appellants expressly state that they “do not object to the CWA development in principle” and that they are willing to co-exist with CWA's operations. This acknowledgment is important, as it confirms that the Appellants support the development of the airport and do not dispute the need, desirability, or appropriateness of the project itself. Their appeal is therefore not an objection to the environmental merits of the development, but rather an attempt to resolve commercial and operational matters through the environmental appeal process. These matters — including relocation logistics, operational preferences, or compensation arrangements — fall outside the purpose and mandate of the EIA process and cannot be grounds for setting aside an Environmental Authorisation. The appellants' stated support for the project directly contradicts the relief they seek (the setting aside of the EA), and further underscores that their concerns are not environmental in nature but relate to private business negotiations that must be dealt with contractually rather than through NEMA's regulatory framework.

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		7.1.Option 1: The Appellants remain at CWA throughout the development. In this regard, we note the following:	CWA Response: The suggestion that the Appellants must be guaranteed continued occupation and uninterrupted operations at CWA throughout the entire development period is not an environmental requirement, nor is it a condition that can be imposed through the EIA process. This expectation relates purely to commercial arrangements and operational planning, which fall within the scope of lease agreements, SACAA regulatory procedures, and construction programming — not NEMA. CWA has consistently confirmed its intention to phase construction in a manner that maintains operational continuity as far as is reasonably practicable, subject to aviation safety and regulatory approvals. However, no development project of this scale can lawfully or practically guarantee zero disruption, and NEMA does not require such a guarantee. Temporary operational constraints are an ordinary and foreseeable consequence of large-scale infrastructure upgrades, particularly where tenants occupy land with full knowledge of the airport’s long-planned expansion trajectory. The Appellants’ attempt to recast routine construction-related limitations as “environmental impacts” is misplaced. These are operational and commercial matters, not grounds for setting aside an Environmental Authorisation.
		7.1.1. The construction programme must provide for the creation and maintenance of conditions on the airfield which would facilitate continuous	CWA Response: The assertion that the construction programme “<i>must</i>” be tailored to guarantee continuous operations for the Appellants, except for a “brief

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		operations other than a brief cut-over period – as has been proposed verbally on a number of occasions by the Appellants. This option would have minimum impact on the Appellants and is practically possible as demonstrated by hundreds of airfield expansion projects around the world.	cut-over period,” has no basis in NEMA, the EIA Regulations, or any legal principle governing environmental authorisations. Construction phasing and operational continuity are engineering, aviation safety, and contractual considerations, not environmental determinants. The EIA process cannot be used to compel an infrastructure project to adopt a construction methodology that preserves the uninterrupted business convenience of private tenants. Furthermore, the Appellants frame their preferred scenario as an obligation on the Applicant, yet they present no specialist engineering, aviation safety, or SACAA-endorsed evidence to substantiate their claims about what is “practically possible.” Large-scale airfield upgrades are complex and must prioritise safety, regulatory compliance, and construction feasibility, not commercial preferences. Any operational constraints arising during construction are a normal and entirely foreseeable part of airport redevelopment and do not constitute an environmental impact requiring mitigation through an EA condition. The suggestion that this has been achieved at “hundreds of airfield expansion projects around the world” is entirely unsubstantiated and completely overstated. The Appellants accepted occupation under leases containing development clauses, fully aware that significant upgrades to the airport would occur. Their attempt to transform their preferred construction sequencing into a statutory requirement is outside the

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			scope of the EIA process; is not properly the condition of an environmental authorisation and cannot serve as a ground of appeal.
		7.2.Option 2: The Appellants are temporarily relocated to an existing fully developed airfield. In this regard, we note the following:	CWA Response: The Appellants’ discussion of a temporary relocation option again illustrates that their concerns are operational and commercial in nature, not environmental. The EIA process is not a mechanism to design or approve relocation strategies, nor is it mandated to guarantee continued occupation or business convenience for tenants during a major infrastructure upgrade. Temporary relocation, if required at any stage of construction, is a commercial matter governed by leases, negotiation, and SACAA regulatory processes, not NEMA. The potential administrative steps, costs, and procedural requirements associated with relocating an Approved Training Organisation (ATO) fall entirely outside the scope of the environmental authorisation, and cannot be used to challenge its validity. Moreover, the Appellants’ framing of this option as if it is a alternative that must be assessed and mitigated misunderstands the purpose of an EIA. NEMA does not require the EIA to ensure that private businesses face no inconvenience or adaptation during development. The airport operator’s responsibilities lie in compliance with statutory environment and aviation safety and requirements, not in absorbing or mitigating every operational impact experienced by commercial tenants. Accordingly, Option 2 has no bearing on the validity of the Environmental Authorisation and cannot form a lawful basis for appeal.

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		7.2.1. Any relocation of an Aviation Training Organisation (ATO) will require a minimum of 12 months in order to navigate the regulatory approval process. Pragmatically, this would have to be initiated 24 months in advance of the planned move. Two of the Appellants have first hand experience of this process (i.e. AeroSport and 4-Aviators). The regulatory procedures applicable to the relocation (inclusive of a notice period and administrative costs) would have to be performed twice in order to re-locate back to CWA after the closure period.	CWA Response: The Appellants’ focus on the regulatory timelines and administrative effort associated with relocating an ATO confirms—again—that their concerns relate to operational logistics and commercial arrangements, not environmental impacts. The EIA Regulations do not require an environmental assessment to analyse or mitigate SACAA administrative processes, ATO approval timelines, or business-level relocation procedures. These are internal regulatory matters governed exclusively by the Civil Aviation Authority and the contractual relationship between the Appellants and CWA. It is also important to note that the Appellants’ argument presumes that relocation is inevitable, predetermined, and unavoidable. This is incorrect. The detailed construction programme, sequencing, and SACAA approvals will determine the extent, timing, and nature of any temporary operational adjustments — none of which can be factually pre-judged at the EIA stage. Even if relocation were required, the fact that it may involve administrative steps does not elevate it to an <i>environmental</i> impact under NEMA. Many infrastructure projects requiring temporary operational changes involve regulatory approvals; this does not render such processes environmental impacts nor justify setting aside an EA.

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			The Appellants’ attempt to convert routine aviation regulatory requirements into grounds for environmental appeal is misplaced and cannot invalidate the Environmental Authorisation. The matters they raise are operational and commercial, not environmental, and cannot form the basis for overturning an Environmental Authorisation.
		7.2.2. In addition to the notice period and administrative costs, the costs of relocating infrastructure (such as tools, equipment, furnishing etc.) would have to be borne by the Applicant. Staff of the Appellants will also have to be compensated by the Applicant for additional travel and/or relocation expense. Furthermore, Key Efficiency Factors such as good weather record, availability of multiple landing strips, close proximity to flying training areas for basic training and uncontrolled traffic operation would all be compromised resulting in an estimated reduction in turnover of up to 25%.	CWA Response: The Appellants’ argument in 7.2.2 again underscores that their concerns are purely commercial and operational, not environmental. The EIA process is not a vehicle for securing compensation, reimbursement of business expenses, or guarantees regarding staff travel, logistical costs, or infrastructure relocation. These are contractual matters to be addressed within the framework of existing leases and negotiations and cannot be imposed as conditions under NEMA. The claim that temporary relocation—or any operational adjustment—would compromise “Key Efficiency Factors” and lead to a 25% reduction in turnover is entirely speculative and unsupported by any independent economic or aviation-specialist assessment. No evidence is presented to substantiate the figure, no baseline data is provided, and no counterfactual modelling accompanies the claim. This undermines its credibility and disqualifies it as a basis for challenging an Environmental Authorisation.

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			Moreover, the Appellants incorrectly assume that any construction-related adjustment necessarily involves relocation, cost burdens on the Applicant, or compromised flying conditions. The detailed construction programme, SACAA approvals, and phased sequencing will determine how operations are maintained, and these matters are regulated under aviation safety legislation, not environmental law. CWA has repeatedly stated that operational continuity will be maintained as far as safely practicable and subject to SACAA requirements. Speculative business impacts and compensation demands cannot transform private commercial concerns into environmental impacts. For this reason, paragraph 7.2.2 does not constitute a valid ground of appeal.
		7.3. Option 3: The Appellants are temporarily relocated to a minor undeveloped brown-field site to the North of the current location for an undisclosed period. In this regard, we are instructed as follows:	CWA Response: Option 3 once again illustrates that the Appellants are treating the environmental appeal process as a mechanism to secure commercial and operational outcomes, rather than raising genuine environmental grounds as contemplated under the National Appeal Regulations. The question of whether a temporary location is “minor,” “undeveloped,” or “suitable” for interim use is not an environmental impact requiring assessment under NEMA, but a commercial, logistical, and regulatory issue governed by aviation safety requirements, construction planning, and lease arrangements. The EIA process cannot—and is not designed to—regulate where private

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			tenants prefer to be situated during the construction of a privately-owned airport. Furthermore, the Appellants' concerns about an "undisclosed period" for temporary relocation are speculative. The detailed construction sequencing, timelines, and SACAA-approved operational transitions will be determined through the appropriate technical and regulatory processes, not through an environmental authorisation. These matters cannot be pre-judged at the EIA stage and do not constitute environmental impacts. Option 3 therefore has no bearing on the validity of the EA and cannot support an appeal that seeks to set aside an authorisation based on operational inconvenience or commercial preference.
		7.3.1. The Appellants reject this option on the basis that moving further away physically from the Appellants' base renders the value proposition of their business operations unsustainable. Key Efficiency Factors such as close proximity to market population centre, availability of multiple landing strips and proximity to controlled airspace for advanced and navigational training would be fatally compromised.	EAP Response: Four of the Appellants were part of the EIA process, were requested to provide input during the process and provided with the information and the opportunity to do so. No concerns were raised during the four rounds of PPP. The Applicants engaged with aviation stakeholders outside of the EIA process to address specific concerns, proof of which was provided in Appendix 40B to the final EIAR. The Appeal is not against the EA and the issuance of it. The appeal is against the absence of security of operation during the initial construction phase and based on the assumption that these operators will form part of the group of GA eventually accommodated at the expanded CWA. CWA Response:

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			It is notable that the Appellants present Option 3 themselves and then immediately reject their own option as “unsustainable.” This contradiction underscores that these are internally generated scenarios, not options proposed, required, or endorsed by CWA or the EIA process. Their rejection of their own hypothetical option cannot be used to challenge an Environmental Authorisation. The Appellants are attempting to manufacture “impact scenarios” that the Applicant has neither proposed nor adopted and then use their own rejection of these hypothetical scenarios as grounds for appeal. This approach has no relevance to NEMA, which requires the assessment of actual project impacts, not speculative or self-created commercial preferences. Furthermore, the factors that they list—proximity to markets, landing strips, or controlled airspace—are operational considerations, not environmental impacts. Even if temporarily affected, such considerations do not fall within the mandate of the EIA process and cannot invalidate an EA. In short, the Appellants cannot create an undesirable scenario of their own making, reject it, and then rely on that rejection to attempt to set aside an Environmental Authorisation.
		7.3.2. In addition to the Appellants’ considerations noted under Option 2 above, the Appellants anticipate a reduction of over 60% in turnover. Further issues	CWA Response:

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		would include, inter alia, additional maintenance costs associated with operating from an unprepared surface. Option 3 and the severe socio-economic impact associated therewith would likely result in the liquidation of a number of the Appellants.	The Appellants’ assertion of a “60% reduction in turnover,” together with the suggestion that temporary relocation would “likely result in liquidation,” is entirely speculative and lacks any evidentiary foundation. More importantly, the Appellants operate fundamentally different businesses — including fixed-wing flight training, helicopter training, microlight and gyrocopter training, maintenance organisations, and aerial services. Each of these entities has distinct markets, cost structures, revenue models, regulatory obligations, and operational characteristics. The idea that all of these diverse businesses would experience <i>the same 60% reduction in turnover</i> is inherently illogical and demonstrates that the figure is entirely fictional. A single percentage impact cannot credibly apply across: • CTFTC’s fixed-wing ATO operations • Helivate’s helicopter school and charter activities • 4 Aviators’ international student-based training model • Diepkloof’s AMO maintenance business • AeroSport’s microlight/gyro/light sport flying school These are different industries operating at the same location, not a homogenous business unit. Their attempt to present one universal “60% impact” exposes the speculative nature of the claim and underscores the absence of any proper socio-economic foundation. Furthermore, this alleged impact is tied to Option 3, a hypothetical scenario that the Appellants themselves created and immediately rejected. It is not a proposal made by CWA, nor is it a project element assessed in the EIA. Attempting to invalidate an Environmental

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			Authorisation on the basis of their own self-generated worst-case scenario is fundamentally flawed. Speculative business losses, especially those unsupported by any evidence and applied uniformly across unrelated enterprises, do not constitute environmental impacts under NEMA and cannot serve as a lawful ground of appeal.
		8. Whilst there have been positive interactions between the Applicant and the Appellants to-date, the parties have not reached an agreement regarding the way forward or reduced the options available to writing. This is a concern as certain aspects of the options presented by the Applicant will result in irreversible socio-economic harm on the Appellants' operations.	EAP Response: Four of the Appellants were part of the EIA process, were requested to provide input during the process and provided with the information and the opportunity to do so. No concerns were raised during the four rounds of PPP. The Applicants engaged with aviation stakeholders outside of the EIA process to address specific concerns, proof of which was provided in Appendix 40B to the final EIAR. The Appeal is not against the EA and the issuance of it. Commercial agreements and compensation for potential temporary losses to tenants do not form part of the impacts assessment scope for the EIA. CWA Response: This confirms that the Appellants' grievance arises from commercial negotiations, not environmental impacts. The Appellants openly acknowledge that they have had "positive interactions" with the Applicant but have not yet concluded an agreement regarding the way forward. This is a normal feature of

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			landlord–tenant and operator–user engagements and falls squarely within the realm of private contractual arrangements. The fact that an agreement has not yet been reduced to writing does not convert a commercial negotiation into an environmental defect, nor does it create a basis to set aside an Environmental Authorisation. NEMA does not require an applicant to finalise lease terms, operational agreements, or commercial arrangements with tenants before an EA may be issued. An EIA process assesses environmental impacts, not the status of private negotiations. The Appellants’ reference to “irreversible socio-economic harm” is again misplaced: no environmental specialist study or independent evidence supports this claim, and it relates to their business preferences, not environmental effects. The absence of a concluded commercial agreement cannot be transposed into a NEMA appeal ground, and this paragraph simply underscores that the Appellants are attempting to use the environmental appeal process as leverage in ongoing commercial discussions — something the Appeal Regulations do not permit.
		9. In the absence of a binding agreement between the parties (which offers the Appellants the requisite level of certainty that their interests are safeguarded), there is potential for and significant risk of serious material adverse socio-economic impacts of the CWA development on the Appellants’ operations, which impacts have not been identified,	EAP Response: Four of the Appellants were part of the EIA process, were requested to provide input during the process and provided with the information and the opportunity to do so. No concerns were raised during the four rounds of PPP. The Applicants engaged with aviation stakeholders

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		evaluated and assessed as part of the environmental impact assessment process to-date.	outside of the EIA process to address specific concerns, proof of which was provided in Appendix 40B to the final EIAR. The Appeal is not against the EA and the issuance of it. Commercial agreements and compensation for potential temporary losses to tenants do not form part of the impacts assessment scope for the EIA. The SIA (Appendix 3 to the final EIAR) complies with the Appendix 6 requirements of NEMA in terms of content and structure (refer page 103 in SIA). CWA Response: This incorrectly suggests that the validity of an Environmental Authorisation is dependent on the existence of a <i>binding commercial agreement</i> between the Applicant and private tenants. This is a fundamental misstatement of the law. NEMA does not require, contemplate, or empower the competent authority to ensure that private commercial arrangements are concluded before an EA may be issued. The Appellants' concern is therefore not an environmental impact, but a contractual negotiation issue: they seek commercial certainty and protection through the environmental authorisation process. The absence of a private agreement does not constitute an environmental impact, nor does it trigger any duty on the EAP or competent authority to assess speculative "material adverse socio-economic impacts" to individual businesses.

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			The claim that such impacts “have not been identified, evaluated and assessed” is also incorrect. The socio-economic specialist study assessed the relevant socio-economic impacts at the appropriate scale required under NEMA — i.e., community-wide, regional, and sectoral effects. What the Appellants are demanding is a business-specific viability assessment for each tenant, which is not required by NEMA and falls wholly outside the purpose of an EIA. Their argument attempts to transform the absence of a concluded commercial agreement into an environmental flaw. This is legally untenable. The environmental process cannot be used as leverage to secure private contractual guarantees, and paragraph 9 therefore does not constitute a valid ground of appeal.
		10. In light of the above, the Appellants have no alternative but to rely on the internal appeal mechanism in terms of section 43 of NEMA in order to ensure that the Appellants’ interests are sufficiently considered and safeguarded going forward.	CWA Response: Paragraph 10 again confirms that the Appellants are attempting to use the NEMA appeal mechanism to secure private commercial protections, rather than raising any legitimate environmental concerns. Section 43 of NEMA does not provide a platform for tenants to negotiate contractual guarantees, operational arrangements, or business continuity measures. The appeal mechanism exists solely to address: • procedural defects in the EIA process, • substantive environmental impacts that were not properly considered, or • genuinely new information of environmental relevance.

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			None of these applies here. The Appellants’ statement that they “have no alternative” but to rely on the appeal mechanism underscores that their real grievance is the absence of a private agreement, not any deficiency in the environmental assessment. The internal appeal process cannot be used as leverage to compel the Applicant to conclude commercial arrangements or to safeguard individual business interests, nor can it be used to delay or obstruct a lawfully granted EA. In short, the interests the Appellants seek to “safeguard” are commercial, not environmental, and fall entirely outside the jurisdiction of the NEMA appeal process. Paragraph 10 therefore provides no valid basis for interfering with the Environmental Authorisation.
		BACKGROUND TO THE APPELLANTS	
		11. Cape Town Flight Training Centre (CTFTC): 11.1. The CTFTC is a tenant at the existing CWA and is a key aviation training institution producing high-calibre pilots for domestic, regional and international markets at a time when the aviation sector faces its most severe pilot shortage in history. 11.2. The business employs around 30 permanent and contract staff and supports over 200 enrolled students whose tertiary	CWA Response: The background information presented for CTFTC is noted, but it does not establish any valid environmental appeal ground under NEMA. The Appellants describe CTFTC’s commercial scale, business model, and market role, yet none of these factors demonstrates that their operations are environmentally dependent on remaining physically

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		education and career progression rely on continuous training operations. The CTFTC currently holds the necessary capital investment and infrastructure to operate their relevant business operations in place to double its income within 3-5 years. 11.3. Over 70 suppliers, including essential aircraft maintenance organisations, depend on CTFTC's ongoing trade which supports their respective businesses. This is an indirect, integral support of the local and national economy.	located at CWA, nor do they create any legal obligation for the EIA process to secure CTFTC's business continuity. Most of what is advanced in support of CTFTC is commercial context, which is not relevant to the environmental authorisation, for the following reasons: 1. CTFTC has already relocated major components of its operations off-site. CTFTC voluntarily moved its entire ground school to off-site premises, showing that significant elements of its training value chain can operate independently of CWA. This directly contradicts the suggestion that its operations are immovably tied to the existing facilities or that temporary adjustments would result in "irreparable harm." 2. The growth narrative is a commercial aspiration, not an environmental consideration. Claims about doubling income, expanding student numbers, or responding to global pilot shortages are projections relating to business development. NEMA does not require an EIA to secure or protect an operator's future commercial growth. 3. Reliance on suppliers is not an environmental dependency. Listing suppliers and associated businesses shows the existence of a commercial ecosystem, not an environmental constraint. Such relationships do not form part of an environmental impact assessment under NEMA. 4. No evidence is provided of fixed, irreplaceable investments at CWA. The appeal repeatedly implies that CTFTC has made permanent infrastructure investments that cannot be

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			relocated, yet provides no substantiating evidence. Their voluntary relocation of core components shows precisely the opposite. 5. None of the background provided identifies any omission in the EIAR. Describing the size, reach, or importance of a business does not create an environmental impact or demonstrate any deficiency in the environmental assessment. These are commercial characteristics, not environmental factors. It is also necessary to clarify CTFTC's actual lease position, which directly contradicts the impression of long-term permanence and inflexibility advanced in the appeal. CTFTC currently occupies the premises on a month-to-month basis precisely because of the anticipated expansion of the airport. The last formal lease period ran from 1 April 2021 to 31 March 2022, with a one-year extension option and a 90-day termination clause thereafter. This lease arrangement shows that: • CTFTC knowingly chose to operate under short-term, flexible tenure, • the business accepted the commercial risks associated with a month-to-month occupancy, and • CTFTC has never required or secured long-term tenure to sustain its operations. The actual lease structure stands in stark contrast to the Appellant's portrayal of CTFTC as having fixed, irreplaceable infrastructure that cannot adapt to phased development. CTFTC's chosen tenure reflects a clear awareness of the

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			airport’s development trajectory and a commercial acceptance of flexibility. This factual context fundamentally undermines any suggestion that the Environmental Authorisation must guarantee their continued occupation at CWA or that ordinary operational adjustments would cause “irreversible” socio-economic harm.
		12. Diepkloof Aircraft Maintenance (Diepkloof Aircraft): 12.1. Diepkloof Aircraft has operated as a tenant at the existing CWA for several years, providing essential aviation maintenance services to the wider aviation community and which directly supports flight safety and contribute to the regional aviation economy. 12.2. Diepkloof Aircraft employs 13 skilled technicians, each of whom support a household.	CWA Response: Diepkloof’s background description is noted, but it does not establish any environmental dependency that would convert commercial relocation considerations into grounds for appeal. Importantly, Diepkloof has already orally expressed its willingness and satisfaction with the prospect of relocating to the nearby Diemerskraal airfield, which directly contradicts the position presented in the appeal that continued occupation at CWA is essential for their operational sustainability. This acknowledgment demonstrates: • Diepkloof’s operations are adaptable and not tied to the existing CWA infrastructure; • relocation is feasible and acceptable to the business itself; and • the Appellants’ collective claim of irreversible socio-economic harm is not supported by Diepkloof’s own stated position. This further confirms that Diepkloof’s situation does not raise any omission in the EIAR nor identify an environmental impact requiring assessment. Their voluntary openness to relocation underscores that their concerns—if any—are commercial, not environmental, and

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			cannot form a valid basis for challenging the Environmental Authorisation. Diepkloof's lease ran from 1 April 2021 to 31 March 2022 with no renewal option, and it now occupies the premises without long-term rights, precisely because of the anticipated expansion of the airport. The lease expressly anticipated redevelopment: • Development Clause: CWA could develop the property on 90 days' notice, with Diepkloof having no claim for compensation or damages, and only a "best endeavours" obligation to minimise interference. • Relocation Clause: CWA could relocate Diepkloof on 3 months' notice to another on-airport location, with CWA covering relocation costs and Diepkloof waiving any claim for loss or damage. These terms show Diepkloof always occupied on development-contingent, flexible terms and accepted the possibility of relocation. This directly contradicts their appeal narrative of permanence or unforeseen harm.
		13. 4 Aviators: 13.1. 4 Aviators is a South Africa Civil Aviation Association-approved aviation training organisation with a workforce of 68 employees, including 35 flight instructors, 7 administrative staff, 7 engineers, 6 cleaning staff, 11 transport liaison staff as well as additional support roles. 4 Aviators specialises in	CWA Response: The background presented for 4 Aviators does not establish any environmental dependency or valid basis for appeal under NEMA. The submission substantially misrepresents the scale, nature, and permanence of their operations at CWA.

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		training international students and operates as a tenant at the existing CWA site. 13.2. 13.2. 4 Aviators has made substantial investments in aircraft parking, approved classrooms, administrative systems, security infrastructure and signage at the existing CWA, none of which have been accounted for in the environmental impact assessment and associated specialist studies underpinning the EA. 13.3. 4 Aviators lease 26 residential premises, housing 260 international students, located in a close vicinity to the CWA. This provides extensive support to the local economy through the provision of accommodation to international flight school students.	4 Aviators overstates its operational footprint by implying that its entire workforce is based at CWA, when its primary base of operations is Cape Town International Airport (CPT) and only a fraction of its activities occur at CWA. This inflation of on-site presence artificially amplifies the alleged socio-economic impact. Their physical facilities at CWA consist solely of temporary, movable shipping containers used as classrooms and offices. These structures reflect a short-term, low-investment presence, not the substantial or permanent capital investment claimed in the appeal. 4 Aviators has also previously indicated its willingness to relocate to another suitable airfield if required. This directly contradicts the portrayal of relocation as harmful or unmanageable and demonstrates that their operations are fully adaptable. The company's own lease history reinforces this reality. The lease commenced on 1 April 2025 for one year, with a single one-year option exercisable by 1 December 2025, and included a three-month development notice clause permitting CWA to require relocation to accommodate airport expansion. This shows that 4 Aviators entered into the agreement with full awareness of CWA's development trajectory and accepted the commercial flexibility associated with it. Taken together, the overstated workforce claims, temporary facilities, prior willingness to relocate, and short-term development-contingent lease confirm that the alleged socio-economic impacts have been significantly exaggerated. These matters do not identify any omission in the EIAR and fall entirely outside the scope of a NEMA appeal.

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		14. Helivate Helicopter Services (Pty) Ltd (Helivate): 14.1. Helivate operates two helicopters at the existing CWA, with over R1 000 000.00 invested in rental of facilities at the present CWA to-date as well as an excess of R350 000.00 in establishment of the business at the present CWA and infrastructure costs. This illustrates the capital investment made in the existing CWA to-date and demonstrates a long-term strategic commitment to the CWA and the region. 14.2. Helivate operates a flight school, with students currently in active training programmes. 14.3. Helivate directly employs pilots, instructors, ground crew and operations staff, and indirectly supports local suppliers activities such as fuel supply, maintenance, hospitality, transport and tourism partners.	CWA Response: Similarly, the assertions made by Helivate regarding the nature and scale of its presence at Cape Winelands Airport (CWA) are inaccurate and materially overstated. Helivate’s principal base of operations is in Johannesburg (Krugersdorp), with only a limited portion of its activities conducted at CWA. Portraying Helivate as a major aviation enterprise fundamentally rooted at CWA is therefore misleading and does not reflect its actual operational structure. Moreover, the “investments” referenced in Helivate’s appeal consist primarily of movable items such as tools, furnishings, portable equipment, and other easily relocatable assets. These do not constitute fixed improvements to the CWA property, nor do they amount to capital investments that would be incapable of relocation which would result in irreparable harm. Any suggestion that Helivate has established substantial, immovable infrastructure at CWA is incorrect and materially overstates the true extent of its presence. Helivate’s own lease position further contradicts the appeal’s portrayal of permanence or operational immovability. Helivate entered into a lease commencing 1 March 2023 and expiring 28 February 2024, after which it has remained on a short-term, development-contingent basis. That lease contained standard termination, relocation, and development clauses, expressly allowing CWA to require relocation or adjustment to accommodate airport expansion. Importantly, Helivate

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			does not occupy exclusive office space at CWA; under its agreement, CWA retains the right to use the same offices, underscoring that Helivate has no dedicated or permanent infrastructure on site. This confirms that Helivate's occupation has always been temporary, flexible, and subordinate to airport development needs, and cannot support any claim of irreversible socio-economic harm or environmental dependency.
		15. WCMS AeroSport Cape Town CC (AeroSport): 15.1. AeroSport was founded in the mid-1980s and became fully operational as a microlight flying school in 1991. In 1995, the school expanded to include gyrocopter, light sport, private pilot aeroplane and helicopter training. 15.2. AeroSport operates Part 61 and Part 62 flying schools, leases six hangars at the existing CWA and trains both local and international students. Many of these students commit to multi year training plans and extended visa periods.	CWA Response: AeroSport's appeal substantially overstates the extent to which its operations are dependent on remaining at the existing CWA. The factual record reflects a far more flexible and adaptable operational model than suggested in the appeal. AeroSport previously operated fully and successfully from Wintervogel Airfield, located approximately 15km just north of CWA. This demonstrates that their business is not uniquely or structurally tied to CWA and that their operational model is entirely capable of functioning from alternative locations. As Wintervogel remains a viable and familiar option, any claim that relocation would be unworkable or damaging is fundamentally undermined by AeroSport's own history. The assertion that relocation would result in severe socio-economic harm is not supported by evidence and contradicts AeroSport's demonstrated operational flexibility. Its historic ability to conduct operations from Wintervogel confirms that relocation is feasible,

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			practical, and compatible with their business model. The appeal's claims in this regard are therefore materially overstated. AeroSport's own lease history further contradicts the portrayal of long-term occupation or operational immovability. AeroSport entered into a lease commencing 1 August 2021 and expiring 31 July 2022, after which it has occupied the premises on a short-term, non-guaranteed basis. The lease included standard termination and development clauses, expressly allowing CWA to require relocation or adjustment to accommodate airport expansion. AeroSport therefore knowingly operated under development-contingent, flexible tenure, fully aware that CWA was proceeding with redevelopment. These terms directly undermine any suggestion that AeroSport held protected, enduring rights of occupation or that the EIA must now secure permanence for operations that were contractually agreed to be temporary and subject to change.
		BACKGROUND TO THE EIA PROCESS 16. Between 24 July 2024 up to and inclusive of 26 August 2024, an in-process Scoping Report was circulated for public comment regarding the expansion of the CWA	EAP response: Four of the Appellants were part of the EIA process, were requested to provide input during the process and provided with the information and the opportunity to do so. No concerns were raised during the four rounds of PPP. The Applicants engaged with aviation stakeholders outside of the EIA process to address specific concerns, proof of which was provided in Appendix 40B to the final EIAR.
		17. On the 12 November 2024, a draft Environmental Impact Assessment Report (EIAR) was circulated for public comment from 13 November	EAP response: Four of the Appellants were part of the EIA process, were requested to provide input during the process and provided with the information and the opportunity to do so. No concerns were raised

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		2024 up to and inclusive of 13 December 2024. In this regard, references to the CTFTC and AeroSport in the EIAR were restricted to the following: “There are currently 34 hangars on the site that are in use by various private aircraft owners, two flight schools (Cape Town Flight Training Centre and Aerosport) and small aircraft operators, such as a crop sprayer and aerial advertising firm. There are no military/defence related activities taking place at the airport.”	during the four rounds of PPP. The Applicants engaged with aviation stakeholders outside of the EIA process to address specific concerns, proof of which was provided in Appendix 40B to the final EIAR.
		18. The above sole mention of the CTFTC and AeroSport is a concession by the Applicant that aviation companies operating from the current CWA will be directly impacted by the development. Notwithstanding this, the mention of CTFTC and AeroSport in passing is a gross underrepresentation of the actual amount of aviation companies that will be directly impacted which should also include – inter alia – Helivate, 4 Aviators and Diepkloof Aircraft Maintenance. This is a material non-disclosure that will likely skew (i.e. water down) the identification and assessment of the full range of impacts of the CWA expansion.	EAP response: Four of the Appellants were part of the EIA process, were requested to provide input during the process and provided with the information and the opportunity to do so. No concerns were raised during the 4 rounds of PPP. The Applicants engaged with aviation stakeholders outside of the EIA process to address specific concerns, proof of which was provided in Appendix 40B to the final EIAR. CWA Response: The allegation in paragraph 18 that the EIAR “underrepresented” aviation companies operating from CWA, or that this constitutes a “material non-disclosure,” is incorrect and unsupported by the record. The EIAR was required to describe the nature of activities occurring at the site, not to produce a detailed business directory of each individual tenant or to list every sub-tenant operating from hangars. The reference to CTFTC and AeroSport was made within the correct context: identifying that flight training and small-scale aviation operations occur at the airport. The EIAR did not, at any stage, claim that only these two entities operate at CWA.

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			Moreover, NEMA does not require an EIAR to enumerate every tenant by name, nor to provide individualised operational profiles for each business. What must be described are the types of aviation activities taking place, and these were accurately captured: hangarage, general aviation, flight training, and small aircraft operations. The identity of individual operators is irrelevant to the assessment of environmental impacts and would not alter any of the findings of the EIAR. The Appellants’ attempt to elevate a contextual description into a “material non-disclosure” is therefore misplaced. All aviation activities present at CWA were correctly and transparently characterised in the EIAR at the appropriate level of detail required by NEMA. The suggestion that naming additional tenants such as Helivate, 4 Aviators, or Diepkloof Aircraft Maintenance would have changed the environmental assessment is unsupported and legally unsound; the environmental impacts of the development remain the same regardless of the number or identity of commercial operators within the existing facilities. Accordingly, the allegation of underrepresentation is unfounded and does not constitute a valid ground for appeal.

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		19. On the 18 March 2025, a revised draft EIAR was circulated for further consideration and comment. The identification of aviation companies operating from the existing CWA remained limited to the CTFTC and AeroSport only.	CWA Response: As per 18. Also see Appendix G of Appendix 40B which demonstrates proof of consultation with these Appellants during EIA process.
		20. On 11 July 2025, the final EIAR, Environmental Management Programme and supporting documentation was provided to DEADP as a basis on which to decide whether or not to grant an environmental authorisation in terms of section 24 of NEMA.	Correct
		21. On the 27 October 2025, the EA was granted to the Applicant for the expansion of the CWA.	Correct
		 GROUND OF APPEAL Ground 1: Inadequate assessment of the irreparable socio-economic impact of the CWA expansion on the Appellants	
		22. This ground of appeal demonstrates that the socio-economic impact of the CWA expansion on the Appellants has not been identified, evaluated and assessed as part of the environmental impact assessment process underpinning the EA.	EAP Response: The SIA (Appendix 3 to the final EIAR) acknowledges the presence of aviation tenants, reiterating the incorporation of GA in the design of the Preferred Alternative. Further to this Appendix G to Appendix 40B of the final EIAR illustrates consultation with the Appellants. Also refer to Appendix 1 of this appeal response for the record of PPP with Appellants. The SIA (Appendix 3 to the final EIAR) complies with the Appendix 6 requirements of NEMA in terms of content and structure (refer page 103 in SIA).

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			CWA Response: The claim of an “inadequate assessment of the irreparable socio-economic impact” is unfounded and mischaracterises both the purpose and the scope of a socio-economic assessment under NEMA. The EIAR was required to assess environmental and broader socio-economic impacts at a community and regional scale—not to conduct individualised business viability studies for each private tenant operating at CWA. NEMA does not oblige an EIA to guarantee the commercial continuity of specific businesses, nor to shield private operators from contractual risks they voluntarily accepted in their leases. All aviation-related activities at CWA—including flight training, general aviation, maintenance operations and small aircraft services—were identified and assessed at the appropriate level of detail required by law. The socio-economic specialist study concluded that the project would generate significant net positive socio-economic benefits for the region and that no irreversible harm to the local economy was anticipated. The Appellants’ attempt to convert individual business preferences, commercial anxieties, and temporary operational adjustments into “irreparable socio-economic impacts” is neither supported by evidence nor recognised as a valid ground for appeal under NEMA. In short, the Appellants’ alleged socio-economic impacts relate to business disruption, lease uncertainty, and commercial interests, not environmental impacts. Such considerations fall outside the scope of the EIA process and cannot justify setting aside a lawfully issued Environmental Authorisation.

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		23. The socio-economic sustainability of the Appellants' operations relies directly on their secure tenure and continued operation at the existing CWA. If the Appellants are not able to operate in their respective capacities, they face the risk of irreparable damage to their business operations and those who rely directly thereon for their livelihoods. Despite this, the full extent of the impacts on the tenants that operate aviation businesses from the existing CWA was not assessed in the environmental impact assessment reports, and supporting specialist assessments (with only two Appellants that were mentioned in the draft, revised draft and final EIAR: CTFTC and AeroSport). This is a material non-disclosure in circumstances in which the Applicant had full knowledge of these business operations since the inception of the CWA development as confirmed by the various discussions held between the Appellants and the Applicant over many years.	EAP Response: The SIA (Appendix 3 to the final EIAR) acknowledges the presence of aviation tenants, reiterating the incorporation of GA in the design of the Preferred Alternative. Further to this Appendix G to Appendix 40B of the final EIAR illustrates consultation with the Appellants, inclusive of their socio-economic interests and possible mitigation. Also refer to Appendix 1 of this appeal response for the record of PPP with Appellants. The SIA (Appendix 3 to the final EIAR) complies with the Appendix 6 requirements of NEMA in terms of content and structure (refer page 103 in SIA). CWA Response: The assertion that the “socio-economic sustainability” of the Appellants depends on “secure tenure” and continued operation at the existing CWA fundamentally mischaracterises both the legal position of the Appellants and the scope of the EIA process. None of the Appellants enjoys long-term, guaranteed, or development-protected tenure. To the contrary, each Appellant operates under short-term leases that expressly contain development, termination, relocation, and demolition clauses—confirming that they have always occupied the site on a temporary, development-contingent basis. Their claimed reliance on “secure tenure” therefore has no factual foundation. The contention that the EIAR failed to assess impacts on “the full extent of tenants” is also misplaced. NEMA does not require an EIA to conduct

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			individualised business impact studies or to analyse the commercial circumstances of every tenant. What must be assessed are the biophysical and broad socio-economic impacts of the proposed development—such as regional employment, economic growth, and community benefits—which were comprehensively analysed in the specialist socio-economic assessment. Identifying the <i>types</i> of activities at the airport (flight training, general aviation, maintenance operations, etc.) is all that is required. Listing individual company names is not. The claim of “material non-disclosure” is therefore unfounded. The EIAR accurately described the aviation activities occurring at CWA and assessed the relevant environmental and socio-economic implications at the appropriate level of detail. Whether specific tenants were mentioned by name has no bearing on the environmental impacts of the project and does not alter the conclusions of the specialist studies. The Appellants’ argument incorrectly attempts to elevate commercial concerns and lease insecurity into environmental issues, which falls outside the mandate of the EIA process. Accordingly, paragraph 23 does not identify any omission in the EIAR nor does it establish a valid ground for appeal under NEMA and the National Appeal Regulations, 2025.
		24. The socio-economic impacts generally relevant to the Appellants that were not identified, evaluated or assessed as part of the environmental impact assessment and specialist studies underpinning the EA include:	
		24.1. The socio-economic sustainability of the Appellants is dependent on the continued operation of these entities at the existing CWA. If the Appellants are forced to close (even temporarily) to allow for the CWA expansion, or forced to relocate (even temporarily), the financial stability of these	CWA response: The claim that the Appellants’ socio-economic sustainability is dependent on continued, uninterrupted occupation of the existing CWA site misrepresents both their factual lease positions and the scope of what NEMA requires an EIA to assess. None of the Appellants has

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		entities and their continued existence as contributors as aviation operators to the local and regional economy is jeopardised by the risk of loss of clients and reduced income.	secure, long-term tenure at CWA. Each operates under short-term leases expressly containing development, termination, and relocation clauses, which anticipate that the airport may be upgraded and that operations may have to be adjusted or relocated. Having voluntarily accepted these lease conditions, the Appellants cannot now recast ordinary commercial risk as an environmental issue. The suggestion that temporary relocation or operational adjustments would threaten their financial stability is speculative and unsupported by evidence. Several Appellants have already relocated major components of their businesses, or have expressed willingness to relocate, or have previously operated successfully from alternative airfields. Their own histories contradict the claim that relocation—even temporary—would cause irreparable harm. Crucially, NEMA does not require an EIA to guarantee the commercial continuity or profitability of individual tenants. The EIA must assess environmental impacts and broader socio-economic outcomes at a regional level—not the internal financial resilience of private operators. The risk of “loss of clients” or “reduced income” is a commercial concern, not an environmental impact, and cannot form a valid basis for appeal. Accordingly, paragraph 24.1 raises contractual and business issues, not environmental deficiencies, and does not constitute a lawful ground for setting aside the Environmental Authorisation. EAP response: Appendix 40B to the final EIAR contains records of engagement with aviation stakeholders, inclusive of Helivate Helicopter Services, Aerosport and CTFTC. Helivate Helicopter Services, CTFTC, Aerosport

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			and Diepkloof Aircraft Maintenance were also registered IAP's for the EIA process. They were informed of the EIA process and provided with all documentation and timeframes in order to comment and provide concerns. No comments were received during the EIA process.
		24.2. Those employed by the Appellants and who depend on the Appellants for their livelihoods, as well as the livelihoods of their families, are at risk of employment loss. These include but are not limited to 68 employment opportunities at 4 Aviators, 13 employment opportunities at Diepkloof Aircraft Maintenance, approximately 30 employment opportunities at the CTFTC, 10 employment opportunities at Sky Messaging (5 of which are based permanently at the existing CWA).	CWA Response: The employment figures presented in paragraph 24.2 are grossly overstated and do not reflect the actual number of staff physically based at, or dependent on, operations at the existing CWA. The Appellants list their entire organisational workforces as if all employees are permanently stationed at CWA, which is factually incorrect and materially inflates the alleged socio-economic risk. For example: • 4 Aviators lists 68 employees, yet only a small fraction of these individuals operates from CWA. Its primary base is at Cape Town International Airport, and most personnel work from CPT or other locations. • Diepkloof Aircraft Maintenance does not have all 13 staff permanently stationed on-site. Its operational model includes off-site maintenance activities and flexible staffing across multiple locations. • CTFTC has already relocated major portions of its operations off-site, including its entire ground school, confirming that the majority of its staff are not dependent on CWA for daily operations. • While reference made to Sky Messaging, we take note that it is not an Appellant.

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			The employment numbers cited in the appeal represent total organisational headcounts, not CWA-specific employment. This misrepresentation significantly exaggerates the scale of potential socio-economic impact and cannot be accepted as a factual basis for appeal. It is also disingenuous. Moreover, NEMA requires the assessment of regional socio-economic impacts, not the protection of individual business models or inflated staffing figures. Temporary operational adjustments or relocations—explicitly contemplated in every Appellant’s lease—do not equate to wholesale job loss, particularly where the majority of employees are not based at CWA to begin with. For these reasons, the employment impacts alleged in paragraph 24.2 are both factually inaccurate and not relevant to the environmental appeal framework.
		24.3. The financial contribution of the Appellants to the local economy annually through accommodation, tourism and job creation as a result of national and international flight students attending flight training at the existing CWA is jeopardised by the CWA expansion project. The sustainability of the Appellants’ operations is at risk of irreparable harm with the potential shut-down and/or relocation of activities, resulting in the risk of losing these students and their associated financial contribution to the local economy due to the disruption in training. For example, 4 Aviators leases 26 residential premises	CWA Response: The claim that the CWA expansion jeopardises large-scale financial contributions from student accommodation, tourism and job creation is substantially overstated and not supported by the factual circumstances of the appellants’ operations. First, the suggestion that these contributions are uniquely dependent on training occurring specifically at the current CWA site is incorrect. Flight-training students select training institutions, not airfields, and their accommodation and related spending follow the training provider—not the physical runway. As demonstrated throughout this

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		in close proximity to the existing CWA to house 260 international students.	response, each appellant retains the ability to continue operations either on an interim basis at CWA or, where required, at alternative nearby airfields. Temporary adjustments do not translate into the loss of international students or the collapse of associated expenditure. Secondly, the example relied upon—4 Aviators leasing 26 residential premises for 260 students—misrepresents the true relationship between their student accommodation and CWA. These leases are not tied to the existing runway, nor is proximity to CWA the decisive factor in students’ accommodation arrangements. Their students would remain enrolled with 4 Aviators regardless of whether the organisation operated temporarily from a nearby airfield or adjusted training sequencing during construction. The appeal offers no evidence that students would cancel training or vacate accommodation due to routine airport redevelopment. Further, even if that it is true (which is disputed), the failure to take account of the short term nature of its lease when committing to students is a problem entirely of its own making. Thirdly, this argument impermissibly substitutes commercial preferences for environmental impacts, which is not a valid ground of appeal under NEMA. The EIA process is not required to protect business models, rental portfolios, or future revenue expectations. It is required to assess environmental impacts—which the EIAR has fully done. Finally, it is important to reiterate that none of the appellants have long-term or secure tenure at CWA; all operate under leases explicitly subject to development interruption, relocation and termination on notice. Having knowingly accepted such lease terms, they cannot now elevate commercial inconvenience into alleged “irreparable socio-economic harm” requiring environmental intervention.

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			In the event that a temporary relocation is indeed required, the long term benefit that the expanded CWA will offer to the Appellants, to the industry and to the region at large will far outweigh any temporary measures implemented. For these reasons, the financial-contribution argument presented in paragraph 24.3 is inflated, speculative, and unrelated to any environmental impact, and does not constitute a valid basis for appeal.
		24.4. Should the Appellants be forced to carry the costs of any potential relocation, these costs risk the financial sustainability of the operations to such an extent that the Appellants could face liquidation as a result thereof. These costs include the costs of Change of Base Applications, TPM and manual updates, two inspections and audits, updating immigration and training approvals, consultancy and legal support to ensure the regulatory compliance of the moves, staff reorientation and training, the building or leasing of hangar facilities, the fit-out and furnishing of classrooms and offices, the relocation of accommodation, the set up of utilities, and the ensuring of safety and security which may require upgrades to an acceptable standard. These concerns are backed by past experience that demonstrates the material risk that relocation poses to the Appellants' continued operation and survival, for example:	CWA Response: The appellants' claim that relocation costs would be so severe that their businesses face a risk of liquidation is unsubstantiated, inconsistent with their actual operations, and contradicted by their tenancy arrangements at CWA. Further, even if that it is true (which is disputed), the failure to take account of the short term nature of its lease in its commercial operations is a problem entirely of its own making. First, the majority of the costs listed—change-of-base applications, audits, training approvals, utilities, office fit-out and legal support—are ordinary operational expenses routinely incurred by aviation businesses and not a consequence of the EIA or the CWA development. These are standard compliance and business-continuity costs that arise whenever training providers or maintenance organisations adjust their operations. They cannot be elevated into “irreparable harm” to justify an environmental appeal. Secondly, the appellants' own leases expressly contemplated development, interruption, relocation and termination on notice. Each

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			appellant voluntarily entered into agreements that included standard development clauses, demolition/relocation clauses, and short-term tenure, fully aware that airport expansion was planned. Having accepted these terms, the appellants cannot now claim that complying with the very conditions they agreed to would cause liquidation. Thirdly, many of the appellants operate from temporary, movable structures—such as shipping containers (4 Aviators), shared offices (Helivate), or lease-free hangars subject to relocation—meaning the alleged “fit-out” and “infrastructure” costs are minimal. Several appellants have already demonstrated relocation flexibility (e.g., CTFTC relocating its ground school off-site; Diepkloof expressing willingness to move to Diemerskraal). This directly contradicts the claim that relocation would threaten their survival. Fourthly, the appeal fails to explain how businesses with different business models, scales, and financial profiles could all uniformly face “liquidation.” The creation of a single, inflated risk profile for multiple unrelated enterprises is speculative and unsupported by any financial evidence. No appellant has provided audited statements, cost estimates, or financial sensitivity analyses demonstrating that relocation would jeopardise viability. Finally, none of the costs listed constitute environmental impacts, nor do they identify any omission in the EIAR. These are commercial considerations, not environmental ones, and therefore fall outside the scope of what may legitimately be challenged under section 43 of NEMA read with the National Appeal Regulations, 2025.

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			For these reasons, the assertions in paragraph 24.4 are speculative, exaggerated, and unsupported and do not amount to a valid environmental appeal ground.
		24.4.1. AeroSport’s history includes a previous forced relocation to Wintervogel Airfield, which nearly resulted in the collapse of the school due to the severe financial and operational disruption associated with moving an Approved Training Organisation.	CWA Response: AeroSport relocated to Wintervogel at a time when the airport was under different ownership and management. The allegation that AeroSport “nearly collapsed” when operating from Wintervogel is unsubstantiated and plainly exaggerated. It is CWA’s understating that AeroSport remained fully functional during that period and it has provided no evidence whatsoever of financial distress or operational failure linked to that relocation. If relocation had genuinely placed the business at risk, AeroSport would not have voluntarily entered into a short-term lease (1 Aug 2021–31 Jul 2022) with CWA containing explicit development and relocation clauses, confirming their acceptance of potential future moves. This claim is therefore a retrospective attempt to manufacture vulnerability, not a factual basis for an environmental appeal.
		24.4.2. When the Applicant encouraged AeroSport’s return from Wintervogel Airfield, the Applicant provided repeated verbal assurances that AeroSport would be relocated at the Applicant’s cost into new buildings when construction commenced, and that operations would continue	CWA Response: This allegation is incorrect and misrepresents the Applicant’s position. No binding assurances were ever given—verbally or otherwise—regarding relocation into new buildings or uninterrupted operations on the cross-runway.

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		uninterrupted on the cross runway throughout the development phase.	The cross-runway option was explored only at a conceptual stage as a potential mitigation measure, and AeroSport was repeatedly informed—both formally and informally—that it was removed from the development plan early in the EIA process. Moreover, AeroSport entered into a short-term lease (1 Aug 2021–31 Jul 2022) containing explicit development and relocation clauses, which directly contradicts any claim that permanent, guaranteed occupation or uninterrupted operations were promised. This claim is therefore unfounded, inconsistent with documented engagements, and cannot serve as a basis for appeal.
		24.4.3. Thus far, these assurances have not materialised into a binding agreement that offers the Appellants the requisite certainty that their interests will, in fact, be safeguarded. However, over and above this concern for the purpose of this appeal, none of these socio-economic costs and impacts were identified, evaluated and assessed as part of the environmental assessment process underpinning the EA.	EAP Response: The SIA (Appendix 3 to the final EIAR) acknowledges the presence of aviation tenants, reiterating the incorporation of GA in the design of the Preferred Alternative. Further to this Appendix G to Appendix 40B of the final EIAR illustrates consultation with the Appellants. Also refer to Appendix 1 of this appeal response for the record of PPP with Appellants. The SIA (Appendix 3 to the final EIAR) complies with the Appendix 6 requirements of NEMA in terms of content and structure (refer page 103 in SIA). CWA Response: The premise of this statement is incorrect. No binding assurances were ever promised, and none were required for the purposes of the EIA. The appellants are attempting to convert commercial negotiations and

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			preferred business outcomes into environmental obligations under NEMA, which is impermissible. The EIAR appropriately assessed socio-economic considerations to the extent required under NEMA—i.e., impacts linked to environmental changes. It is <i>not</i> the function of an EIA to guarantee business continuity, secure lease rights, or underwrite commercial arrangements that the appellants themselves accepted as temporary and development-contingent through their leases. The absence of a “binding agreement” therefore has no bearing on the validity of the Environmental Authorisation, and cannot be reframed as an environmental impact or a ground of appeal.
		24.5. Notwithstanding the unfeasibility of relocation identified above, no other airfield in the immediate vicinity of the existing CWA will be able to absorb the operations of the Appellants (even on a temporary basis) and provide the Key Efficiency Factors of the existing CWA that currently ensure the success and overall sustainability of the Appellants’ operations, such as: 24.5.1. Close proximity to the market population centre; 24.5.2. Good weather record; Availability of multiple landing strips (4 landing directions); 24.5.3. Close proximity to the flying training areas for basic training; 24.5.4. Close proximity to controlled airspace for advanced and navigational training; and	CWA Response: The appellants’ list of “Key Efficiency Factors” does not constitute a valid ground of appeal under NEMA. These items reflect commercial preferences, not environmental constraints. None of the factors cited—market proximity, preferred landing directions, existing training areas, or uncontrolled airspace—are protected environmental interests, nor do they fall within the scope of impacts that must be assessed in an EIA. The EIA process is not required to preserve business convenience, training preferences, or the appellants’ competitive advantages. NEMA does not guarantee the continuation of private commercial operations in their preferred form, nor does it require an Environmental

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		24.5.5. Uncontrolled traffic operation.	Authorisation to maintain the status quo for tenants who occupy on short-term, development-contingent leases. As such, these assertions fall outside legitimate grounds of appeal and cannot invalidate the Environmental Authorisation.
		24.6. Flight training businesses are cash intensive, incurring very high fixed costs due to infrastructural and regulatory demands, and suffer from poor variable margins due to the very high fuel, maintenance and capital replacement costs. These already-low margins are further handicapped by currency weakness of the rand and over-regulation in the civil aviation regulatory context. In light of this, the significant disruption likely to take place by the CWA expansion will likely result in the cessation of the Appellants' business operations, the contribution thereof to the local and regional economy, the contribution thereof to the local and international aviation industry, and the multitude of livelihoods directly and indirectly supported by the sustainable business operations. None of this has been accounted for in the environmental impact assessments and specialist studies informing the approval of the EA.	EAP Response: The SIA (Appendix 3 to the final EIAR) acknowledges the presence of aviation tenants, reiterating the incorporation of GA in the design of the Preferred Alternative. Further to this Appendix G to Appendix 40B of the final EIAR illustrates consultation with the Appellants. Also refer to Appendix 1 of this appeal response for the record of PPP with Appellants. The SIA (Appendix 3 to the final EIAR) complies with the Appendix 6 requirements of NEMA in terms of content and structure (refer page 103 in SIA). CWA Response: The appellants' argument rests entirely on the commercial fragility of their business models, not on any environmental impact that NEMA requires the competent authority to assess. High operating costs, currency exposure, regulatory compliance burdens, and tight margins are industry-wide economic realities, unrelated to the CWA development and entirely outside the scope of an environmental appeal. The suggestion that the EIA must account for the appellants' profitability, cashflow resilience, or business model vulnerabilities is

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			incorrect in law. NEMA does not oblige an EIA to ensure the financial viability of private tenants on short-term leases, nor does it require the protection of favourable operating conditions for specific businesses. Moreover, no evidence has been provided that the CWA expansion will cause “cessation” of operations. To the contrary, the appellants have demonstrably overstated impacts, relied on inflated employment numbers, and ignored their own lease terms—which expressly allow development-related relocation and confirm that continued occupation was never guaranteed. The environmental assessment properly evaluated environmental impacts associated with the proposed airport expansion. It is not required—nor legally empowered—to insure private operators against economic challenges inherent in their own chosen business models. Accordingly, this contention does not constitute a valid basis for appeal under NEMA read with the National Appeal Regulations, 2025.
		24.7. We are instructed that during the construction phase of the CWA expansion, the airfield will have to be closed for a period of time where flight operations would not be safely possible as the airport moves to its final runway configuration. If properly and sincerely incorporated as an essential element to the construction programme that is sensitive to the Appellants’ business operations, this closure could be reduced to a few days. However, since the majority of the Appellants were not identified as part of the environmental impact assessment process / public participation process, and even those who were identified (CTFTC and AeroSport) were only mentioned in passing, none of the impacts on these entities were identified	EAP response: Four of the Appellants were registered IAPs as part of the EIA process, were requested to provide input during the process and provided with the information and the opportunity to do so. No concerns were raised during the four rounds of PPP. The Applicants engaged with aviation stakeholders outside of the EIA process to address specific concerns, proof of which was provided in Appendix 40B to the final EIAR. CWA Response:

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		and assessed, and, by implication, no mitigation measures proposed to manage these impacts to an acceptable level through, for example, a well-tailored and sensitive construction programme.	The assertion that the EIAR failed to assess or mitigate construction-phase impacts on the appellants is factually and procedurally incorrect. Temporary construction-phase disruptions—including short-term closure of the airfield for safety reasons—were expressly identified, evaluated, and addressed in the EIAR in accordance with NEMA. These impacts are inherent in almost all airport upgrades worldwide and are classified as operational and engineering considerations, not environmental impacts requiring project-specific socio-economic guarantees for individual tenants. The claim that the EIAR should have designed a “sensitive construction programme” for each tenant misunderstands the purpose of an environmental assessment. NEMA does not require an EIA to dictate construction scheduling, to guarantee uninterrupted operations for commercial tenants, or to tailor mitigation to the unique business models of individual operators—particularly where those operators occupy the site on short-term leases that expressly allow for development-related interruption and relocation. Furthermore, the appellants’ argument incorrectly assumes that all businesses on the site must be individually listed in the EIAR in order for construction impacts to be validly assessed. This is not required. The EIAR appropriately assessed construction-phase impacts at a land-use and activity level, which is precisely the scope required under the environmental regulations. The identity of specific tenants is irrelevant to the environmental significance rating.

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			The additional claim that “only CTFTC and AeroSport were mentioned in passing” ignores the fact that none of the other appellants submitted meaningful or substantive comments during the public participation process. The EIA cannot assess impacts never raised, nor can it manufacture issues not identified by participants at the time. Finally, the suggestion that the closure period could be “reduced to a few days” is speculative and technically uninformed. Construction sequencing for a Code 4 F-compliant runway must comply with stringent SACAA safety requirements and cannot be dictated by tenant preference. Accordingly, this ground of appeal is without merit and does not demonstrate any defect in the EIA process.
		24.8. Approved Maintenance Organisations, such as Diepkloof Aviation at the existing CWA, as well as Stellair at Stellenbosch Airfield, are vital resources to the aviation industry and are in a state of critical decline in South Africa. Stellair is a major contractor to CTFTC.	CWA Response: The reference to AMOs such as Diepkloof and Stellair is irrelevant to the environmental authorisation process and does not establish any appealable ground under NEMA. The general state of the aviation maintenance sector in South Africa, or the commercial importance of these organisations, is not an environmental impact arising from the CWA expansion. Moreover, Stellair does not operate from CWA and is therefore unaffected by construction activities at the site. Diepkloof has already indicated willingness to relocate to a suitable nearby airfield and

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			operates under a lease that expressly allows for development-related relocation. These statements are therefore not only irrelevant to the EIAR but materially weaken the appeal, as they attempt to convert industry-wide economic concerns into environmental impacts—something NEMA does not regulate.
		24.9. The flight schools operating from the existing CWA cumulatively spent decades building their national and international reputation within the aviation community as producers of hundreds of high calibre graduates for the benefit of the aviation industry in the domestic, regional and international airline and charter markets. Any disruption to the operation of these schools jeopardises this reputation.	CWA Response: The appellants' reference to reputation-building over time is acknowledged but is not a relevant environmental consideration under NEMA. Reputation, brand value, and market positioning are commercial attributes of private businesses. They do not constitute environmental impacts, nor do they create a legal obligation on the competent authority to maintain uninterrupted business conditions for individual tenants on short-term leases. Moreover, the flight schools' reputations are not geographically tied to CWA. These institutions have changed operational locations in the past, have already relocated significant components of their operations off-site, and have demonstrated the ability to adapt to alternative facilities. Reputation is built on training quality, safety standards, and regulatory compliance—not on remaining at a specific airfield. Further, even if that it is true (which is disputed), the failure to take account of the short term nature of its lease when committing to students is a problem entirely of their own making.

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			This ground of appeal therefore improperly seeks to transform commercial preferences and competitive concerns into environmental impacts. It does not identify any omission, flaw, or deficiency in the EIAR and accordingly does not constitute a valid basis for appeal.
		25. In light of the above impacts that did not form part of the environmental impact assessment and associated specialist studies that informed the approval of the EA, we confirm the following:	
		25.1. There is no quantitative assessment of the social and economic impacts of the CWA on the sustainability of the Appellants' aviation operations.	EAP Response: The SIA (Appendix 3 to the final EIAR) acknowledges the presence of aviation tenants, reiterating the incorporation of GA in the design of the Preferred Alternative. Further to this Appendix G to Appendix 40B of the final EIAR illustrates consultation with the Appellants. Also refer to Appendix 1 of this appeal response for the record of PPP with Appellants. The SIA (Appendix 3 to the final EIAR) complies with the Appendix 6 requirements of NEMA in terms of content and structure (refer page 103 in SIA). CWA Response: The assertion that the EIAR lacks a “quantitative assessment” of socio-economic impacts misunderstands both the scope of NEMA and the purpose of a socio-economic assessment. The EIAR did assess socio-economic impacts at the appropriate scale—namely, the regional and broader economic implications of the CWA project—not the

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			commercial resilience or profitability of individual tenants operating on short-term leases. NEMA does not require an EIA to quantify or safeguard the financial sustainability of private businesses affected by development on land they do not own. The appellants' request for a bespoke, tenant-level financial risk assessment falls outside the legal mandate of an EIAR. Their operations, lease arrangements, and business models are private commercial considerations—not environmental receptors requiring quantitative modelling.
		25.2. There is no objective basis upon which the competent authority is positioned to assess the sustainability of the CWA and to make an informed and rational decision on the need and desirability of the proposal. The assessment and determination of the sustainability, need and desirability of the CWA goes to the heart of the efficiency and effectiveness of the environmental impact assessment as a whole. If significant gaps remain outstanding, such as those identified in this appeal statement, the competent authority is unable to make an informed and rational decision on the sustainability, need and desirability of the CWA as required by the environmental impact assessment regime.	EAP Response: The SIA (Appendix 3 to the final EIAR) acknowledges the presence of aviation tenants, reiterating the incorporation of GA in the design of the Preferred Alternative. Further to this Appendix G to Appendix 40B of the final EIAR illustrates consultation with the Appellants. Also refer to Appendix 1 of this appeal response for the record of PPP with Appellants. The SIA (Appendix 3 to the final EIAR) complies with the Appendix 6 requirements of NEMA in terms of content and structure (refer page 103 in SIA). CWA Response: The assertion of “no objective basis” is incorrect and ignores the extensive analyses already provided in the EIAR. The sustainability, need, and desirability of the CWA were comprehensively assessed through specialist studies, statutory policy alignment, and the formal Need and Desirability assessment included in the EIAR. These

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			assessments are aligned with NEMA requirements and provide the competent authority with a clear, rational foundation for decision-making. The appellants' dissatisfaction with the outcome does not convert a properly completed assessment into a "gap." Further, they do not supply any competing "objective" basis themselves; no evidence is provided, for example, for any of its allegations about significantly reduced turnover or insolvency. Their appeal does not identify any legally relevant omission—only a disagreement with the conclusions reached.
		25.3. Evaluating the full cost-benefit analysis of the CWA expansion without an objective, independent and comprehensive assessment by an appropriately qualified expert of the social and economic impact of the CWA expansion on the existing aviation operations of the Appellants (that are tenants at the existing CWA) is flawed, and any decision rendered on this basis is irrational and unreasonable.	EAP Response: The SIA (Appendix 3 to the final EIAR) complies with the Appendix 6 requirements of NEMA in terms of content and structure (refer page 103 in SIA). CWA Response: This argument incorrectly assumes that NEMA requires a project-level cost-benefit analysis to include a financial viability assessment of individual private tenants. It does not. The socio-economic specialist study (performed by an appropriately qualified expert) appropriately assessed impacts at the community, regional, and macro-economic scales, as required by the EIA Regulations. The financial performance or business risk of specific tenants—operating under short-term, development-contingent leases—is not an environmental receptor and therefore falls outside the mandate of the EIA process.

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			The absence of a tenant-specific commercial impact study is not a “flaw” but a reflection of the correct legal scope of the assessment.
		25.4. The lack of a substantive, methodical and credible assessment of the socio-economic impacts of the CWA on surrounding aviation operations is a material deficiency. The final EIAR and specialist assessments underpinning this should be rejected on the basis that the full range of socio-economic impacts of the CWA on existing enterprises operating in the receiving environment have not been identified, considered and assessed as part of the environmental impact assessment process contrary to the prescripts of the following principles in section 2 of NEMA: 25.4.1. “Environmental management must place people and their needs at the forefront of its concern, and serve their physical, psychological, developmental, cultural and social interests equitably”. 25.4.2. “Development must be socially, environmentally and economically sustainable”. 25.4.3. “Decisions must take into account the interest, needs and values of all interested and affected parties”. 25.4.4. “The social, economic and environmental impacts of activities, including disadvantages and benefits, must be considered, assessed and evaluated, and decisions must be appropriate in the light of such consideration and assessment”.	EAP response: Four of the Appellants were part of the EIA process, were requested to provide input during the process and provided with the information and the opportunity to do so. No concerns were raised with the EAP during the four rounds of PPP. The Applicants engaged with aviation stakeholders outside of the EIA process to address specific concerns, proof of which was provided in Appendix 40B to the final EIAR. The other Appellant made use of the main entrance of the CWA site, at which point a site notice was placed during PPP periods. CWA Response: The socio-economic assessment complied fully with NEMA and the EIA Regulations by evaluating impacts at the appropriate spatial and regulatory scale—namely, the broader community, regional economy, and long-term development context. NEMA does not require an EIA to assess or safeguard the commercial interests of individual tenants, particularly those operating under short-term leases with explicit development and relocation clauses. The appellants’ attempt to reframe private business risks as “socio-economic impacts” under NEMA is misplaced. Their livelihoods were considered as part of the general socio-economic baseline, but NEMA does not obligate the competent authority to preserve uninterrupted commercial operations for specific enterprises.

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			The EIAR therefore allows the decision makers in this process to comply with the principles required of them in section 2 of NEMA, and the allegation of a “material deficiency” is unfounded.
		26. In light of the above, it is clear that there is no substantive, quantitative socio-economic impact assessment of the effects of the proposed project which reflects the full range of socio economic consequences of the CWA expansion. The full range of socio-economic impacts of the CWA is a critical pre-requisite to the enquiry as to the sustainability of the development in light of existing aviation operations at the existing CWA. The Constitutional Court in <i>Fuel Retailers Association v Director General (Fuel Retailers)</i> case is prescriptive in this regard: “...the objective of considering the impact of proposed development on existing ones is not to stamp out competition; it is to ensure the economic, social and environmental sustainability of all developments, both proposed and existing ones”. The granting of the EA falls woefully short of this threshold established by the Constitutional Court.	EAP Response: The SIA (Appendix 3 to the final EIAR) acknowledges the presence of aviation tenants, reiterating the incorporation of GA in the design of the Preferred Alternative. Further to this Appendix G to Appendix 40B of the final EIAR illustrates consultation with the Appellants. Also refer to Appendix 1 of this appeal response for the record of PPP with Appellants. The SIA (Appendix 3 to the final EIAR) complies with the Appendix 6 requirements of NEMA in terms of content and structure (refer page 103 in SIA). CWA Response: The claim that there is “no substantive, quantitative socio-economic impact assessment” is incorrect and misapplies both NEMA and the Constitutional Court’s decision in <i>Fuel Retailers</i>. The socio-economic specialist study <i>did</i> assess the socio-economic implications of the CWA expansion at the correct statutory scale—namely, the broader community, regional economy, and long-term development trajectory. NEMA does not require project proponents to produce enterprise-level financial forecasts or quantify the commercial resilience of private tenants.

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			The reliance on <i>Fuel Retailers</i> is misplaced. That judgement requires competent authorities to consider whether a development contributes to overall economic, social, and environmental sustainability, not to protect individual businesses from commercial disruption or competition. Nothing in <i>Fuel Retailers</i> obliges an EIAR to insulate short-term tenants—operating under leases with explicit development and relocation clauses—from the ordinary consequences of land-use change. The EIAR meets the threshold established by both NEMA and <i>Fuel Retailers</i>. The appellants’ argument improperly attempts to extend environmental law into the domain of private commercial risk management, which is not the purpose of the EIA regime. It is also necessary to point out that the arguments advanced in this section replicate, almost verbatim, the same socio-economic complaints drafted by the appellants’ attorney, Mr Richard Summers, across all of the appeals he coordinated. The repetition of identical assertions—irrespective of the differing operational profiles, lease histories, investment levels, or factual circumstances of each appellant—demonstrates that these arguments are formulaic rather than evidence-based. This blanket, copy-and-paste approach cannot transform ordinary commercial risks into environmental impacts under NEMA. It instead reflects an attempt to inflate the appearance of deficiency by repeating the same template allegations across multiple appeals, rather than presenting substantive, appellant-specific evidence.

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		27. The Constitutional Court in <i>Fuel Retailers</i> also entrenches the inextricable link between socio economic considerations with environmental considerations in the context of the enquiry into the sustainability of the CWA expansion: “Economic sustainability is not treated as an independent factor to be evaluated as a discrete element in its own terms. Its significance for NEMA lies in the extent to which it is inter-related with environmental protection... The essence of sustainable development is balanced integration of socio-economic development and environmental priorities and norms”.	CWA Response: As mentioned above, the appellants’ reliance on <i>Fuel Retailers</i> is selective and misplaced. The judgment requires that economic considerations be assessed in relation to environmental sustainability, not that an EIA must safeguard the commercial interests of individual tenants. The EIAR has already met this requirement by evaluating the project’s socio-economic contribution at the appropriate regional and community scale. <i>Fuel Retailers</i> does not oblige the competent authority to guarantee uninterrupted business operations for private entities on short-term leases, nor to undertake tenant-specific financial impact modelling. The balanced integration required by NEMA has been achieved; the appellants’ attempt to stretch <i>Fuel Retailers</i> to protect their individual business models has no basis in the law.
		28. The failure to identify, evaluate and assess the implications of the CWA expansion on the existing aviation operations at the existing CWA, its users, and related training and economic activities, demonstrates an inadequate impact assessment in terms of section 24 of NEMA and a disregard for sections 24(1) and 24O(1)(b)(i) of NEMA which states that all relevant factors and impacts must be considered before authorisation is granted. Consequently, the decision to issue the EA was made without full knowledge of all potential material environmental	EAP response: Four of the Appellants were part of the EIA process, were requested to provide input during the process and provided with the information and the opportunity to do so. No concerns were raised with the EAP during the four rounds of PPP. The Applicants engaged with aviation stakeholders outside of the EIA process to address specific concerns, proof of which was provided in Appendix 40B to the final EIAR. The other Appellant made use of the main entrance of the CWA site, at

PROPOSED EXPANSION OF THE CAPE WINELANDS AIRPORT – RESPONDING STATEMENTS TO APPEALS RECEIVED AGAINST THE EA GRANTED

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		and socio-economic impacts. By omitting a detailed assessment of how the CWA expansion will impact on the Appellants, the EA was issued without full knowledge of relevant factors, rendering it procedurally and substantively non-compliant with the requirement that a decision-maker must be presented with the full range of socio-economic and environmental impacts in order to render a rational and reasonable decision.	which point a site notice was placed during PPP periods. The CA made the decision to issue the EA based on all information available to it at the time. The SIA (Appendix 3 to the final EIAR) complies with the Appendix 6 requirements of NEMA in terms of content and structure (refer page 103 in SIA). CWA Response: The allegation of “failure to identify, evaluate and assess” impacts is unfounded. The EIAR complied fully with sections 24 and 240 of NEMA by assessing the socio-economic implications of the CWA expansion at the correct statutory scale. What the appellants seek is not an environmental impact assessment, but a bespoke financial risk analysis for individual tenants—none of which is required under NEMA, and none of which constitutes an environmental impact. The appellants’ businesses operate under short-term leases containing explicit development, relocation and termination clauses. Their commercial exposure is therefore a matter of private contractual risk, not an environmental impact requiring specialist assessment. The claim that the competent authority lacked “full knowledge of relevant factors” is incorrect: the EIAR considered all relevant environmental and socio-economic factors, including the presence of aviation tenants, in accordance with the law. The appeal incorrectly attempts to convert private commercial disruption into a NEMA deficiency. This does not establish procedural

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			or substantive non-compliance and accordingly does not constitute a valid ground for overturning the EA. This paragraph repeats the same generic, copy-and-paste allegations advanced across all the appeals coordinated by Mr Richard Summers, regardless of the differing factual circumstances of each appellant. The uniformity of these assertions highlights that they are formulaic rather than grounded in appellant-specific evidence. This repetition does not transform private commercial concerns into environmental impacts under NEMA. The EIAR lawfully assessed all relevant socio-economic and environmental factors at the appropriate scale. What the appellants seek—tenant-level financial protection—is outside the scope of an EIAR and cannot form the basis for alleging procedural or substantive non-compliance.
		29. In short, the environmental impact assessment underpinning the EA has failed its most fundamental objective, which is to provide sufficient information to enable informed and credible decision-making and that all potentially significant project impacts are identified and assessed before a decision is taken to approve the CWA expansion. This did not occur and the information the EA was based on is materially deficient. NEMA and the Environmental Impact Assessment Regulations, 2014 as amended, do not include empowering provisions providing for the impacts and mitigation measure to be retrofitted to the approval after an EA is granted. The decision to issue the EA in these circumstances is	EAP response: Four of the Appellants were part of the EIA process, were requested to provide input during the process and provided with the information and the opportunity to do so. No concerns were raised with the EAP during the four rounds of PPP. The Applicants engaged with aviation stakeholders outside of the EIA process to address specific concerns, proof of which was provided in Appendix 40B to the final EIAR. The other Appellant made use of the main entrance of the CWA site, at which point a site notice was placed during PPP periods. The CA made the decision to issue the EA based on all information available to it at the time.

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		irrational. It is fundamentally unlawful to ignore the impact mitigation hierarchy.	The SIA (Appendix 3 to the final EIAR) complies with the Appendix 6 requirements of NEMA in terms of content and structure (refer page 103 in SIA). NOTE: IAP's notified during a public participation process also has a duty to raise issues or concerns with the EAP. These concerns further inform the EIA process and specialist reports. CWA Response: The sweeping claim that the EIAR "failed its most fundamental objective" is incorrect and unsupported by any evidence. The EIAR identified, assessed, and addressed all relevant environmental and socio-economic impacts in accordance with NEMA and the 2014 EIA Regulations. What the appellants now characterise as "material deficiencies" are in fact demands for bespoke financial protection of private tenants—matters outside the legal scope of an environmental assessment. The impact mitigation hierarchy was not ignored; it was applied to all <i>environmentally relevant</i> impacts. The appellants' commercial risks arising from short-term leases containing explicit development and relocation clauses do not constitute environmental impacts and therefore do not trigger mitigation obligations under NEMA. This paragraph is another instance of the generic, copy-and-paste assertions drafted by Mr Richard Summers across multiple appeals, none of which identifies an actual legal or procedural flaw in the EIAR.

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		Ground 2: Absence of Mitigation Measures and Protection for Existing Aviation Activities	
		30. As a direct result of the Applicant having failed to meaningfully consult the Appellants as part of the environmental impact assessment process, the EA fails to impose binding mitigating conditions of authorisation on the Applicant which serve to avoid, minimise or manage the significant socio-economic impact of the CWA development on the Appellants' operations. The main omission in this regard is that there are no directly relevant conditions of approval or mitigation measures that seek to safeguard the continued sustainable operations of the Appellants' business operations at the existing CWA.	EAP Response: Appendix G to Appendix 40B of the final EIAR illustrates consultation with the Appellants. Also refer to Appendix 1 of this appeal response for the record of PPP with Appellants within the EIA process. Refer to section 9 of the final EIAR for record of public participation conducted. No comments were received during the EIA process. NOTE: IAP's notified during a public participation process also has a duty to raise issues or concerns with the EAP. These concerns further inform the EIA process and specialist reports. CWA Response: The claim that the applicant "failed to meaningfully consult" the appellants is factually incorrect. Four of the Appellants were included in the IAP register. The fifth one (4Aviators) only recently became an airport tenant. A notice was placed at the main gate to CWA during PPP processes for airport users. 4Aviators has confirmed that it was consulted on the expansion plans and that it engaged with CWA on numerous occasions about the

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			EIA; the expansion; safety; and general airfield matters. A letter confirming that is attached to this response, marked “Appendix 2”. No comment was received from any of the Appellants during the EIA process. Consultation does not equate to agreeing to tenant-specific commercial protections, nor does NEMA require such protections to be incorporated as conditions of authorisation. The reason no “binding mitigation conditions” were imposed to safeguard individual business operations is simple: the sustainability of private commercial enterprises on short-term leases is not an environmental impact and therefore does not trigger mitigation requirements under NEMA. The EIA Regulations do not require the competent authority to guarantee uninterrupted operations for tenants, nor to retrofit lease protections into an environmental authorisation. This paragraph again reflects a generic template argument repeated across all appellants’ appeals and does not identify any actual omission or deficiency in the EIAR.
		31. It is likely that the CWA expansion may have a devastating impact on the socio-economic sustainability of these aviation operations if these impacts are not adequately assessed and adequate mitigation measures proposed in response thereto and which are made conditions of authorisation. This is notwithstanding the fact that the precise degree	EAP response: Four of the Appellants were part of the EIA process, were requested to provide input during the process and provided with the information and the opportunity to do so. The Applicants engaged with aviation

PROPOSED EXPANSION OF THE CAPE WINELANDS AIRPORT – RESPONDING STATEMENTS TO APPEALS RECEIVED AGAINST THE EA GRANTED

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		of socio-economic impacts on the Appellants is as-yet unknown, due to the Applicant's and EAP's failure to discharge the onus to identify, evaluate and assess the impacts and identify the Appellants and key interested and affected parties.	stakeholders outside of the EIA process to address specific concerns, proof of which was provided in Appendix 40B to the final EIAR. The other Appellant made use of the main entrance of the CWA site, at which point a site notice was placed during PPP periods. The EAP has the responsibility to engage with all identified and registered IAPs – the IAPs have a responsibility to raise concerns during the opportunities afforded them. No concerns were raised with the EAP during the four rounds of PPP. CWA Response: This argument again conflates commercial impacts on private tenants with environmental impacts under NEMA. The “devastating impact” referred to is purely financial and operational, relating to individual business models—not environmental receptors. NEMA does not require the EIA process to safeguard commercial continuity for tenants, nor to quantify private financial exposure. The EIAR did identify and assess socio-economic impacts at the correct scale, and the appellants were fully identified and included in public participation. The only reason the “precise degree” of impact on each tenant is “unknown” is because such tenant-specific financial modelling falls outside the legal mandate of an EIAR. The appellants’ dissatisfaction with this does not amount to an EIA deficiency.
		32. In support of this ground of appeal, we submit the following:	

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		32.1. The guarantee of harmful socio-economic impact, and the lack of mitigation measures proposed and incorporated in the EA in response thereto, flies in the face of section 24O(1)(b)(ii) of NEMA which requires the competent authority to ensure that mitigation measures are adequate.	EAP response: Section 24O(1)(b)(ii) of NEMA states: 24)(1) If the Minister, the Minister responsible for mineral resources, an MEC or identified competent authority considers an application for an environmental authorisation, the Minister, Minister responsible for mineral resources, MEC or competent authority must— (b) take into account all relevant factors, which may include— (ii) measures that may be taken— (aa) to protect the environment from harm as a result of the activity which is the subject of the application; and (bb) to prevent, control, abate or mitigate any pollution, substantially detrimental environmental impacts or environmental degradation. It is respectfully submitted that in issuing the EA that it did, the competent authority fully complied with those requirements. Further, no concerns were raised with the EAP during the four rounds of PPP by any of the 5 Appellants. CWA Response: The appellants' argument misapplies section 24O of NEMA. The "harmful socio-economic impacts" they refer to are not environmental impacts but private commercial risks arising from short-term leases with explicit development and relocation clauses. NEMA requires mitigation of <i>environmentally relevant</i> impacts—those affecting communities, ecosystems, and socio-economic conditions at a regional scale—not the protection of individual tenants' business continuity.

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			Because the appellants' alleged impacts fall outside the scope of NEMA, no mitigation measures were required or appropriate. The absence of tenant-specific commercial protections in the EA therefore does not constitute non-compliance with section 24O.
		32.2. Without the imposition of binding conditions on the Applicant and holder of the EA, all verbal discussions between the Applicant and the Appellants regarding potential options of safeguarding the Appellants' interests are mere window-dressing, with little to no recourse for those whose operations, activities and livelihoods are impacted negatively by the direct, indirect and cumulative impacts associated with the CWA expansion.	CWA Response: This argument again seeks to convert private commercial expectations into obligations under NEMA. The purpose of an EA is not to guarantee business continuity for individual tenants, nor to convert informal discussions into legally binding conditions of authorisation. The appellants' operations are governed by lease agreements—which all contain development and relocation clauses—not by the EA. NEMA does not require the competent authority to impose tenant-specific protections or to provide recourse for commercial losses arising from land-use change. These matters fall squarely within private law, not environmental regulation. The absence of such conditions is therefore not a deficiency in the EA, but a correct application of the law.
		32.3. In the circumstances, the critically important aspect of mitigation with respect to the harmful socio-economic impacts of the CWA expansion on the Appellants' operations have been ignored. We submit that the threshold of adequacy cannot be met in these circumstances where the impact assessment and	EAP response: No concerns were raised with the EAP during the four rounds of PPP by any of the Appellants

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		impact mitigation hierarchy have been deferred and, as such, adverse impacts of the CWA expansion have not been avoided, minimised or remedied in contravention of section 2(4)(a)(viii) of NEMA.	The SIA (Appendix 3 to the final EIAR) acknowledges the presence of aviation tenants, reiterating the incorporation of GA in the design of the Preferred Alternative. Further to this Appendix G to Appendix 40B of the final EIAR illustrates consultation with the Appellants. Also refer to Appendix 1 of this appeal response for the record of PPP with Appellants. The SIA (Appendix 3 to the final EIAR) complies with the Appendix 6 requirements of NEMA in terms of content and structure (refer page 103 in SIA). CWA Response: The appellants' argument again rests on the incorrect assumption that their private commercial risks constitute "harmful socio-economic impacts" in the sense contemplated by NEMA. Section 2(4)(a)(viii) applies to environmentally relevant socio-economic impacts, not the operational preferences or financial vulnerabilities of individual tenants occupying property under short-term leases with explicit development and relocation clauses. Because the impacts alleged by the appellants fall outside the scope of environmental management, the impact mitigation hierarchy is not triggered. The EIAR correctly applied the hierarchy to actual environmental and regional socio-economic impacts, none of which require tenant-specific mitigation. This argument is simply another repetition of the same generic template advanced across multiple appeals and does not demonstrate any contravention of NEMA.

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		33. Without binding conditions that are properly tailored to the project-specific impacts and mitigation measures, there is a material risk that existing aviation operations at the existing CWA could be unduly constrained or rendered inoperable. Such an outcome would result in irreversible socio-economic harm and would be inconsistent with NEMA's sustainability and equity principles, which require that decision-making promotes environmental justice, avoids unfair impacts on affected parties and balances environmental protection with socio-economic needs. This promotes unsustainable development contrary to the tenets thereof outlined in section 24 of the Constitution, NEMA and by the Constitutional Court in Fuel Retailers.	EAP response: The Appellant raises concerns of irreversible socio-economic harm on concerns that were never raised with the EAP during the four rounds of PPP. NOTE: IAP's notified during a public participation process also has a duty to raise issues or concerns with the EAP. These concerns further inform the EIA process and specialist reports. No comments were received during the EIA process. CWA Response: This argument again conflates private commercial outcomes with environmental impacts under NEMA. The "binding conditions" the appellants seek are not environmental mitigation measures, but contractual guarantees to safeguard their businesses—guarantees that properly belong in lease negotiations, not in an environmental authorisation. NEMA's sustainability and equity principles do not oblige the competent authority to preserve uninterrupted operations for individual tenants, particularly those on short-term leases that expressly permit development, relocation and termination. These principles require balanced, environmentally responsible decision-making at a societal and regional scale—not tenant-specific commercial protection.

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			Invoking <i>Fuel Retailers</i> does not assist the appellants. That case requires consideration of overall environmental and socio-economic sustainability, not the freezing of land-use rights to shield particular enterprises from change. The EIAR satisfied these principles; the appellants' attempt to extend them into private commercial guarantees has no basis in law.
		CONCLUSION	
		34. We reiterate that the Appellants do not object to the CWA expansion in principle, and are willing to ensure that their aviation operations co-exist with that of the CWA. However, binding agreements (which offer the Appellants the requisite level of certainty that their interests are safeguarded) have not been concluded and given the potential for and significant risk of serious material adverse socio-economic impacts of the CWA expansion on the Appellants' operations, these impacts have not been identified, evaluated, assessed and integrated into the environmental impact assessment processes to-date.	CWA Response: In the context of the wide-ranging criticism of the EIA process; the EIAR; the specialist studies and the conditions of the environmental authorisation, the appellants' acknowledgment that they <i>do not object in principle</i> to the CWA expansion is important, as it serve to confirm that their concerns are not environmental in nature but commercial and operational. CWA has consistently stated its commitment to supporting aviation enterprises and to ensuring that the redeveloped airport provides an improved, safer and more appropriate facility for general aviation—one that attracts, not alienates, aviation businesses. However, the appellants now seek binding contractual guarantees through the EIA process, which is not the mechanism for negotiating tenant arrangements. The purpose of the redevelopment is precisely to create a modern, compliant and efficient aviation environment that can once again accommodate returning tenants and attract new

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			operators. Any temporary adjustments during construction do not constitute socio-economic impacts requiring assessment under NEMA. The suggestion that the environmental authorisation should compel tenant-specific commercial protections misunderstands the role of the EIA process. It cannot be repurposed to secure private lease rights or business continuity guarantees. These matters are appropriately addressed through post-approval operational planning and commercial engagement once the upgraded facility becomes available. The appellants' arguments therefore do not establish any deficiency in the EIAR and do not amount to a valid environmental ground of appeal.
		35. It is vital that the Applicant fully incorporates the knowledge and experience of the Appellants into the construction and operational plans for the CWA expansion, and make express, binding commitments to ensure that these vital components of the region's aviation industry are identified, considered, assessed and safeguarded. The Appellants support a development by the Applicant to develop responsibly without harm and to formally recognise the contribution made by the Appellants as dedicated stakeholders of the incumbent businesses that provide vital investment in the long-term goals of the CWA expansion.	CWA Response: The Applicant agrees that the knowledge and experience of long-standing aviation operators is valuable, and this has already informed many aspects of the design and planning work for the CWA expansion. The intention has always been to build a safer, more modern and more appropriate aviation facility—one that supports both returning tenants and new aviation businesses in the long term. However, while cooperation and ongoing engagement with operators are welcomed and will continue, the EIA process is not the instrument through which commercial commitments or operational agreements can be formalised. NEMA requires the assessment of environmental and broader socio-economic impacts, not the embedding of binding commercial protections for specific tenants. Those matters are properly addressed through post-approval planning, airport operational design, and lease negotiations once the new facilities become available.

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			The Applicant remains committed to responsible development, constructive engagement, and ensuring that the expanded airport strengthens—not diminishes—the regional aviation ecosystem.
		36. For the reasons provided in this Appeal, the granting of this EA is flawed and would not withstand judicial scrutiny.	EAP response: The responses provided to the points in this appeal illustrate the misunderstanding of the Appellant of the EIA process. The appeal is based solely on commercial motivations, none of which were raised with the EAP at any stage of the EIA PPP phases. The Appellants state they are not against the proposed project in principle. It is the opinion of the EAP that the granting of the EA is not fatally flawed; quite the contrary. The EIA process was applied as precautionary, transparent, and legally compliant. It recognised the complexity of airport development while ensuring sufficient detail for robust, responsible decision-making and eventual granting of the EA. CWA Response: This closing assertion is unfounded and ignores the factual and legal context. The appellants occupy the site on short-term leases that contain explicit development, relocation, and termination clauses. In fact, the Applicant is legally entitled to issue notice for them to vacate <i>now</i>, irrespective of the EIA outcome. Despite this, the Applicant has continued to engage constructively and transparently throughout the process.

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			The mere repetition of broad, copy-and-paste allegations does not establish any procedural or substantive flaw in the EIAR, nor does it demonstrate why the EA could not withstand judicial scrutiny.
		37. The Appeal accordingly should be upheld and the decision to grant the EA set aside.	EAP Response: The EAP is not in agreement with this statement. The appeal is not against the granting of the EA, but against the perceived exclusion of certain conditions that would favour the Appellants based on perceived socio-economic impacts that were never raised throughout an extensive PPP process with the EAP. The EA should not be set aside. CWA Response: This conclusion is unsupported. The appeal identifies no valid process-related or environmental grounds under NEMA, and therefore provides no basis to set aside the EA.

PROOF OF PUBLIC PARTICIPATION OPPORTUNITIES AND CORRESPONDENCE RECEIVED FROM CWA TENANTS

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1. SUMMARY OF CWA TENANTS PARTICIPATION IN THE S&EIA PROCESS

1.1. Cape Town Flight Training Centre, Diepkloof Aircraft Maintenance, Helivate Helicopter Services and AeroSport

S&EIA Phase	Notified	Comment Provided / Attended	Date of Comment
Pre-Application Scoping	Yes	No	n/a
Public Meeting (8 May 2024)	Yes	No	n/a
In-Process Scoping	Yes	No	n/a
EIA Phase – Round 1	Yes	No	n/a
Public Open Day (20 November 2024)	Yes	No	n/a
EIA Phase – Round 2	Yes	No	n/a
Public Open Day (15 April 2025)	Yes	Helivate Helicopter Services attended	n/a

1.2. 4Aviators

4Aviators was not initially identified as an IAP during the S&EIA process and did not submit comments or attend any public participation meetings. However, it was fully aware of the proposed development as confirmed in the letter received from 4Aviators dated 8 December 2025 and which is Appendix 2 to the Appeals and Response Report submitted in response to the appeal lodged by the CWA's on site tenants. As confirmed in that letter, its main base of operations is at Cape Town International Airport, and it entered into a lease for a satellite base at CWA in September 2024 (effective from 1 April 2025).

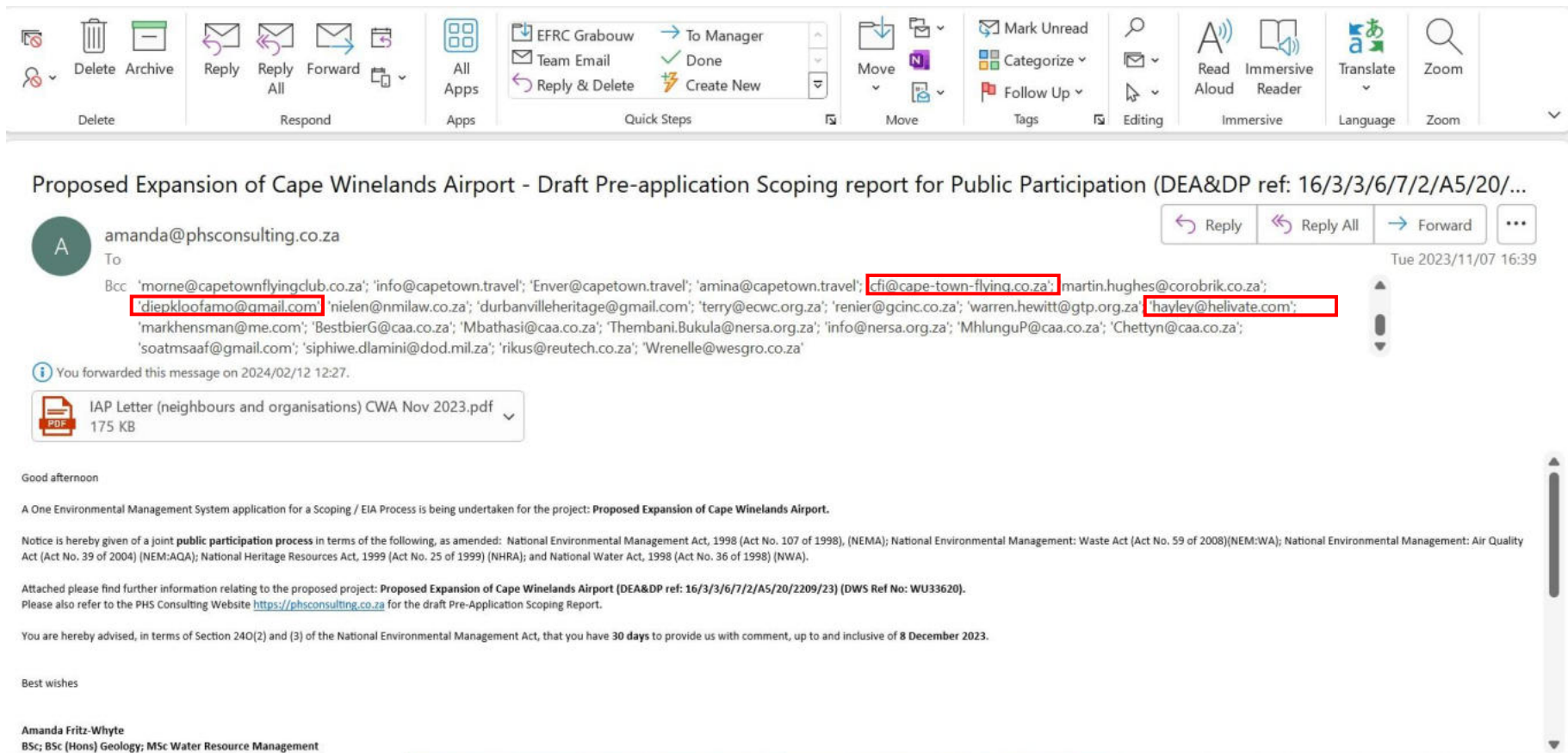
During lease negotiations, CWA informed 4Aviators of the scope, intent, and expected timelines of the planned development, including the fact that no permanent structures could be erected pending the environmental process. It was therefore aware of the project and the potential disruptions.

4Aviators has also engaged with CWA on multiple occasions regarding safety, security, and general airfield matters, and it was invited to the most recent aviation stakeholder meeting regarding the development where it had the opportunity to ask questions and raise any concerns. All of this is confirmed in Appendix 2.

2. PROOF OF PUBLIC PARTICIPATION OPPORTUNITIES OF WHICH CAPE TOWN FLIGHT TRAINING CENTRE, DIEPKLOOF AIRCRAFT MAINTENANCE, HELIVATE HELICOPTER SERVICES AND AEROSPORT WERE NOTIFIED

2.1. Pre-Application Scoping Phase

2.1.1. Proof that notification of the pre-application public participation process was sent on 7 November 2023



Proposed Expansion of Cape Winelands Airport - Draft Pre-application Scoping report for Public Participation (DEA&DP ref: 16/3/3/6/7/2/A5/20/...

amanda@phsconsulting.co.za
To
Bcc: 'morne@capetownflyingclub.co.za'; 'info@capetown.travel'; 'Enver@capetown.travel'; 'amina@capetown.travel'; 'cfi@cape-town-flying.co.za'; 'martin.hughes@corobrik.co.za';
'diepkloofamo@gmail.com'; 'nielen@nmilaw.co.za'; 'durbanvilleheritage@gmail.com'; 'terry@ecwc.org.za'; 'renier@gcinc.co.za'; 'warren.hewitt@gtp.org.za'; 'hayley@helivate.com';
'markhensman@me.com'; 'BestbierG@caa.co.za'; 'Mbathasi@caa.co.za'; 'Thembani.Bukula@nersa.org.za'; 'info@nersa.org.za'; 'MhlunguP@caa.co.za'; 'Chetty@caa.co.za';
'soatmsaaf@gmail.com'; 'siphiwe.dlamini@dod.mil.za'; 'rikus@reutech.co.za'; 'Wrenelle@wesgro.co.za'

You forwarded this message on 2024/02/12 12:27.

IAP Letter (neighbours and organisations) CWA Nov 2023.pdf
175 KB

Good afternoon

A One Environmental Management System application for a Scoping / EIA Process is being undertaken for the project: **Proposed Expansion of Cape Winelands Airport**.

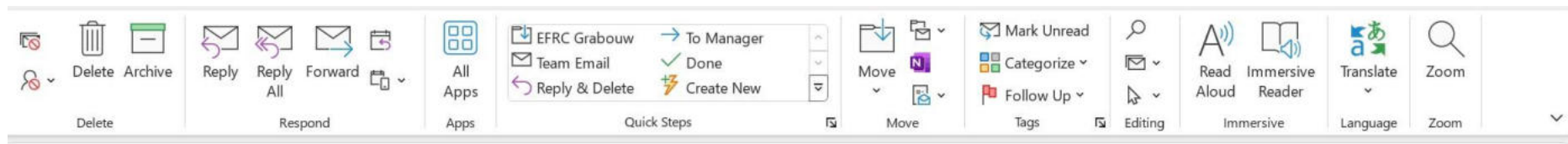
Notice is hereby given of a joint **public participation process** in terms of the following, as amended: National Environmental Management Act, 1998 (Act No. 107 of 1998), (NEMA); National Environmental Management: Waste Act (Act No. 59 of 2008)(NEM:WA); National Environmental Management: Air Quality Act (Act No. 39 of 2004) (NEM:AQA); National Heritage Resources Act, 1999 (Act No. 25 of 1999) (NHRA); and National Water Act, 1998 (Act No. 36 of 1998) (NWA).

Attached please find further information relating to the proposed project: **Proposed Expansion of Cape Winelands Airport** (DEA&DP ref: 16/3/3/6/7/2/A5/20/2209/23) (DWS Ref No: WU33620).
Please also refer to the PHS Consulting Website <https://phsconsulting.co.za> for the draft Pre-Application Scoping Report.

You are hereby advised, in terms of Section 240(2) and (3) of the National Environmental Management Act, that you have **30 days** to provide us with comment, up to and inclusive of **8 December 2023**.

Best wishes

Amanda Fritz-Whyte
BSc; BSc (Hons) Geology; MSc Water Resource Management



Proposed Expansion of Cape Winelands Airport - Draft Pre-application Scoping report for Public Participation (DEA&DP ref: 16/3/3/6/7/2/A5/20/...

 amanda@phsconsulting.co.za
To
Bcc: 'jjenting@mweb.co.za'; 'nomeyer@mweb.co.za'; 'creditcoct@countyfair.co.za'; 'jaco@gishen.co.za'; 'peks@mweb.co.za'; 'johan@lutoria.co.za'; 'danie@eensgezind.co.za'; 'kantoor@eensgezind.co.za'; 'koos@jhblanck.co.za'; 'pbriel@brielinc.com'; 'muller1@mweb.co.za'; 'wouter.bester@snowisp.com'; 'basieburger007@gmail.com'; 'paul@phsconsulting.co.za'; 'aaron.munetsi@aasa.za.net'; 'mpumi.mpofu@airports.co.za'; 'terence.delomoney@airports.co.za'; 'mark.madean@airports.co.za'; 'admin@aerosport.co.za'; 'sam.kedde@afbaa.org'; 'otto@asata.co.za'; 'Noziphom@atns.co.za'; 'terence.delomoney@airports.co.za'; 'Josiam@atns.co.za'; 'sandileho@atns.co.za'; 'George.Mothema@barsa.co.za'; 'Kev@caasa.co.za';

 You forwarded this message on 2024/02/12 12:27.

 IAP Letter (neighbours and organisations) CWA Nov 2023.pdf
175 KB

Good afternoon

A One Environmental Management System application for a Scoping / EIA Process is being undertaken for the project: **Proposed Expansion of Cape Winelands Airport**.

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Attached please find further information relating to the proposed project: **Proposed Expansion of Cape Winelands Airport (DEA&DP ref: 16/3/3/6/7/2/A5/20/2209/23) (DWS Ref No: WU33620)**. Please also refer to the PHS Consulting Website <https://phsconsulting.co.za> for the draft Pre-Application Scoping Report.

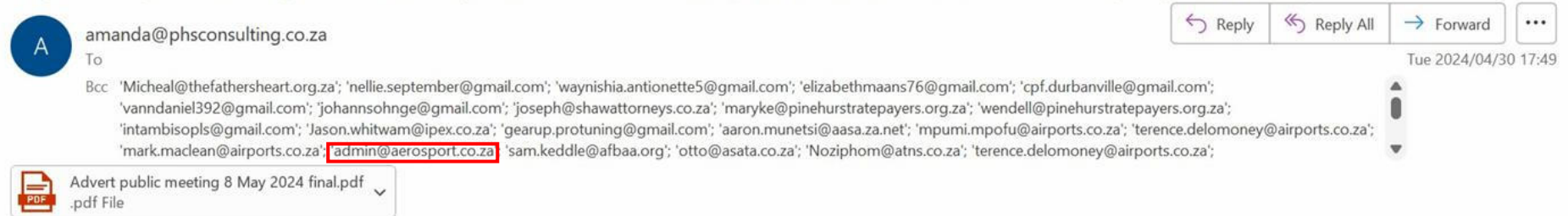
You are hereby advised, in terms of Section 240(2) and (3) of the National Environmental Management Act, that you have **30 days** to provide us with comment, up to and inclusive of **8 December 2023**.

Best wishes

Amanda Fritz-Whyte
BSc; BSc (Hons) Geology; MSc Water Resource Management

2.1.2. Proof that an invitation to the public meeting held on the 8th of May was sent on 30 April 2024

Proposed Expansion of Cape Winelands Airport (DEA&DP ref: 16/3/3/6/7/2/A5/20/2209/23) - Notice of open public meeting



Dear Registered I&AP

A One Environmental Management System application for a Scoping / EIA Process is being undertaken for the project: Proposed Expansion of Cape Winelands Airport, which includes a joint public participation process in terms of the following, as amended: National Environmental Management Act, 1998 (Act No. 107 of 1998), (NEMA); National Environmental Management: Waste Act (Act No. 59 of 2008), (NEM:WA); National Environmental Management: Air Quality Act (Act No. 39 of 2004) (NEM:AQA); National Heritage Resources Act, 1999 (Act No. 25 of 1999) (NHRA); and National Water Act, 1998 (Act No. 36 of 1998) (NWA).

Notice is hereby given of an open public meeting to be held on **8 May 2024 at 18h30** as part of the Pre-application Scoping Phase.

Attached please find further information relating to the proposed meeting.

Please also refer to the PHS Consulting Website for the draft Pre-Application Scoping Report at download link: <https://phsconsulting.co.za/proposed-expansion-of-cape-winelands-airport/>

Best wishes

Amanda Fritz-Whyte
BSc; BSc (Hons) Geology; MSc Water Resource Management
Fellow Member WISA

Proposed Expansion of Cape Winelands Airport (DEA&DP ref: 16/3/3/6/7/2/A5/20/2209/23) - Notice of open public meeting



amanda@phsconsulting.co.za

To

Bcc: 'mark.maclea@airports.co.za'; 'Josiam@atns.co.za'; 'Josiam@atns.co.za'; 'sandileho@atns.co.za'; 'George.Mothema@barsa.co.za'; 'Kev@caasa.co.za'; 'morne@capetownflyingclub.co.za'; 'info@capetown.travel'; 'Enver@capetown.travel'; 'amina@capetown.travel'; 'martin.hughes@corobrik.co.za'; 'cfi@cape-town-flying.co.za'; 'diepkloofamo@gmail.com'; 'nielen@nmilaw.co.za'; 'terry@ecwc.org.za'; 'director@fisantekraal.org.za'; 'ejcmaans@gmail.com'; 'hayley@helivate.com'; 'markhensman@me.com'; 'BestbierG@caa.co.za'; 'Mbathasi@caa.co.za'; 'Thembani.Bukula@nersa.org.za'; 'info@nersa.org.za'; 'soatmsaaf@gmail.com'; 'MhlunguP@caa.co.za'; 'Chettyyn@caa.co.za'; 'siphiwe.dlamini@dod.mil.za';

Tue 2024/04/30 17:49



Advert public meeting 8 May 2024 final.pdf
.pdf File

Dear Registered I&AP

A One Environmental Management System application for a Scoping / EIA Process is being undertaken for the project: Proposed Expansion of Cape Winelands Airport, which includes a joint public participation process in terms of the following, as amended: National Environmental Management Act, 1998 (Act No. 107 of 1998), (NEMA); National Environmental Management: Waste Act (Act No. 59 of 2008), (NEM:WA); National Environmental Management: Air Quality Act (Act No. 39 of 2004) (NEM:AQA); National Heritage Resources Act, 1999 (Act No. 25 of 1999) (NHRA); and National Water Act, 1998 (Act No. 36 of 1998) (NWA).

Notice is hereby given of an open public meeting to be held on **8 May 2024 at 18h30** as part of the Pre-application Scoping Phase.

Attached please find further information relating to the proposed meeting.

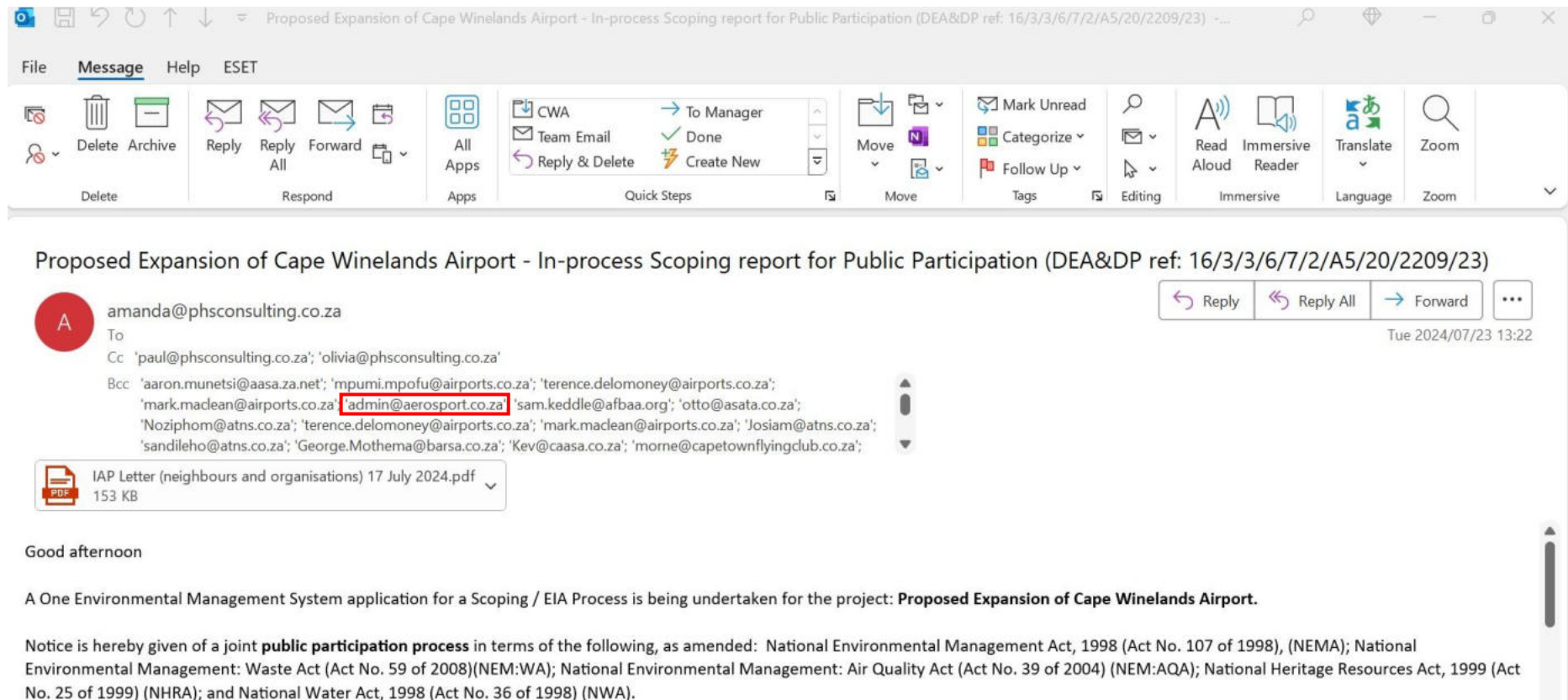
Please also refer to the PHS Consulting Website for the draft Pre-Application Scoping Report at download link: <https://phsconsulting.co.za/proposed-expansion-of-cape-winelands-airport/>

Best wishes

Amanda Fritz-Whyte
BSc; BSc (Hons) Geology; MSc Water Resource Management
Fellow Member WISA

2.2. In-Process Scoping Phase

Proof that notification of the in-process scoping phase public participation process was sent on 23 December 2024



Delete

Respond

Apps

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Tags

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Immersive

Language

Zoom

Proposed Expansion of Cape Winelands Airport - In-process Scoping report for Public Participation (DEA&DP ref: 16/3/3/6/7/2/A5/20/2209/23)



amanda@phsconsulting.co.za

To

Cc 'paul@phsconsulting.co.za'; 'olivia@phsconsulting.co.za'

Bcc 'info@capetown.travel'; 'Enver@capetown.travel'; 'amina@capetown.travel'; 'martin.hughes@corobrik.co.za';

'cfr@cape-townflying.co.za'; 'diepkloofamo@gmail.com'; 'nielen@nmilaw.co.za'; 'durbanvilleheritage@gmail.com';

'terry@ecwc.org.za'; 'director@fisantekraal.org.za'; 'renier@gcinc.co.za'; 'ejcmaans@gmail.com';

'hayley@helivate.com'; 'markhensman@me.com'; 'BestbierG@caa.co.za'; 'Mbathasi@caa.co.za';



IAP Letter (neighbours and organisations) 17 July 2024.pdf
153 KB

Reply

Reply All

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Tue 2024/07/23 13:22

Good afternoon

A One Environmental Management System application for a Scoping / EIA Process is being undertaken for the project: **Proposed Expansion of Cape Winelands Airport**.

Notice is hereby given of a joint **public participation process** in terms of the following, as amended: National Environmental Management Act, 1998 (Act No. 107 of 1998), (NEMA); National Environmental Management: Waste Act (Act No. 59 of 2008)(NEM:WA); National Environmental Management: Air Quality Act (Act No. 39 of 2004) (NEM:AQA); National Heritage Resources Act, 1999 (Act No. 25 of 1999) (NHRA); and National Water Act, 1998 (Act No. 36 of 1998) (NWA).

Attached please find further information relating to the proposed project: **Proposed Expansion of Cape Winelands Airport (DEA&DP ref: 16/3/3/6/7/2/A5/20/2209/23)**. Please also refer to the PHS Consulting Website <https://phsconsulting.co.za> for the draft in-process Scoping Report.

2.3. First EIA Phase PPP

Proof that notification of the first EIA phase public participation process and public open day scheduled for 20 November 2024 was sent on 13 November 2024

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Proposed Expansion of Cape Winelands Airport - In-process EIA report for Public Participation (DEA&DP ref: 16/3/3/2/A5/20/2046/24)

To: amanda@phsconsulting.co.za

Cc: 'olivia'

Bcc: 'amina@capetown.travel'; 'martin.hughes@corobrik.co.za'; 'cfi@cape-town-flying.co.za'; 'diepkloofamo@gmail.com'; 'nielen@nmilaw.co.za'; 'durbanvilleheritage@gmail.com'; 'terry@ecwc.org.za'; 'director@fisantekraal.org.za'; 'renier@gcinc.co.za'; 'ejcmaans@gmail.com'; 'hayley@helivate.com'; 'markhensman@me.com'; 'BestbierG@caa.co.za'; 'Mbathasi@caa.co.za'; 'Thembani.Bukula@nersa.org.za';

IAP Letter (neighbours and organisations) Nov 2024.pdf 155 KB

Good morning

A One Environmental Management System application for a Scoping & EIA Process is being undertaken for the project: Proposed Expansion of Cape Winelands Airport. Notice is hereby given of a joint public participation process in terms of the following, as amended: National Environmental Management Act, 1998 (Act No. 107 of 1998), (NEMA); National Environmental Management: Waste Act (Act No. 59 of 2008)(NEM:WA); National Heritage Resources Act, 1999 (Act No. 25 of 1999) (NHRA); and National Water Act, 1998 (Act No. 36 of 1998) (NWA). Request for the relevant Competent Authority to define or adopt a Maintenance Management Plan for a watercourse in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998), Environmental Impact Assessment Regulations, 2014 (as amended) will also be included. Attached please find further information relating to the proposed project: Proposed Expansion of Cape Winelands Airport (DEA&DP ref: 16/3/3/2/A5/20/2046/24). Please also refer to the PHS Consulting Website <https://phsconsulting.co.za/proposed-expansion-of-cape-winelands-airport/> for the In-Process Draft Environmental Impact Assessment Report, Water Use License Technical Report, Waste Management Plan, Maintenance Management Plan and supporting documents.

NOTICE IS ALSO GIVEN OF A PUBLIC OPEN DAY ON 20 NOVEMBER 2024 AT GOEDGELEVEN VENUE, KLIPHEUWEL RD, DURBANVILLE FROM 14H00 TO 20H00.

File
Message
Help
ESET

Delete
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Reply
Reply All
Forward

All Apps

CWA
Team Email
Reply & Delete

To Manager
Done
Create New

Move

Mark Unread
Categorize
Follow Up

Read Aloud
Immersive Reader
Translate
Zoom

Proposed Expansion of Cape Winelands Airport - In-process EIA report for Public Participation (DEA&DP ref: 16/3/3/2/A5/20/2046/24)

A

amanda@phsconsulting.co.za

To

Cc 'olivia'

Bcc 'aaron.munetsi@aasa.za.net'; 'mpumi.mpofu@airports.co.za'; 'terence.delomoney@airports.co.za'; 'mark.madean@airports.co.za'; 'admin@aerosport.co.za'; 'sam.keddle@afbaa.org'; 'otto@asata.co.za'; 'Noziphom@atns.co.za'; 'Josiam@atns.co.za'; 'sandileho@atns.co.za'; 'George.Mothema@barsa.co.za'; 'Kev@caasa.co.za'; 'morne@capetownflyingclub.co.za'; 'info@capetown.travel'; 'Enver@capetown.travel';

IAP Letter (neighbours and organisations) Nov 2024.pdf
155 KB

Reply
Reply All
Forward

Wed 2024/11/13 09:46

Good morning

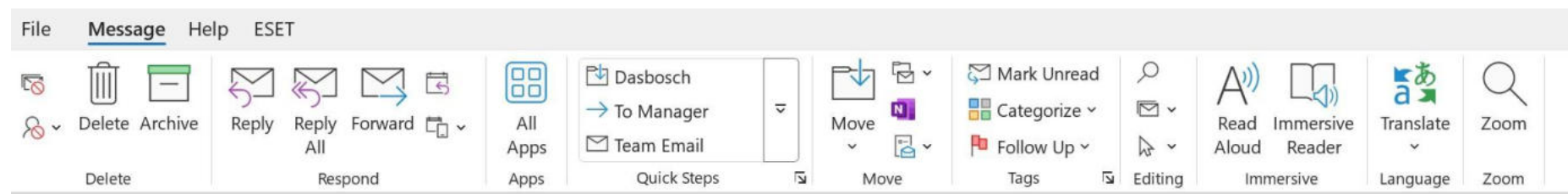
A One Environmental Management System application for a Scoping & EIA Process is being undertaken for the project: Proposed Expansion of Cape Winelands Airport. Notice is hereby given of a joint public participation process in terms of the following, as amended: National Environmental Management Act, 1998 (Act No. 107 of 1998), (NEMA); National Environmental Management: Waste Act (Act No. 59 of 2008)(NEM:WA); National Heritage Resources Act, 1999 (Act No. 25 of 1999) (NHRA); and National Water Act, 1998 (Act No. 36 of 1998) (NWA). Request for the relevant Competent Authority to define or adopt a Maintenance Management Plan for a watercourse in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998), Environmental Impact Assessment Regulations, 2014 (as amended) will also be included. Attached please find further information relating to the proposed project: Proposed Expansion of Cape Winelands Airport (DEA&DP ref: 16/3/3/2/A5/20/2046/24). Please also refer to the PHS Consulting Website <https://phsconsulting.co.za/proposed-expansion-of-cape-winelands-airport/> for the In-Process Draft Environmental Impact Assessment Report, Water Use License Technical Report, Waste Management Plan, Maintenance Management Plan and supporting documents.

NOTICE IS ALSO GIVEN OF A PUBLIC OPEN DAY ON 20 NOVEMBER 2024 AT GOEDGELEVEN VENUE, KLIPHEUWEL RD, DURBANVILLE FROM 14H00 TO 20H00.

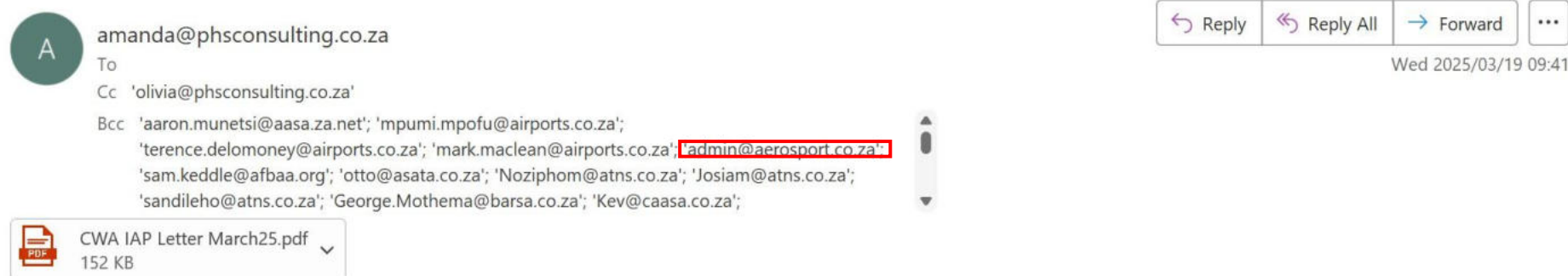
246

2.4. Second EIA Phase PPP

2.4.1. Proof that notification of the first EIA phase public participation process and public open day scheduled for 15 April 2025 was sent on 19 March 2025



Proposed Expansion of Cape Winelands Airport – Amended In-process draft EIAR for Public Participation (DEA&DP ref: 16/3...

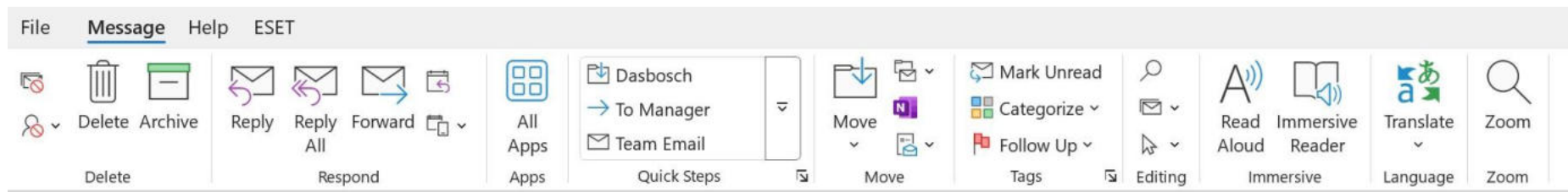


Dear Interested and Affected Party,

A One Environmental Management System application for a Scoping & EIA Process is being undertaken for the project: Proposed Expansion of Cape Winelands Airport.

Notice is hereby given of a joint public participation process in terms of the following, as amended: National Environmental Management Act, 1998 (Act No. 107 of 1998), (NEMA); National Environmental Management: Waste Act (Act No. 59 of 2008)(NEM:WA); National Heritage Resources Act, 1999 (Act No. 25 of 1999) (NHRA); and National Water Act, 1998 (Act No. 36 of 1998) (NWA). Request for the relevant Competent Authority to define or adopt a Maintenance Management Plan for a watercourse in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998), Environmental Impact Assessment Regulations, 2014 (as amended) is also included.

Attached please find further information relating to the proposed project: Proposed Expansion of Cape Winelands Airport (DEA&DP ref: 16/3/3/2/A5/20/2046/24).



Proposed Expansion of Cape Winelands Airport – Amended In-process draft EIAR for Public Participation (DEA&DP ref: 16/3...

A amanda@phsconsulting.co.za

To

Cc 'olivia@phsconsulting.co.za'

Bcc 'morne@capetownflyingclub.co.za'; 'info@capetown.travel'; 'Enver@capetown.travel';
 'amina@capetown.travel'; 'martin.hughes@corobrik.co.za'; **cfi@cape-town-flying.co.za**;
diepkloofamo@gmail.com; 'nielen@nmilaw.co.za'; 'durbanvilleheritage@gmail.com';
 'terry@ecwc.org.za'; 'director@fisantekraal.org.za'; 'renier@gcinc.co.za'; 'ejcmaans@gmail.com';

Reply Reply All Forward ...

Wed 2025/03/19 09:41

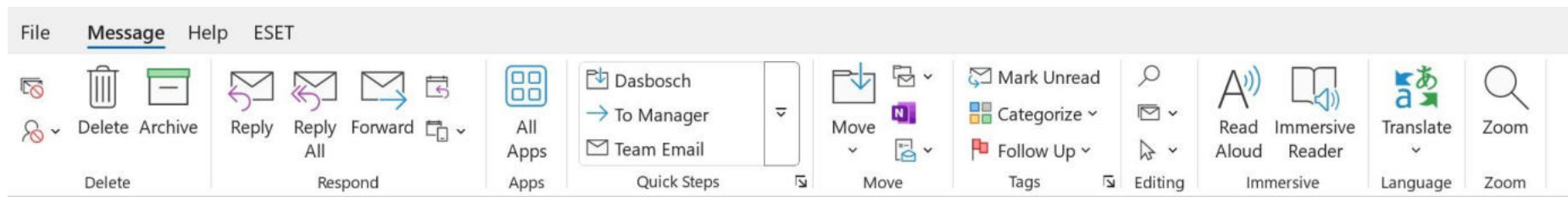
CWA IAP Letter March25.pdf 152 KB

Dear Interested and Affected Party,

A One Environmental Management System application for a Scoping & EIA Process is being undertaken for the project: Proposed Expansion of Cape Winelands Airport.

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Attached please find further information relating to the proposed project: Proposed Expansion of Cape Winelands Airport (DEA&DP ref: 16/3/3/2/A5/20/2046/24).



Proposed Expansion of Cape Winelands Airport – Amended In-process draft EIAR for Public Participation (DEA&DP ref: 16/3...

 amanda@phsconsulting.co.za

Reply

Reply All

Forward

...

Wed 2025/03/19 09:41

To
Cc 'olivia@phsconsulting.co.za'
Bcc 'haylev@helivate.com'; 'markhensman@me.com'; 'BestbierG@caa.co.za'; 'Mbathasi@caa.co.za'; 'Thembani.Bukula@nersa.org.za'; 'info@nersa.org.za'; 'soatmsaaf@gmail.com'; 'MhlunguP@caa.co.za'; 'Chettyn@caa.co.za'; 'siphiwe.dlamini@dod.mil.za'; 'rikus@stelfly.co.za'; 'gm@stelfly.co.za'; 'warren.hewitt@gtp.org.za'; 'jay@stockhall.org'; 'mdum@waumbe.org.za';

 CWA IAP Letter March25.pdf
152 KB

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Attached please find further information relating to the proposed project: Proposed Expansion of Cape Winelands Airport (DEA&DP ref: 16/3/3/2/A5/20/2046/24).

2.5. Final EIA Submission

2.5.1. Proof that notification of the final EIA submission to DEADP was sent on 16 July 2025

PROPOSED EXPANSION OF CAPE WINELANDS AIRPORT NOTICE OF SUBMISSION OF FINAL EIAR (DEA&DP ref: 16/3/3/2/A...



amanda@phsconsulting.co.za

To

Cc 'olivia@phsconsulting.co.za'

Bcc 'aaron.munetsi@aasa.za.net'; 'mpumi.mpofu@airports.co.za';

'terence.delomoney@airports.co.za'; 'mark.maclean@airports.co.za'; 'admin@aerosport.co.za';

'sam.keddle@afbaa.org'; 'otto@asata.co.za'; 'Noziphom@atns.co.za'; 'Josiam@atns.co.za';

'sandileho@atns.co.za'; 'George.Mothema@barsa.co.za'; 'Kev@caasa.co.za';

↩ Reply ↩ Reply All → Forward ⋮

Wed 2025/07/16 14:27



CWA IAP Submission Letter 16 July 25.pdf
207 KB

Dear Registered Interested and Affected Party,

You are hereby notified that the final EIAR and supporting documentation was submitted to DEA&DP on 11 July 2025. Please note: The public participation period has closed, and no further comments will be accepted. This communication is for information purposes only. Please see letter attached with further information.

The final EIAR, Water Use License Technical Report, Waste Management Plan, Maintenance Management Plan and supporting documents is available, for the record only, on our website at download link <https://phsconsulting.co.za/proposed-expansion-of-cape-winelands-airport/>, and a hard copy has been lodged at the Fisantekraal Public Library (021 444 9259) for the duration of the authorisation period. Should you not be able to access the reports, please contact the Environmental Assessment Practitioner (EAP) at the details below.

Best wishes
Amanda

PROPOSED EXPANSION OF CAPE WINELANDS AIRPORT NOTICE OF SUBMISSION OF FINAL EIAR (DEA&DP ref: 16/3/3/2/A...



amanda@phsconsulting.co.za

To

Cc 'olivia@phsconsulting.co.za'

Bcc 'morne@capetownflyingclub.co.za'; 'info@capetown.travel'; 'Enver@capetown.travel';
'amina@capetown.travel'; 'martin.hughes@corobrik.co.za'; 'cfr@cape-town-flying.co.za';
'diepkloofamo@gmail.com'; 'nielen@nmilaw.co.za'; 'durbanvilleheritage@gmail.com';
'terry@ecwc.org.za'; 'director@fisantekraal.org.za'; 'renier@gcinc.co.za'; 'ejcmaans@gmail.com';

Reply Reply All Forward ...

Wed 2025/07/16 14:27



CWA IAP Submission Letter 16 July 25.pdf
207 KB

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The final EIAR, Water Use License Technical Report, Waste Management Plan, Maintenance Management Plan and supporting documents is available, for the record only, on our website at download link <https://phsconsulting.co.za/proposed-expansion-of-cape-winelands-airport/>, and a hard copy has been lodged at the Fisantekraal Public Library (021 444 9259) for the duration of the authorisation period. Should you not be able to access the reports, please contact the Environmental Assessment Practitioner (EAP) at the details below.

Best wishes
Amanda

PROPOSED EXPANSION OF CAPE WINELANDS AIRPORT NOTICE OF SUBMISSION OF FINAL EIAR (DEA&DP ref: 16/3/3/2/A...



amanda@phsconsulting.co.za

To

Cc 'olivia@phsconsulting.co.za'

Bcc 'hayley@helivate.com'; 'markhensman@me.com'; 'BestbierG@caa.co.za'; 'Mbathasi@caa.co.za'; 'Thembani.Bukula@nersa.org.za'; 'info@nersa.org.za'; 'soatmsaaf@gmail.com'; 'MhlunguP@caa.co.za'; 'Chettyn@caa.co.za'; 'siphiwe.dlamini@dod.mil.za'; 'rikus@stelfly.co.za'; 'gm@stelfly.co.za'; 'warren.hewitt@gtp.org.za'; 'jay@stockhall.org'; 'mdum@waumbe.org.za';

Reply

Reply All

Forward



Wed 2025/07/16 14:27



CWA IAP Submission Letter 16 July 25.pdf
207 KB

Dear Registered Interested and Affected Party,

You are hereby notified that the final EIAR and supporting documentation was submitted to DEA&DP on 11 July 2025. Please note: The public participation period has closed, and no further comments will be accepted. This communication is for information purposes only. Please see letter attached with further information.

The final EIAR, Water Use License Technical Report, Waste Management Plan, Maintenance Management Plan and supporting documents is available, for the record only, on our website at download link <https://phsconsulting.co.za/proposed-expansion-of-cape-winelands-airport/>, and a hard copy has been lodged at the Fisantekraal Public Library (021 444 9259) for the duration of the authorisation period.

Should you not be able to access the reports, please contact the Environmental Assessment Practitioner (EAP) at the details below.

Best wishes

Amanda

2.6. Notice of EA and Appeal Opportunity

2.6.1. Proof that notification of the Environmental Authorisation granted and appeal opportunity was sent on 30 October 2025

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NOTIFICATION - ENVIRONMENTAL AUTHORISATION GRANTED FOR PROPOSED EXPANSION OF CAPE WINELANDS AIRP...

 amanda@phsconsulting.co.za

To

Cc 'olivia@phsconsulting.co.za'; 'deidre@capewinlands.aero'

Bcc 'aaron.munetsi@aasa.za.net'; 'mpumi.mpofu@airports.co.za'; 'terence.delomoney@airports.co.za'; 'mark.maclean@airports.co.za'; **admin@aerosport.co.za**; 'sam.keddle@afbaa.org'; 'otto@asata.co.za'; 'Noziphom@atns.co.za'; 'Josiam@atns.co.za'; 'sandileho@atns.co.za'; 'George.Mothema@barsa.co.za'; 'Kev@caasa.co.za';

You forwarded this message on 2025/11/08 11:18.

EA CWA 27 OCT 2025.pdf 2 MB

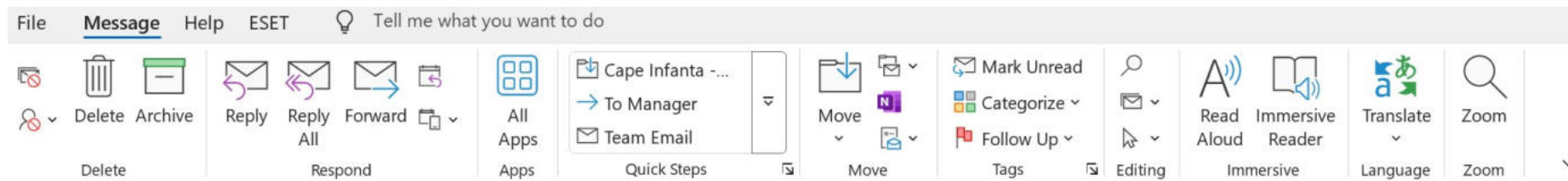
CWA Notice of EA Granted Oct25.pdf 238 KB

Dear Registered Interested and Affected Party,

Notice is hereby given, in terms of the National Appeal Regulations, 2025, that Environmental Authorisation (EA) was granted and issued on 27 October 2025 by the Western Cape Government, Environmental Affairs and Development Planning (DEA&DP) for the Proposed Expansion of the Existing Cape Winelands Airport on P10 of Farm 724, RE of Farm 724, P23 of Farm 724, P7 of Farm 942, RE of Farm 474, P3 of Farm 474 and P4 of Farm 474, Fisantekraal, Durbanville.

The Environmental Authorisation (EA) is attached to this email and available on our website at download link <https://phsconsulting.co.za/proposed-expansion-of-cape-winelands-airport/>, and a hard copy has been lodged at the Fisantekraal Public Library (021 444 9259). Please refer to the attached letter for more detail on the EA and the appeal process.

Best wishes
Amanda



NOTIFICATION - ENVIRONMENTAL AUTHORISATION GRANTED FOR PROPOSED EXPANSION OF CAPE WINELANDS AIRP...



amanda@phsconsulting.co.za

To

Cc 'olivia@phsconsulting.co.za'; 'deidre@capewinlands.aero'

Bcc 'amina@capetown.travel'; 'martin.hughes@corobrik.co.za'; 'cfi@cape-town-flying.co.za';
'diepkloofamo@gmail.com'; 'nielen@nmilaw.co.za'; 'durbanvilleheritage@gmail.com';
'terry@ecwc.org.za'; 'director@fisantekraal.org.za'; 'renier@gcinc.co.za'; 'ejcmaans@gmail.com';
'hayley@helivate.com'; 'markhensman@me.com'; 'BestbierG@caa.co.za'; 'Mbathasi@caa.co.za';

Reply Reply All Forward ...

Thu 2025/10/30 10:46

 You forwarded this message on 2025/11/08 11:18.



EA CWA 27 OCT 2025.pdf
2 MB



CWA Notice of EA Granted Oct25.pdf
238 KB

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The Environmental Authorisation (EA) is attached to this email and available on our website at download link <https://phsconsulting.co.za/proposed-expansion-of-cape-winelands-airport/>, and a hard copy has been lodged at the Fisantekraal Public Library (021 444 9259). Please refer to the attached letter for more detail on the EA and the appeal process.

Best wishes
Amanda

3. TENANT PARTICIPATION IN CWA AIRSPACE STAKEHOLDER ENGAGEMENT SESSIONS

- 3.1. Proof that Cape Town Flight Training Centre, Helivate Helicopter Services, AeroSport and 4Aviators were present at the Airspace Safety Meeting on 19 March 2025

CAPE
WINELANDS

AERO

Cape Winelands Aero, Lichtenburg Road, R312, Durbanville
+27 (0)86 124 7767 | www.capewinlands.aero

Cape Winelands Airport – Safety Meeting

DATE: Wednesday, 19 March 2025

TIME: 13:00 – 15:00

VENUE: Cape Winelands Airport

PURPOSE: Airport Safety

ATTENDANCE:

M Wilkinson (CWA), H Reid (CWA), E Loubser (CWA), J Van Wyk (AeroSport), G Mew (4Aviators), O Al-Qabbani (Aerosport), G Voss (Aerosport), B Krynavu (Helivate), P Koen (Helivate), F Meyer (CTFTC), G Hibbin (CTFTC)

1. Purpose

- Address safety issues identified by the large local operators within the Winelands airspace
- Propose solutions or mitigants to concerns identified
- Establish a uniform safety culture amongst within the Winelands Aviation Ecosystem

2. Key Discussion Points

Mark Wilkinson welcomed everyone and provided an update of the CWA expansion project currently underway.

Flight Operations

a. Circuit Patterns

Issue:

It was observed that the circuit pattern expands when less experienced students and instructors enter the circuit. This poses a safety risk, as aircraft may drift beyond the airfield's glide range.

Proposed Solutions:

1. **Enhanced Ground School Training:**

Emphasize circuit procedures during ground school. Students should practice these procedures in the General Flying area (GF) until they demonstrate proficiency in maintaining a correct circuit pattern.

2. **Defined Circuit Boundary Zones:**

Establish and clearly mark key visual reference points around the airfield to serve as circuit boundary zones. This will help students regain situational awareness and safely rejoin the circuit if they drift off course.

b. Executing "Go-Arounds"

Reg No 2018/348547/07



255

Issue:

It was noted that a go-around was performed directly over an aircraft with a flat tire on the runway, posing a significant safety risk to both the aircraft and any personnel on the ground.

Proposed Solution:

1. **Go-Around Procedure Reinforcement:**
Instructors and students are to be reminded that, during a go-around, the aircraft's heading should be adjusted to the right of the runway (unless safety dictate otherwise). This ensures the aircraft avoids flying directly over any disabled aircraft or ground personnel

c. **Aerial Work Operations**

Issue:

During banner towing operations, the towing crew was not given right of way or appropriate radio silence while attempting to hook and launch the banner. This poses a serious safety risk if the tow pilot cannot communicate effectively with the ground crew due to repeated radio interference.

Proposed Solutions:

1. **Right of Way and Radio Etiquette Reminder:**
Instructors and students are to be reminded to yield right of way to banner towing and aerial cropdusting operations. Unnecessary radio communication should be avoided to keep the frequency clear, ensuring tow pilots can communicate with ground crews without interference.
2. **Awareness and Coordination Meetings:**
Organize meetings with tow operators, agricultural aerial operators, instructors, and students. These sessions will outline operational requirements, improve awareness, and enhance pilots' decision-making during such operations.

Ground Operations

a. **Airside Vehicle Movement**

Issue:

It has been observed that unauthorized vehicles occasionally enter airside areas, and some vehicles are driven at unsafe speeds. This increases the risk of collisions and other safety hazards.

Proposed Solutions:

1. **Speed Control Measures:**
Install speedbumps at the main entrance and after the airside access point to enforce slower vehicle speeds.
2. **Clear Speed Limit Signage:**
Erect visible signage indicating a maximum speed limit of 20 km/h. This limit will help prevent dust buildup and reduce the risk of collisions.

Emergency Response Protocols

An updated Emergency Contact List will be compiled and made readily available. It will be shared with all relevant operators and individuals who need to verify or access emergency contact details.

Safety & Security

a. Additional Night Security Patrol, Courtesy of 4 Aviators

Issue:

The addition of a new ATO has resulted in aircraft being regularly parked outdoors, increasing the risk of theft due to the vulnerability of the aircraft being left unattended overnight.

Solution:

The ATO has offered to provide an additional security guard to patrol the premises during the night. This initiative will enhance security not only for the ATO's operations but for the airport and all other operators as a whole.

b. Airport Hazard and Complaints Reporting Form

Introduction of Airport Hazard and Query Reporting Form

A new Airport Hazard and Query Reporting form has been created and will be made publicly available to all airport tenants and operators.

Purpose:

The goal of this form is to raise awareness of any issues or occurrences at the airport that may pose a risk to the safety of individuals on or around the airfield. These reports will be reviewed and addressed internally during Bi-Monthly safety meetings moving forward.

c. Smoking at Non-Designated Locations

Issue:

It has been observed that individuals are smoking and disposing of cigarette butts in non-designated smoking areas.

Reminder:

Please ensure that you use only the designated smoking areas to help maintain a clean and safe environment for all airport users, particularly non-smokers.

NAME	SURNAME	CONTACT	E-MAIL	ORGANISATION	SIGNATURE
OMAR, AL-Qabbani	AL-Qabbani	0727 06 5559	zappilot45@aol	Aerospace	
Geoff Va	Va	0782360225		North Asm	
Byron	Krynauw	0796758851	instructor.pilot@helivate.com	Helivate	
Phoenix	Koen	071 607 4402	ops@helivate.com	Helivate	
FRANIS	MEYER	072 07 5728	admin@cape-town.flykg.com	CTFC	
Gours	van Wyk	0836755541	training@aerospacel.co	AEROSPACEL	
Graham	HISBIN	063 319 9793	gahibbin@gmail.com	CTFC	
Hein	Reid	071 640 8463	hein@cape.wiseland.co.za	CWA	
Mark	Wilkinson	076 1252400	Mark@capeprinters.co	CAPE PRINTERS	
GELHARD	MEU	073 505 7002	gahilde@carabors.com	4 AEROSPACE	

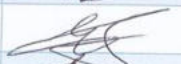
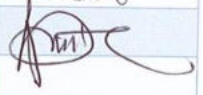


3.2. Proof that Cape Town Flight Training Centre and 4Aviators were present at the Future Airspace Session on 9 September 2025



Cape Winelands Aero, Lichtenburg Road, R312, Durbanville
+27 (0)86 124 7767 | www.capewinelands.aero

CWA AIRSPACE STAKEHOLDER ENGAGEMENT 09 SEPTEMBER 2025

NAME	SURNAME	CONTACT	E-MAIL	ORGANISATION	SIGNATURE
HEIN	REID	071 640 8463	h.reid@capewinelands.co.za	CWA	
EWIE	LOUKSE	072694030	e.loukse@capewinelands.aero	CWA	
JOLANDA	ROSSOUW	0716820996	rossouw.jolanda@gmail.com	SAAF	
Katlego	Sebopa	0636823896	katlegos@atns.co.za	ATNS	
Quinten	Van Vuuren	081 703 8024	coach.vanvuuren@gmail.com	4 Aviators	
SETH	BUTCH	074 188 2315	SETHB@ATNS.CO.ZA	ATNS	
Jennifer	SMITH	0823774717	jennifer.smith@airport.co.za	ACSA	



NAME	SURNAME	CONTACT	E-MAIL	ORGANISATION	SIGNATURE
FRANCOIS	BARWISE	0823891489	francoisb@atns.co.za	ATNS	
Tunika	Juganani	082 056 5044	nita.dups@gmail.com	AFB Langebaanweg	
Nicolene	Minnaar	082 719 8323	nicolenej@ams.co.za	ATNS	
DEREK	LORD	083441 3633	dj.lord@global.co.za	SFC	
FRANS	MEYER	082 888 5328	adum@cape-tourfly.co.za	CTFL	
Obalengy	Tselapedi	069 481 5089	obalengte@atns.co.za	ATNS	
ROB	RUSSELL	082-8811448	russellr@mweb.co.za	PVF	
Hlubikazi	MATSHILI	0625244177	hlubikazi.matshili@airports.co.za	ACSA	
Johan	Kruger	076 622 8264	j.kruger@capewinlands.aero	CWA	
Louis	van Wyk	0836753541	Training@aerosport.co.za	AEROSPORT	
Terza	Hunter	0823344444	c.hunter@mweb.co.za	Aeroclub/MISA	
Mark Wilkinen	Wilkinen	076 126 3447	mark@capewinlands.aero	CWA	

Appendix 2 to Annex 4

Date: 8 December 2025

To: Department of Environmental Affairs & Development Planning (DEADP)

RE: CONFIRMATION OF AWARENESS AND CONSULTATION REGARDING THE CAPE WINELANDS AIRPORT DEVELOPMENT

We, **4Aviators (Pty) Ltd**, hereby confirm that we have been informed of, and consulted on, the proposed development and expansion plans for Cape Winelands Airport (“CWA”).

We acknowledge that:

- Our main base of operations is at Cape Town International Airport (CPT)
- We entered into a lease to operate a satellite base of operations at CWA since September 2024 with effect from 1 April 2025.
- During the lease negotiations process, CWA provided information regarding the scope, intent, and anticipated timelines of the planned development and that no permanent structure can be erected due to environmental impact study – as such we were duly aware and were consulted on of the upcoming development and the possible disruptions it may cause.
- It was on this very basis that our facilities to be utilised at CWA would be temporary in nature.
- We have also engaged with CWA on numerous occasions regarding safety, security and general airfield matters, and where invited to the most recent meeting with stakeholders at the CWA regarding the upcoming development project and we were offered the opportunity to engage, request clarification, and raise any concerns during the meeting;

This confirmation is intended solely to record that 4Aviators was aware of, and included in, the consultation process related to the CWA development. This acknowledgement does not alter, amend, or extend our current lease agreement or any rights and obligations contained therein.

Signed at Cape Town on this 08 day of December 2025.



Name: Gerhard Mew

Designation: Accountable Manager

For and on behalf of 4Aviators (Pty) Ltd

ANNEX 5

RESPONSE TO GARDEN CITES

PROPOSED EXPANSION OF THE CAPE WINELANDS AIRPORT – RESPONDING STATEMENTS TO APPEALS RECEIVED AGAINST THE EA GRANTED

Registered IAPs Notified of EA: 30 October 2025

Appeal Period Closure: 19 November 2025

Responding Statements to Appeals Received			
No.	Name & Presenting unit	Appeal	Responding Statement
Appeals received within 20 calendar days from the date this decision was sent to the registered I&AP's by the holder (applicant) of the decision [i.e. Appeals received on or before 19 November 2025]			
Appellant 5 - Richard Summers Inc - Garden Cities NPC The appeal submission consists of the following: - RS Inc Appeal Statement on behalf of Garden Cities NPC (RF) dated 19 November 2025 (Responded to below) - Annexures A – C - A Resolution of Directors of the Garden Cities NPC (RF) authorising the submission of this appeal - The prescribed appeal form, submitted to DEA&DP			
5	Richard Summers Inc - Garden Cities NPC (RF)	RS Inc Appeal Statement on behalf of Garden Cities NPC (RF) received via email dated 19 November 2025	
		INTRODUCTION 1. We act on behalf Garden Cities NPC (RF) ("Garden Cities") ("The Appellant").	Noted
		2. The Appellants hereby appeals against the decision by the Western Cape Department of Environmental Affairs and Development Planning ("DEADP") dated 17 October 2025 to grant environmental authorisation for the proposed expansion of the Cape Winelands Airport ("CWA") under DEADP reference number 16/3/3/2/A5/20/2046/24 ("EA"). A copy of the EA is attached hereto as Annexure A. The Appellants were notified of the granting	Noted. CWA Response: The Appeal submitted by Richard Summers Incorporated on behalf of Garden Cities was not submitted on the prescribed appeal form, contrary to regulation 4(3)(a). These defects mean that this appeal fails to meet the minimum mandatory requirements and should accordingly be considered procedurally invalid. See Covering Appeal Response.

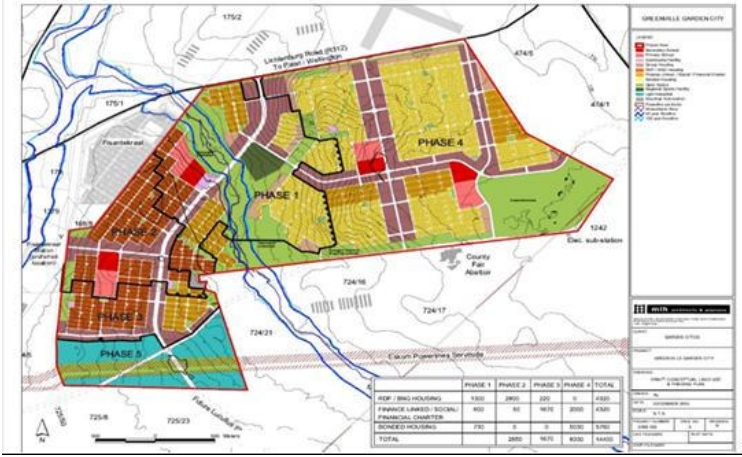
PROPOSED EXPANSION OF THE CAPE WINELANDS AIRPORT – RESPONDING STATEMENTS TO APPEALS RECEIVED AGAINST THE EA GRANTED

No.	Name & Presenting unit	Appeal	Responding Statement
		of the EA on 30 October 2025. Proof of notification is attached hereto as Annexure B.	
		3. The appeal lodged in terms of section 43(1) of the National Environmental Management Act No. 107 of 1998 (“NEMA”), read with Chapter 2 of the National Appeal Regulations, 2025, published under NEMA, within 20 calendar days of the date on which the Appellants were notified of the decision i.e. the appeal is submitted within the statutorily prescribed timeframe referred to in Regulation 4(1)(a) of National Appeal Regulations.	As per 2 above.
		4. The Appellants have complied with the requirement to provide a copy of this appeal to Capewinlands Aero (Pty) Ltd (c/o Mr. Deon Cloete) (“Applicant”) in this matter as set out in Regulation 4(2)(b) of the National Appeal Regulations. Proof of notification to the Applicant is attached hereto as Annexure C	Dear Applicant We refer to the above matter and confirm that we act on behalf of the Garden Cities NPC (RF). We hereby notify you of the appeal against the abovementioned environmental authorisation, and attach hereto the following documentation in this regard: 1. A Resolution of Directors of the Garden Cities NPC (RF); 2. RS Inc Appeal Statement on behalf of Garden Cities NPC (RF) dated 19 November 2025; and 3. Annexures A and B. We shall be most grateful if you would confirm receipt hereof. Kind regards, Celine Oates RICHARD SUMMERS INC. Candidate Attorney  Office +27 21 891 4402 Mobile +27 71 868 8101 Unit 126, Victoria Junction, 57 Prestwich Street, De Waterkant, Cape Town

PROPOSED EXPANSION OF THE CAPE WINELANDS AIRPORT – RESPONDING STATEMENTS TO APPEALS RECEIVED AGAINST THE EA GRANTED

No.	Name & Presenting unit	Appeal	Responding Statement
			There was no annexure C attached to the email.
		Ground of appeal 1: Socio-economic impacts 1. As described in detail in the Appellant's Comments 1 during the EIA process, the assessment and quantification of the socio-economic impacts by the EAP and the specialist studies, and particularly the adverse impacts of the CWA Project on the Greenville development and the land use rights granted to Garden Cities by the City of Cape Town in connection with the component phases of the Greenville development in particular, is materially deficient.	CWA Response: The EIA included a full socio-economic assessment, multiple rounds of public participation, and extensive consideration of Greenville. The appellant's argument is simply that it does not like the conclusions. Scoping Comments: GC stated repeatedly that socio-economic impacts, especially the effect of noise on Greenville phases, were "materially deficient", "not quantified", "not assessed", "undermining sustainability". Appeal: Ground of Appeal 1 repeats the same: "materially deficient", "full range of socio-economic impacts not assessed", "undermines sustainability", "EA granted without considering impacts". This represents a direct repetition of the same argument with same structure and wording.
		2. The Garden Cities Greenville development will contribute over 5000 government subsidised (RDP/BNG) houses. As such the Garden Cities Greenville development is a significant contributing factor in addressing Cape Town's housing crisis and providing much needed housing stock. The sustainability of Garden Cities' operations and its landholdings compromising the Greenville development are directly impacted by the CWA Project by, among others, long-term and irreversible aviation noise impacts.	CWA Response: These points were already raised, verbatim, in Garden Cities' Scoping-Phase Comments (13 January 2025) and were fully considered and responded to during the EIA process.¹

PROPOSED EXPANSION OF THE CAPE WINELANDS AIRPORT – RESPONDING STATEMENTS TO APPEALS RECEIVED AGAINST THE EA GRANTED

No.	Name & Presenting unit	Appeal	Responding Statement
			
		3. Given the affordable housing crisis in the Cape Town Metropolitan Area and the housing opportunities provided by the Greenville development in all its phases, the proposed CWA Project will impact adversely not only on the sustainability of Garden Cities' operations but also on local communities' right to adequate housing and a healthy environment, which results in a long-term, irreversible "high negative" socio-economic impact of the proposed CWA Project on Garden Cities and its Greenville development.	CWA Response: The Appellant's allegation that the CWA Project will adversely affect "the right to adequate housing and a healthy environment" and will result in a "long-term, irreversible 'high negative' socio-economic impact" on Greenville has not been substantiated. Further, this exact formulation, including the reference to Cape Town's affordable housing crisis, constitutional housing rights, and the characterisation of the impact as "long-term" and "irreversible" was raised in Garden Cities' EIA-Phase Comments (refer Appendix 29C to the final EIAR page 100) and responded to in detail in the EIA process. Response from Appendix 29C: <i>While Garden Cities has demonstrated intent and some progress in housing delivery, the goal of providing over 14,000 units has not been achieved. A delivery rate of approximately 200 houses per year is insufficient to make a meaningful impact on Cape Town's housing crisis. Challenges such as funding constraints, approval delays, and</i>

PROPOSED EXPANSION OF THE CAPE WINELANDS AIRPORT – RESPONDING STATEMENTS TO APPEALS RECEIVED AGAINST THE EA GRANTED

No.	Name & Presenting unit	Appeal	Responding Statement
			<i>infrastructure limitations have further hindered progress. At the current rate, the full approved housing target will only be met by 2073, emphasizing the need for a significant acceleration in delivery efforts.</i> <i>CWA firmly believes that the expansion of the airport together with Garden Cities Greenville development presents a tremendous opportunity to collaborate, integrate planning and to leverage these important infrastructure developments and create meaningful opportunities to change the socio-economic conditions for the Fisantekraal community and beyond.</i> <i>If one considers that Garden Cities apparently develops these houses at a loss, the long leads times associated with delivery of these houses then a considered and intentional planning process with meaningful integration between the developments has more to offer than continuing in a siloed approach.</i> <i>Not only can first time homeowners secure their houses, but through socio-economic upliftment in the area they can also afford to keep and maintain these homes due to closer and additional employment opportunities and new business nodes. CWA acknowledges the strategic objectives and intentions of Garden Cities and firmly believes that CWA can make a positive contribution, noting the current challenges that Garden Cities face as articulated above.</i>
		4. The BNG, GAP/FLISP and Group Housing projections and Housing Roll Out Plan in the Tables below contain the short-, medium- and long-term roll out of the Greenville Garden City development.	CWA Response: These tables, and the accompanying narrative concerning Greenville’s phased short-, medium-, and long-term housing delivery, were already included in full in Garden Cities’ previous Comments of 13 January 2025 and were before the competent authority during the EIA process. Response from Appendix 29C:

PROPOSED EXPANSION OF THE CAPE WINELANDS AIRPORT – RESPONDING STATEMENTS TO APPEALS RECEIVED AGAINST THE EA GRANTED

No.	Name & Presenting unit	Appeal	Responding Statement																																																																																																																																										
		BNG HOUSING PROJECTED SHORT-MEDIUM AND LONG TERM ROLL OUT PLAN <table><thead><tr><th>PHASE</th><th>DESCRIPTION</th><th># of DWELLING UNITS</th><th>STATUS</th><th>TIMELINE</th><th>POPULATION</th></tr></thead><tbody><tr><td>PHASE 1.1 sub phases A-G</td><td>BNG HOUSING</td><td>868</td><td>Completed</td><td>2015-2017</td><td>3906</td></tr><tr><td>PHASE 1.2 sub phases MNO, d</td><td>BNG HOUSING</td><td>507</td><td>Completed</td><td>2017-2019</td><td>2282</td></tr><tr><td>PHASE 2.1 sub phases d, j, k, l, m, p, q</td><td>BNG HOUSING</td><td>562</td><td>Under construction</td><td>2020-2021</td><td>2529</td></tr><tr><td>PHASE 2.2, sub phase a,b,c, q, i, n, ac</td><td>BNG HOUSING</td><td>745</td><td>Planning phase</td><td>2022-2024</td><td>3353</td></tr><tr><td>PHASE 2.3, aj, as</td><td>BNG HOUSING</td><td>697</td><td>Pipeline</td><td>2024-2026</td><td>3137</td></tr><tr><td>FUTURE PHASE 3.1</td><td>BNG HOUSING</td><td>566</td><td>Town planning subdivision</td><td>2026-2027</td><td>2547</td></tr><tr><td>FUTURE PHASE 3.2</td><td>BNG HOUSING</td><td>566</td><td>Town planning subdivision submitted for approval</td><td>2027-2028</td><td>2547</td></tr><tr><td>FUTURE PHASE 3.3</td><td>BNG HOUSING</td><td>567</td><td>Town planning subdivision submitted for approval</td><td>2028-2029</td><td>2552</td></tr><tr><td>FUTURE PHASE 3.4</td><td>BNG HOUSING</td><td>695</td><td>Town planning subdivision submitted for approval</td><td>2029-2030</td><td>3128</td></tr><tr><td>Total</td><td></td><td>5773</td><td></td><td></td><td>22628</td></tr></tbody></table> GAP/FLISP HOUSING PROJECTED SHORT-MEDIUM AND LONG TERM ROLL OUT PLAN <table><thead><tr><th>PHASE</th><th>DESCRIPTION</th><th># of DWELLING UNITS</th><th>STATUS</th><th>TIMELINE</th><th>POPULATION</th></tr></thead><tbody><tr><td>PHASE 1.3 sub phase K, L, Q, R, V, W, X, Y</td><td>GAP/FLISP/BONDED HOUSING</td><td>581</td><td>Under 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While the goal of delivering over 14,000 units is ambitious, it has clearly not been achieved. Greenville delivery progress and highlights shortfalls Delivery Performance Houses Completed Since 2012: • Breaking New Ground (BNG): 2,820 houses. • FLISP: 16 houses. • Total completed: 2,836 houses. (See comment 59.1 by Garden Cities) • Pipeline Projections: • Additional houses planned through BNG/GAP/FLISP and Group Housing pipeline: 4,295 units. • Total projected completion by 2040: 7,131 units. Delivery Summary: • Approved houses across all phases: 14,652. • Houses delivered by 2025: 2,836 (19.4% of the approved total). • Projected completion by 2040: 7,131 (48.7% of the approved total). • Shortfall by 2040: 7,521 houses (51.3% of approved total). Financial Impact: • Value of a completed house: R279,000 (current value). • Total value of completed houses since 2012: 2,836×R279,000=R791,244,0002,836 \times R279,000 = R791,244,000. • Although Garden Cities is implying that itself has been impacted by CWA in terms of completed houses, these houses have been sold and are owned by third parties. These completed houses in Phases/ Parcels 1 and 2 will not be impacted by CWA and it is disingenuous and misleading to imply that they are.
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			<i>Success Factors</i> <i>Completed Units:</i> <i>Delivering 2,836 houses since 2012 demonstrates some progress despite numerous challenges.</i> <i>Completed houses are sold to buyers and are not retained by Garden Cities and for Garden Cities to include this in their financial impact is incorrect, notwithstanding they are not negatively impacted either.</i> <i>Commitment to Pipeline Projects:</i> <i>The inclusion of 4,295 houses in the pipeline (as provided by Garden Cities in this comment) demonstrates Garden Cities' intention to continue addressing the housing backlog albeit in a very slow manner.</i> <i>Economic Viability:</i> <i>With an average net income of R25,000 per house (as provided by Garden Cities in this comment), the housing program has generated R70.9 million in net income since 2012 with an average income before operating costs of R5m per year. It is highly likely with operating expenses that Garden Cities is making a loss. This is based on all numbers provided by Garden Cities in their comment.</i> <i>Slow Pace of Delivery:</i> <i>Garden Cities has built an average of 201 houses per year since 2012. At this current pace, it would take 73 years to complete all approved houses, significantly extending the timeline for alleviating housing pressures.</i> <i>Funding Constraints:</i> <i>Many housing projects depend on government subsidies and external financing, which are often inconsistent or insufficient.</i>

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			<i>Key Statistics:</i> <table><tr><th>Metric</th><th>Value</th></tr><tr><td>Approved Houses</td><td>14,652 units</td></tr><tr><td>Houses Completed (2012–2025)</td><td>2,836 units</td></tr><tr><td>Percentage Completed (2012–2025)</td><td>19.4%</td></tr><tr><td>Pipeline Units (2025–2040)</td><td>4,295 units</td></tr><tr><td>Total Projected Completion by 2040</td><td>7,131 units (48.7%)</td></tr><tr><td>Shortfall by 2040</td><td>7,521 units (51.3%)</td></tr><tr><td>Average Annual Delivery Rate (2012–2025)</td><td>201 houses/year</td></tr><tr><td>Required Delivery Rate to Meet Approval</td><td>610 houses/year (2012-2040)</td></tr><tr><td>Total Value of Completed Houses</td><td>R791,244,000</td></tr></table> <i>While Garden Cities’ objective is to provide first time homeowners with houses, these completed houses are not owned by Garden Cities and are often sold to third parties (who are not first-time homeowners) at a fraction of the value – leading to Garden Cities not achieving their objective.</i> <i>Projected Shortfall Completion Table - Based on the current average annual delivery rate of 201 houses per year:</i>	Metric	Value	Approved Houses	14,652 units	Houses Completed (2012–2025)	2,836 units	Percentage Completed (2012–2025)	19.4%	Pipeline Units (2025–2040)	4,295 units	Total Projected Completion by 2040	7,131 units (48.7%)	Shortfall by 2040	7,521 units (51.3%)	Average Annual Delivery Rate (2012–2025)	201 houses/year	Required Delivery Rate to Meet Approval	610 houses/year (2012-2040)	Total Value of Completed Houses	R791,244,000
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			Year	Total Houses Delivered	Remaining Shortfall
			2025	2,836	11,816
			2030	3,841	10,811
			2040	7,131	7,521
			2050	9,141	5,511
			2060	11,151	3,501
			2070	13,161	1,491
			2073	14,652	0
			Phase Completion Timeline:		
			Phase	Units	Expected Completion Year
			Phase 1	3,852	2031
			Phase 2	3,600	2049
			Phase 3	3,600	2067
			Phase 4	3,600	2073

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			<i>At the current pace of construction, Garden Cities will achieve the full delivery of 14,652 houses by 2073, significantly beyond the planned 2040 timeline. Additionally, Phase/Parcel 4, containing the final 3,600 units, will only commence in 2067 at the current rate of delivery if it is phased in sequence 1 – 4.</i>
		5. The SIA identifies various factors which will contribute to the adverse impacts of the CWA Project on the sense of place for surrounding land users, which directly affects the housing and residential developments most directly impacted by the proposed CWA Project, with particular emphasis on those developments in direct proximity to the CWA such as Greenville.	CWA Response: This comment was previously raised as a introduction to further comments These further comments related to visual impacts, noise and air quality, and were responded to by each specialist. Responses provided in Appendix 29C to the final EIAR from page 104: <i>As noted in section 3.3.2., the VIA acknowledges that the proposed CWA development must be seen within the context of an area which is currently undergoing significant urban development; and that this will most likely intensify in the future (in the short, medium and long term. Figure 50 of the VIA shows the proposed CWA subject site in the context of future developments that are generally supported and/or championed by the provincial, municipal and district policy frameworks – Greenville Garden City is one of these. However, the VIA has focused on the changes that these developments will themselves bring about on the landscape character and sense of place of the receiving environment, rather than framing future residents as potential sensitive receptors.</i> <i>The southernmost development edge of the CWA is notably undeveloped and will to some extent maintain the element of openness that the rural agricultural landscape is currently valued for. A large part of the development edge in question will contain no buildings, only open space surrounding the</i>

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			<i>runway (being part of the Airport Airside Precinct), and the portion of the General aviation Precinct abutting the Greenville Garden City is proposed to contain only three buildings within reasonable view of the Phase 4 area's residents that would have direct line of sight along the northern edge of that part of the development (where it borders on the R312).</i> • <i>Although the proposed CWA airport will result in a transformation of the receiving environment from its current baseline, its effect on visual receptors within the Greenville Garden City should not be considered especially problematic from a sense of place point of view. This statement takes into consideration that:</i> • <i>The majority of the southernmost development edge is not proposed to be developed;</i> • <i>that the additional setback offered by the Open Space corridor shown in the Draft Conceptual Land Use and Phasing Plan further increases distance from visible elements;</i> • <i>the existing mitigation measures recommended for the R312 road corridor (e.g., requirements relating to landscaping, control of signage, height restrictions on buildings and the call for a buffer zone along the scenic route) will also serve to address visual sensitivities within the residential areas to the south of the R312.</i> • <i>It should also be noted that the CWA will not be the only contributor to an increase in light pollution in the area. The R312 is a Class 2 Major Arterial Road that will be widened in future (regardless of whether the CWA is developed or not) will include the erection of streetlights that come standard with a road of this designation – although these lights will</i>

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			<i>most likely be lowered opposite the runway. Additionally, the Greenville residential development itself can be expected to be a major contributor to light pollution in the area – the Concept layout shows local access streets that feed into major collector streets (i.e. Class 3 Roads) that will have tall and bright streetlights for road safety purposes in what appears to be a fairly high-density development. The sensitivity of receptors that take views from within a highly urbanised development decreases significantly, especially in relation to sensitivity to the impacts of light at night.</i> <i>Surrounding residential areas were listed as sensitive receptors in the VIA (see page 50 where the Greenville Garden City residential area is mentioned specifically, and page 14, where sensitive receptors are listed).</i> <i>However, the objector is correct in noting that the VIA excluded explicit reference to the future residents of the Greenville Garden City in the descriptions included in the impact assessment tables. This will be corrected.</i> <i>The VIA contains numerous mitigation measures that address the management of visual impacts on residential areas/sensitive visual receptors (see for example 7.3.1.a.ii, 7.3.1.a.iv, and 7.3.2.c.), and particular attention is given to remedial measures related to the management of lighting. The expert believes that the existing lighting mitigation measures already address some of the objector's concerns.</i> <i>The VIA will address the objector's concerns by:</i> <i>Explicitly including the future residents of the Greenville Garden City residential development as possible sensitive receptors in the VIA;</i>

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			• <i>Re-considering the visual impact assessment to include the assessment of the visual impact of lighting on these receptors explicitly, and as necessary;</i> • <i>Including the MLH Architects and Planners’ Draft Conceptual Land Use and Phasing Plan into the VIA, to be listed in the references.</i> • <i>The mitigation measures relating to the visual impacts associated with the R312 and the southernmost development edge (i.e.; the southern boundaries of the Airport Airside Precinct and the General Aviation Precinct) will be reconsidered where necessary, and adjusted to include more concrete or specific recommendations to address concerns related to lighting impacts on the future Greenville Garden City development in the final review of the VIA.</i> <i>Specialist response: the widening of the R312 has no set timeframe and will be linked to development of the area over time. It is proposed that it coincides with Phase 2 of the proposed project.</i> <i>CWA respectfully disagrees with the assertion that the DEIAR underestimates noise impacts or misrepresents Greenville’s status as an active residential development. The Noise Impact Assessment conducted as part of the EIA follows recognized methodologies and standards to evaluate potential noise impacts comprehensively. Mitigation measures have been proposed based on these findings, and additional adjustments can be explored in collaboration with stakeholders if specific concerns are substantiated.</i> <i>Furthermore, CWA does not inherently conflict with socio-economic development; rather, it has the potential to drive regional growth, create jobs, and enhance infrastructure, benefiting surrounding communities, including Greenville. Noise management strategies will continue to be refined during the EIA process to ensure compatibility</i>

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			<i>with local development and the well-being of residents. Assertions of incompatibility or threat remain unsubstantiated, and CWA remains committed to working with all stakeholders to address concerns constructively.</i> <i>The comment that the Air Quality Impact Assessment (AQIA) inadequately addresses impacts on Greenville development and surrounding areas appears to overlook key components of the report. The following points address the concerns raised:</i> <i>Identification of Greenville as a Sensitive Receptor: The AQIA explicitly identifies Greenville Garden City as a receptor in its scope (Section 1.2). The report outlines its proximity to the Cape Winelands Airport (CWA) and assesses potential impacts on local communities, including those closest to the airport, as per standard air quality assessment practices.</i> <i>Cumulative Impact Assessment: Contrary to claims, the report does address cumulative impacts. Section 1.5 discusses cumulative effects by modelling emissions from both current and proposed operations and assessing their combined influence on air quality standards. The analysis includes industrial and vehicular sources in the surrounding area, offering a holistic view of air quality implications.</i> <i>Mitigation Measures: The AQIA dedicates specific sections to proposed mitigation measures, including those to control dust during the construction phase and operational emissions (Section 1.6). Practical measures such as air quality monitoring, emission reduction strategies, and localized mitigation are outlined to minimize impacts.</i> <i>Stakeholder Concerns: The report references stakeholder engagement and integrates their input into its methodology. Recommendations for</i>

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			<i>air quality monitoring stations and ongoing management plans reflect efforts to address concerns comprehensively.</i> <i>Reliability and Expertise: The assessment was conducted using advanced tools like the Aviation Environmental Design Tool (AEDT) and adheres to national standards. The specialist, with over 25 years of experience in air quality, provides confidence in the methodology and findings (Declaration of Independence and Specialist Details).</i> <i>Compliance with Standards: Model outputs are compared against the South African National Ambient Air Quality Standards (Section 5.3). Results demonstrate that, even under worst-case scenarios, pollutant concentrations comply with national thresholds.</i> <i>Given these detailed provisions, the AQIA cannot be deemed inadequate or unreliable. It adheres to legal, technical, and methodological requirements, sufficiently demonstrating that the proposed project can coexist with surrounding developments, including Greenville, without causing significant air quality impacts. Misrepresentations in the critique risk undermining a thorough and independent analysis.</i>
		6. Given the fact that the aviation noise impacts of the proposed CWA Project will be severe on the Garden Cities landholding this will effectively sterilise a large proportion of the Greenville development. For this reason, Garden Cities is one the key and most directly affected stakeholders. The socio-economic impacts of the proposed CWA Project on Garden Cities must therefore be adequately identified, evaluated and assessed as part of the environmental impact assessment process underpinning the competent authority's decision to grant the EA under section 24 of	EAP response: The proposed project was for the expansion of an existing airport with existing impacts, one of which is noise. The Noise impacts from the proposed development were modelled and assessed and mitigation proposed through the NIA. The alternative land uses proposed for land parcels affected by noise forms part of the proposed mitigation and involves ongoing negotiations between affected parties and CWA. No land will be sterilised, but alternative land uses will be encouraged. The CWA project will be the catalyst to sustain the development of new houses in the Garden Cities precinct by providing industries &

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		NEMA. The Final EIAR, however, failed to assess the full socio-economic impacts on Garden Cities the Greenville development in all its phases, and, by implication, the EA was granted by the competent authority without due regard to all relevant considerations.	business land uses where the occupants can work, which brings a balance for a “new town” development that relates to sustainable land use as opposed to sterilising it. Response from CWA: This statement overlooks both the complexity of airport planning and the reality that Garden Cities' rights over large portions of the land—specifically Remainder of Portion 4, measuring 384.42 ha—have lapsed and any further development will require a new EIA process and re-application for rights. CWA cannot “unilaterally ignore” spatial planning—rather, the reality is that planning frameworks must evolve in response to lawful existing uses like CWA, which predates Greenville and whose rights are entrenched. CWA has undertaken extensive engagement and layout analysis, including the incorporation of noise mitigation considerations. However, from a technical aviation perspective, runway placement and orientation are driven by wind, topography, and airspace—not by surrounding landownership. It is not feasible to “relocate” a runway to accommodate speculative future phases of a neighbouring development, especially when those land use rights have lapsed. The sterilisation claim is therefore mischaracterised. CWA is not sterilising land—it is acting within its historical, legal, and operational rights. Furthermore, the actual developed portion of Greenville is limited (essentially Fisantekraal), while the remainder remains agricultural. Socio-economic effects raised by Garden Cities, to the extent they exist, are speculative and unquantified, and must be weighed against the considerable regional economic upliftment CWA enables.

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			The Appellant's contention that aviation noise will "sterilise" large portions of the Greenville development, and that the Final EIAR failed to assess the socio-economic impacts on Garden Cities, were expressly raised in previous Garden Cities' Comments and were fully addressed during the EIA process. Refer Appendix 29D of the final EIAR (page 413): <i>This statement overlooks both the complexity of airport planning and the reality that Garden Cities' rights over large portions of the land—specifically Remainder of Portion 4, measuring 384.42 ha—have lapsed and any further development will require a new EIA process and re-application for rights. CWA cannot "unilaterally ignore" spatial planning—rather, the reality is that planning frameworks must evolve in response to lawful existing uses like CWA, which predates Greenville and whose rights are entrenched.</i> <i>CWA has undertaken extensive engagement and layout analysis (over 100 iterations), including the incorporation of noise mitigation considerations. However, from a technical aviation perspective, runway placement and orientation are driven by wind, topography, and airspace—not by surrounding landownership. It is not feasible to "relocate" a runway to accommodate speculative future phases of a neighbouring development, especially when those rights have lapsed. The sterilisation claim is therefore mischaracterised. CWA is not sterilising land—it is acting within its historical, legal, and operational rights. Furthermore, the actual developed portion of Greenville is limited (essentially Fisantekraal), while the remainder remains agricultural. Socio-economic effects, to the extent they exist, are speculative and unquantified, and must be weighed against the considerable regional economic upliftment CWA enables.</i>

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		7. The obligation on the EAP in terms of NEMA is to investigate evaluate and assess the full range of potential impacts of the CWA Project on the receiving environment and most directly impacted receptors. This must include a comprehensive assessment the impact on Garden Cities’ operations and the various phases of the Greenville development (particularly in light of the fact that the proposed airport is incompatible as a land use and competes with the Greenville development, as vast swathes of the Greenville development will be sterilised by the flight patterns, the flight paths and the significant noise impacts associated with the CWA Project). The Final EIAR for the proposed CWA fails to quantify these severe adverse socio-economic impacts and that implicates and undermine the sustainability of the Greenville development and Garden Cities’ operations in general.	EAP response: The proposed project is for the expansion of an existing airport with existing impacts, one of which is noise. The airport is not a new land use as implied by this statement. The GC and Greenville concept plan has been acknowledged and assessed in terms of impacts in relevant specialist reports (Socio-economic IA, Noise IA, AQ,IA, Visual IA) and in terms of land use planning in the Land Use Planning technical report. This despite the land use rights being lapsed as pointed out by CoCT. As stated under point 6 above, Garden Cities fails to grasp that the CWA project will be the catalyst to sustain the development of new houses in the Garden Cities precinct by providing industries & business land uses where the occupants can work, which brings a balance for a “new town” development that relates to sustainable land use opposed to sterilising it. From a forward planning perspective, the competent authority and other commenting authorities clearly recognised the socio-economic opportunities the project will bring, opposed to vast tracks of housing development without a solid catalyst like CWA. CWA Response: Importantly, the NIA and broader EIA process did not "brush aside" the socio-economic footprint of the Greenville Development. The impacts were assessed relative to existing legal rights, actual development progress, and planning instruments in effect. The assessment distinguishes between approved, implemented, lapsed, and conceptual phases precisely to ensure clarity and compliance—

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			not to diminish the scale or complexity of the Greenville initiative. However, any credible impact assessment must be based on what is formally in place, not future intentions unsupported by valid approvals. CWA remains committed to transparency and has engaged repeatedly with Garden Cities to understand the broader intent of their development. However, regulatory compliance demands the use of current, valid planning data rather than assuming continuity where legal standing has expired.
		8. The full extent of direct, indirect and cumulative socio-economic impacts has not been quantified by the EAP and are not reported on in the Final EIAR, but they are nonetheless critically important considerations that are an essential prerequisite to the overall and defensible evaluation of the need for, and desirability of the proposed development required in terms of NEMA and the EIA Regulations. In the absence of such a comprehensive assessment of all attendant socio-economic impacts, not only is the assessment process deficient but the enquiry into Need and Desirability in terms of the EIA Regulations is materially flawed. In granting the EA, the competent authority made a decision that failed to consider all social and economic impacts of the CWA Project.	EAP response: This allegation is factually incorrect, procedurally improper, and not a valid ground of appeal. First, the assertion that socio-economic impacts were “not quantified” or “not reported on in the Final EIAR” is unfounded. The Draft EIAR, Revised EIAR and Final EIAR all contain a dedicated Social Impact Assessment, supported by specialist inputs, quantifying: - employment creation, - diversion revenue effects, - local and regional economic multipliers, - potential impacts on adjacent developments (including Greenville), - and cumulative implications of long-term aviation activity amongst others. These were explicitly considered by the competent authority, as reflected in the Reasons for Decision. The competent authority is not required to agree with the Appellant’s view of “need and desirability”; it is required to consider the relevant factors, which it did. Disagreement with the outcome does not amount to a failure to consider impacts under section 240 of NEMA.

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			Accordingly, this ground is misconceived, repetitive, and legally unsustainable, and should be rejected.
		9. A legitimate concern was established at the earliest possible stage by Garden Cities during the public participation process that, in the case of the CWA Project, there has been a critical failure to investigate and assess all potential adverse socio-economic impacts, and to identify credible and sufficient measures to avoid those adverse socio-economic impacts. The point was made repeatedly during the EIA process that the impact of the CWA Project on the feasibility and/or sustainability of Garden Cities' operations and the various phases of the Greenville development had not been adequately assessed during the EIA process. It is evident from the Final EIAR submitted to the Competent authority that the comprehensive assessment of such impacts is still absent, and therefore a material deficiency and flaw in the assessment process carried through into the decision by the competent authority to grant the authorization for the project.	EAP Response: The significance of the Greenville Development and Garden Cities' (GC) contributions to the City of Cape Town's subsidised housing programme is acknowledged. However, the suggestion that the Cape Winelands Airport (CWA) expansion inherently undermines or threatens the sustainability of GC's operations is unsubstantiated and misrepresents the nature of the proposed development. The CWA project is not a competing land use in policy or spatial terms but is strategically aligned with regional development frameworks that promote integrated, multi-nodal growth, including aviation-related infrastructure as a catalyst for employment and economic opportunity. The EIA process has assessed potential impacts—including on residential and mixed-use developments—and proposes mitigation strategies to ensure compatibility. Furthermore, spatial planning is dynamic and involves balancing diverse, sometimes overlapping, land uses. It is not the role of the EIA to favour one long-term land use over another, but to assess whether co-existence is possible under regulated conditions. The DEIR demonstrates that the CWA and Greenville can co-exist through responsible planning, noise buffering, and future land-use coordination that will benefit the broader society. Assertions that the airport expansion "materially and adversely affects" GC's contribution to the local economy are speculative and overlook the long-term regional benefits of complementary infrastructure investment.

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		10. Potential socio-economic impacts were dealt with, but only superficially, in the Socio-economic Impact Assessment (“SIA”) report, however, very limited effort or consideration has been given to thoroughly investigating and quantifying how the proposed CWA Project will impact the sustainability of Garden Cities’ operations or infringe a number of socio-economic rights constitutionally provided to the present and future residents of the Greenville development. The right to housing in particular goes to the heart of the ultimate Constitutional imperative of fostering and furthering the socio-economic rights of the community through affordable housing etc. As indicated, the full range of direct, indirect and cumulative impacts on the feasibility and/or sustainability of the Greenville development and the sustainability of Garden Cities’ operations has simply not been adequately quantified or assessed or reported on in the Final EIAR.	EAP response: This allegation is factually incorrect. The SIA and Final EIAR did assess socio-economic impacts in detail, including implications for Garden Cities and Greenville. The Appellant’s assertion that these issues were not considered merely reflects disagreement with the conclusions, not a failure of assessment.
		11. In the <i>Government of the Republic of South Africa and Others v Grootboom and Others</i> the Court recognised that the constitutional right to adequate housing in a healthy environment and associated duties on the State in terms of providing housing, and that housing is essential to the realisation of the other socio-economic rights. The decision to grant the EA undermines the right to adequate housing in a healthy environment and the State’s duties to providing housing. This is concern which carries constitutional implications.	CWA response: The Appellant’s reliance on <i>Government of the Republic of South Africa v Grootboom</i> is misconceived and legally irrelevant to the EA decision and to the appeal decision. <i>Grootboom</i> imposes obligations on the State, not on private developers or EIA applicants. Grootboom establishes that the State must adopt reasonable measures to progressively realise access to adequate housing. It does not create a duty on an EIA applicant to avoid any project that may influence surrounding land-use patterns, nor does it render all development adjacent to housing projects constitutionally suspect. Granting an EA does not “undermine the right to adequate housing”.

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			Nothing in the EA: removes existing housing rights, prevents the delivery of BNG/GAP/FLISP units, denies residents access to housing, or imposes any State policy contrary to <i>Grootboom</i>. The Greenville development remains fully capable of proceeding in accordance with its approved rights and the City's housing objectives. The allegation of a constitutional violation is therefore unfounded. Section 24O of NEMA requires the competent authority to consider social, economic and environmental impacts, which it did. It does not require the authority to agree with a private developer's interpretation of housing policy, nor to prioritise private development interests over broader regional planning considerations. The Appellant's argument improperly conflates noise impacts with constitutional rights. A difference of opinion on noise contours or socio-economic effects does not translate into a breach of section 26 of the Constitution. Constitutional rights cannot be used to invalidate lawful administrative decisions simply because an interested party disagrees with the outcome.
		12. In addition to the impact of the CWA Project on sense of place, research has shown that light pollution, especially that of artificial nature and night time light pollution in particular, will have a significant impact on human health, such as causing fatigue,	EAP response: GS fail to recognise that the extent of the entire "new town" area will be covered in lights that will range from streetlights to overhead lights for security reasons and in order to provide services. This is the nature

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		increase anxiety, and even contribute to the development of certain cancers. Whilst the Visual Impact Assessment ("VIA") addresses some mitigating techniques to address the negative impacts of night lighting associated with the CWA Project, such as the use of "low level 'bollard' type lights" and "warm light sources", the report clearly warns that it is likely not possible for parts of the proposed CWA Project to adhere to the above mitigation measures which circumvents the impact mitigation hierarchy. Considering the potential for long-term, irreversible impacts on the Greenville development's residents, the long-term adverse visual impacts are a legitimate concern to surrounding land users and yet the EIA process has offered no meaningful nor concrete mitigation measures which would lessen or manage the impacts on the surrounding areas, who will be subjected to constant light pollution.	of urban areas. However, the CWA EIA did consider light impacts as pointed out below. Further, the EA does make provision for additional lighting reports in order to mitigate impacts during the construction and operational phases. The social and economic impacts of the proposed project are assessed in the Socio-Economic Impact Assessment (Appendix 23 to the amended draft EIAR). The report assesses impacts on the local economy and communities (both positive and negative), including the effect on sense of place as it relates to local communities. Social impacts were included in the amended final EIAR. CWA Response: The Appellant's assertions regarding light pollution are scientifically overstated, entirely unsubstantiated, factually incorrect, and not a valid ground of appeal. The VIA did in fact assess night-time lighting impacts and provided mitigation. The Visual Impact Assessment expressly: - assessed night lighting, - considered the applicable aviation safety lighting requirements, - recommended design and directional controls, - proposed shielding, spill-reduction, bollard lighting and warm-colour luminaires, and - evaluated the residual significance after mitigation. The competent authority had this material before it. The Appellant's claim that the EIA "offered no meaningful mitigation" is simply incorrect.

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			Aviation lighting cannot be ‘switched off’ for aesthetic preferences. Airside lighting is mandated by ICAO Annex 14 and SACAA Part 139. Where the VIA notes that certain areas cannot apply bollards or low-height fixtures, this is not a failure of the mitigation hierarchy, but a legal safety requirement. The mitigation hierarchy cannot override mandatory safety lighting for an airport. The health allegations are unsubstantiated and irrelevant. The Appellant cites unspecified “research” to claim risks such as cancer and anxiety from light pollution. No peer-reviewed sources, specialist reports, or medical evidence were submitted at any stage of the EIA process. Unreferenced generalised statements do not amount to admissible specialist evidence and cannot undermine a procedurally compliant VIA. The alleged “long-term, irreversible impacts” are unsupported and speculative. The VIA assessed the visual and lighting environment, quantified significance, and demonstrated that residual impacts after mitigation fall within accepted thresholds for major infrastructure. The EA was lawfully informed by this specialist input. Unsupported assertions by the Appellant cannot overrule a compliant, peer-reviewed VIA. Accordingly, this ground is exaggerated, unsubstantiated, repetitive, and legally deficient, and must be dismissed.

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		13. The Air Quality Impact Assessment Report for the proposed CWA Project inadequately assesses the impacts on the existing and future phases of the Greenville development, as well as other surrounding areas, failing to consider the cumulative impacts, by also not recognising Greenville as a sensitive receptor. The Air Quality Impact Assessment Report fails to evaluate mitigation measures effectively, and address key stakeholder concerns, ultimately rendering the report inadequate and unreliable in demonstrating that the CWA Project can be developed without causing significant and unacceptable air quality impacts on the residents of the Greenville development.	Response from specialist: The claim that the Air Quality Impact Assessment (AQIA) fails to quantify or assess direct, indirect, and cumulative impacts on future phases of the Greenville Development is incorrect. The AQIA explicitly incorporates future land uses and sensitive receptors, including undeveloped areas, through a cumulative dispersion modelling approach that evaluates air quality impacts over a broader spatial grid. By using a conservative, full-capacity emissions scenario, the AQIA provides a robust estimate of potential impacts—regardless of whether receptors are currently developed. This ensures that future exposure risks are accounted for, in line with the precautionary principle and section 2 of NEMA. The assessment supports sound environmental management by enabling forward-looking planning and confirming compliance with NAAQS at both current and anticipated sensitive sites. There is no omission of cumulative or indirect impacts; rather, they are addressed within a precautionary, policy aligned framework. EAP response: The comment is unsubstantiated.
		14. Based on the omissions and gaps in information in the Final EIAR for the CWA Project, there is no rational basis to conclude that the adverse socio-economic impacts have been appropriately investigated, evaluated or assessed, or that the mitigation measures proposed will be inviolable or a failsafe mechanism for protecting the viability of the Greenville development by avoiding and managing such impacts. There is simply not sufficient information in the EIA process to guarantee that anticipated impacts will de facto be avoided and/or mitigated. In the absence of relevant information, or credible studies, the competent	EAP Response: The appellant merely makes statements that are not substantiated without specifying the gaps and what omissions of concern. The EIA involved a reputable socio-economic specialist who has been involved in numerous EIA processes who understands the regulatory requirements. The Socio-Economic Impact Assessment considered and incorporated the comments made by GS through the process. It is clear that GS doesn't want to recognise the socio-economic opportunities the CWA will bring for the "new town"

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		authority should have adopted a risk averse and cautious approach and invoked the precautionary principle in section 2 of NEMA by refusing to grant authorisation in terms of section 24 of NEMA.	development of Greenville that currently doesn't have a major economic catalyst to ensure that this urban expansion is sustainable. CWA Response: The Appellant's claim of "omissions and gaps" in the Final EIAR is factually incorrect and reflects a misapplication of the precautionary principle. 1. No "gaps" exist in the Final EIAR on socio-economic impacts. The Final EIAR contains a full Social Impact Assessment, specialist technical inputs, mitigation measures, cumulative assessments, and documented responses to all comments raised during the Scoping and EIAR phases. The competent authority expressly considered these materials in its Reasons for Decision. The Appellant cannot convert its disagreement with the conclusions into an allegation that no assessment occurred. 2. Mitigation measures need not be "failsafe" to be lawful. NEMA does not require absolute guarantees or inviolable outcomes. It requires: an assessment of impacts, the identification of mitigation, and a rational decision based on available information. The Appellant's demand for "de facto guarantees" exceeds the standard required in administrative law and would make virtually all major infrastructure developments impossible. 3. The precautionary principle is not triggered merely because an appellant asserts uncertainty. Under section 2(4)(a)(vii) of NEMA, the precautionary principle applies where there is scientific uncertainty or insufficient information about

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			serious or irreversible environmental harm. That threshold is not met here: socio-economic impacts were in fact assessed; no credible specialist evidence was submitted by the Appellant; no scientific uncertainty was identified; the alleged harm is speculative and unquantified. A precautionary refusal is not justified simply because a developer disagrees with the specialist's SIA findings. This appeal ground relies on misstatements, misapplications of law, and repetition of prior submissions. It is not a valid basis for overturning the EA and must be dismissed.
		15. Independent specialist assessments of the impact on all relevant environmental, social and economic considerations were a necessity as part of the EIA process but the requisite level of credible and accurate impact assessment in relation to all material project related impacts was not undertaken, and where it was undertaken the impact assessment is flawed, deficient in several material respects and not credible. It goes without saying that the absence of comprehensive and accurate assessment of the full range of potential impacts on Garden Cities' operations and the Greenville development in particular is a fundamental flaw in the EIA process. The reasons for this submission include the following:	EAP response: The number of specialist studies that was undertaken in this EIA was extraordinary; the team of specialist were the best in their fields; all are reputable and recognised in the EIA industry as independent. Declarations of independence were provided. Further, the appellant fails to substantiating counter arguments by reputable specialists.
		15.1. Economic considerations are a crucial part of sustainable development. Considering the concerns raised by I&APs regarding adverse economic impacts, a full socio-economic impact assessment focusing particularly on potential economic impacts on	CWA Response: A full specialist Socio-Economic Impact Assessment (SIA) <u>was</u> conducted by an independent specialist in accordance with Appendix 6 of the EIA Regulations. It assessed economic linkages, local and regional multipliers, impacts on surrounding land uses, and

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		other developments in the receiving environment should have been conducted during the EIA process.	distributional effects. The Appellant simply disagrees with the outcome and seeks a second SIA aligned with its own interests, which NEMA does not require.
		15.2. Given the role of the short-, medium-, and long-term provision of government subsidised (RDP/BNG) houses in the Greenville development in alleviating Cape Town’s housing crisis, a full assessment regarding the potential impacts of the CWA Project on the feasibility and/or sustainability of other development in the receiving environment should have been undertaken.	CWA Response: “Because Greenville provides BNG housing, a special assessment was required” The presence of BNG/RDP housing in Greenville does not create a legal obligation for a bespoke economic feasibility study for every adjacent land use. The SIA considered vulnerable communities, sensitive receptors, and socio-economic dynamics in the receiving environment, including Greenville. An appeal cannot be used to demand project-specific studies tailored to the interests of a single developer, nor does the EIA regime require such preferential treatment.
		15.3. The socio-economic impacts of the CWA Project on the surrounding land uses have not been properly assessed. This means that a key factor and consideration informing the impact assessment process and related need and desirability analysis is absent. By implication the Decision-making process in terms of section 24 of NEMA is similarly tainted and fatally flawed	CWA Response: “Socio-economic impacts on surrounding land uses were not assessed; need and desirability are flawed” This statement is factually incorrect. Socio-economic impacts on surrounding land uses were assessed in the SIA and integrated into the Need & Desirability analysis in the Final EIAR. It is assumed that the competent authority considered these impacts under section 24O(1)(b). Again, the Appellant’s disagreement with the conclusions does not transform an adequate assessment into a “missing” one.
		15.4. The EIA process and the Final EIAR has failed to evaluate, consider and assess (and therefore mitigate) the single most significant potential impact of the CWA Project, namely the impact of the CWA Project on the viability and sustainability of	CWA Response: “The single most significant impact—viability of Garden Cities—was not assessed”

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		surrounding enterprises and operations such as those of Garden Cities and the Greenville development.	The claim that the “single most significant impact” of CWA is the viability of Garden Cities is self-serving and unsupported. The EIA Regulations require assessment of impacts on the environment, not guaranteed protection of a private developer’s commercial model. The SIA did assess implications for adjacent land uses, including Greenville. The Appellant simply seeks a different commercial outcome, not a different environmental assessment. EAP Response: GC fail to grasp the bigger picture of sustainable development. The urban expansion east of Durbanville is one of a few areas in the Western Cape that has the opportunity to develop as a “sustainable model”. GC offers the housing component and CWA offers the commercial, business, industry component to provide jobs for the middle to low income residents that form part of the GS model. Arguably the GC model will be more effective with the CWA catalyst.
		15.5. The failure to incorporate economic considerations and factors in any detail into the Final EIAR not only prejudices Garden Cities and a range of other I&APs but also means that it is not possible for anyone, especially the competent authority Exercising its administrative discretion in terms of section 24 of NEMA, to make an informed assessment of the full range of project related impacts which is a critical prerequisite to the competent authority being able to determine whether the CWA Project will satisfy the principle of sustainable development encoded in Section 2 of NEMA. The competent authority thus based its decision on materially deficient and inaccurate information, which underrepresent the true nature, extent and severity of project related impacts. The realpolitik aspect of this material omission in the EIA process is that it resulted in concerns raised by I&APs	EAP Response: The comments are again very wide with no specific concerns, and neither is it backed up by constructive specialist input opposed to the EIA documentation that has provided concrete studies and responses. CWA Response: “Failure to incorporate economic considerations in detail prejudices Garden Cities and makes the EA unlawful” Economic considerations were incorporated in detail. The SIA addressed economic impacts, population dynamics, employment creation, and indirect regional effects. It is assumed that the competent authority weighed these factors as part of its NEMA s24O obligations. The suggestion that the EA is based on “materially deficient” information is unsupported by any expert evidence. The

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		regarding potential highly significant negative impacts on being disregarded, or at best, downplayed. As a result of the deficiencies in the Final EIAR the competent authority was unable to and did not, take into account, highly relevant socio-economic factors in relation to the CWA Project as is required in terms of NEMA.	Appellant's claim that economic concerns were "downplayed" is a value judgement, not a legal defect.
		15.6. Notwithstanding the material omissions and deficiencies identified by I&APs in comments during the public participation process, the scope of the assessment throughout the EIA process has remained largely unchanged, particularly with regard to the assessment of potential socio- economic and noise impacts on Garden Cities (and in particular the feasibility of the future phases of the Grenville development). The fact that the assessments did not change materially throughout the EIA process results in the inference being drawn that all key and material project related impacts were either assessed superficially or not assessed at all.	EAP Response: The scope of the impact assessment was determined as early as the Draft Pre-App Scoping Report and the Draft In-App Scoping Report, that was made available to all I&AP's who were entitled to comment on those (and did). This scope was then accepted by DEA&DP and the Impact Assessment phase then continued in accordance with the scope requirements. All necessary studies did form part of the EIA to consider and assess various aspects. The EIA process was informed by stakeholder comments throughout the process – evidence of how reports were amended is provided in Table 136 (page 690) of the final EIAR.
		15.7. In light of the deficiencies identified by I&APs throughout the EIA process, the precautionary principle finds application in this instance, but the principle has been completely ignored by both the EAP and the competent authority. This is further evidence of a critical shortcoming in the EIA process which culminated in the decision by the competent authority to grant authorization in terms of section 24 of NEMA.	EAP response: No critical flaws were identified throughout the EIA process. CWA Response: "Precautionary principle should have been applied; EAP and authority ignored it" The precautionary principle applies where there is scientific uncertainty regarding serious or irreversible environmental harm. The Appellant identifies no such uncertainty, only dissatisfaction with socio-economic conclusions. Socio-economic projections do not constitute the type of environmental risk contemplated by NEMA's precautionary principle. The Final EIAR contained sufficient information for a rational decision, and the principle is therefore not triggered.

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		16. The CWA Project was therefore approved by DEADP notwithstanding various substantive concerns regarding material impacts being raised throughout the process by I&APs. In particular, Garden Cities had identified flaws and omissions regarding the assessment of socio economic impacts of the CWA Project, namely the failure to assess and quantify the full range of potential impacts on key stakeholders such as the residents of the Greenville development.	EAP Response: The EIA is clear that the residents of Greenville will benefit positively from the CWA development. During the public meeting held in the Fisantekraal Community Hall on 8 May 2024; it was evident the majority of people were unemployed (refer Table 136 page 694 of final EIAR). Further stakeholder engagement with the Fisantekraal community leaders was included in Appendix 40 to the final EIAR. CWA Response: The assertion that DEA&DP approved the CWA Project “notwithstanding substantive concerns” is misleading and legally incorrect. DEA&DP considered all comments raised by I&APs—including those of Garden Cities—across the Scoping, Draft EIAR, Revised EIAR, and Final EIAR phases, and provided written responses in the Comment-and-Response Report. The fact that the authority did not adopt the Appellant’s preferred interpretation does not mean impacts were “ignored”. The claim that socio-economic impacts—particularly on Greenville residents—were not assessed is factually incorrect. A full independent Social Impact Assessment was undertaken, addressing vulnerability, distributional effects, local socio-economic conditions, and implications for surrounding land uses, including Greenville. No contradictory specialist evidence was submitted by the Appellant.
		17. The failure to assess social and economic impacts on adjacent housing and the Greenville Development is a fatal flaw. In support of this we submit the following:	EAP response: The social and economic impacts of the proposed project are assessed in the Socio-Economic Impact Assessment (Appendix 23 to the amended draft EIAR). The report assesses impacts on the local

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			economy and communities (both positive and negative), including the effect on sense of place as it relates to local communities. A public meeting was held inside the Fisantekraal community that Greenville forms part of on 8 May 2024, the and the record show the socio-economic needs that exist and that the CWA project is the ideal job creation catalyst for the current and future residents of the area. Social impacts are included in the amended draft EIAR. Response from CWA: This claim is unfounded and overlooks key facts. The full range of potential impacts—including socio-economic, land use, and noise—were indeed scoped and assessed in terms of the EIA Regulations and have been revisited and expanded in response to stakeholder input, including that of Garden Cities. Importantly, the bulk of the Greenville Development land south of CWA (Rem. Ptn 4) is not currently developed, and the development rights have lapsed, requiring a new EIA and application process before any further phases can proceed. It is therefore incorrect to claim there is a "significant loss of housing opportunities" when no current legal approvals exist for that development. The current reality is that this land is agricultural, and no land use rights are in place that are being "lost." CWA has not ignored socio-economic impacts. Rather, it has repeatedly engaged with Garden Cities over several years—documented through dozens of meetings and written exchanges—to explore compatibility and mitigation. These engagements included discussions on phased development, runway orientation, buffer zones, and even land acquisition. It is misleading to suggest that CWA has pursued its application "irrespective of the negative impacts." Instead, CWA has gone to considerable lengths to structure its

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			planning around phased infrastructure, with staged impacts aligned to forecasted aviation activity levels.
		17.1. The MEC as decision-maker on appeal is under a legal duty to take into account all material considerations relevant to the determination of the appeal against the decision to grant the EA for the CWA Project.	EAP Response: The NEMA Appeal Regulations are formulated in order for the MEC to review the EIA content, process and the EA from a neutral platform and the MEC's team consist of experienced personnel to advise the MEC in this regard. CWA Response: "MEC must consider all material considerations" This statement is legally correct but irrelevant, as it does not identify any defect in the EA process. It is assumed that the Minister will indeed consider all material considerations on appeal, as required by section 43 of NEMA and the Promotion of Administrative Justice Act (PAJA). However, the Appellant incorrectly assumes that issues it raises were not considered by DEADP. The record shows that these matters were addressed and incorporated into the Final EIAR, and fully considered in the Reasons for Decision
		17.2. The social and economic consequences and impacts of the proposed development on residential properties in close proximity to the CWA site are plainly material. They bear directly upon issues of sense of place, well-being, residential amenity, housing affordability, community stability, local services, and the overall social sustainability of the scheme. A failure to assess and/or consider a material consideration such as the social and economic consequences and impacts of the proposed CWA development constitutes an error of law. In addition the absence of any credible and comprehensive assessment of social and economic effects amounts to a failure by the EAP to comply with the EIA Regulations	EAP Response: Repetition, pls see responses above. CWA Response: "Failure to assess social & economic impacts is an error of law" This claim is factually incorrect and legally unsustainable. The Social Impact Assessment did assess socio-economic impacts on surrounding residential properties, including Greenville, addressing sense of place, well-being, amenity, community dynamics, service demand, affordability, and cumulative effects. The competent authority considered these inputs under section 24O of NEMA.

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		by compiling a lawful evidential basis for the decision required to be taken by DEADP as the competent authority under section 24 of NEMA.	The Appellant's disagreement with the conclusions does not mean impacts were "not assessed". Nor does NEMA require an applicant to prepare bespoke feasibility studies for competing private developments. There is no "error of law"; there is only disagreement with the outcome, which is not a basis for setting aside an EA.
		17.3. Established principles of administrative law require that DEADP as the competent authority and decision-maker must not act irrationally or on the basis of inadequate enquiry. Where significant adverse effects are foreseeable, and substantive concerns raised during the EIA process regarding the efficacy and accuracy of the EIA process, the authority is obliged to obtain sufficient information from the Applicant to enable an informed judgment and decision in terms of section 24 of NEMA. The omission to investigate foreseeable impacts on nearby housing development projects in close proximity to the CWA Project renders the decision to grant the EA irrational.	EAP Response: Comment is sweeping and not substantiated. CWA Response: "Decision was irrational because DEADP failed to enquire adequately" There is no factual basis for claiming inadequate enquiry. DEADP considered: a full independent SIA, land-use and planning assessments, specialist noise, visual, and air-quality studies, cumulative analyses, and all I&AP comments, including those from Garden Cities. No contradictory specialist evidence was ever submitted by the Appellant to show that the assessments were defective. A mere assertion of "foreseeable impacts" is not evidence. DEADP's decision is supported by a complete evidentiary record and is rational and lawful.
		17.4. Proximity of existing housing development projects to the proposed CWA Project intensifies the nature of the concern. As indicated, the Garden Cities Greenville development stands to be severely impacted by the CWA Project. It is self-evident that closer the proposed development sits to established residential areas,	EAP Response: This comment is repetitive, the EAP has assessed and conducted the EIA process transparently and as per the required Regulations and protocols.

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		the more direct and substantial the likely consequences. Such impacts are neither remote nor speculative. They are inherent and predictable. In these circumstances, the failure by the EAP to investigate the full range of direct and substantial likely consequences constitutes not merely an inadequate assessment but a fundamental failure to ask the right question altogether, thus amounting to a reviewable error.	CWA Response: “Proximity to Greenville makes impacts predictable; failure to investigate is a reviewable error” This argument is speculative, repetitive, and factually incorrect. Proximity does not itself create a legal presumption of unacceptable impact. The Noise Impact Assessment, VIA, Air Quality Assessment, SIA, and planning assessments all explicitly considered the location of Greenville relative to CWA. The Appellant once again demands that the EIA process conduct bespoke commercial viability studies for its private development, . The claim that the EAP “failed to ask the right question” is unsubstantiated rhetoric, not a legal defect. Furthermore, the “predictability” of impacts is precisely why those impacts were assessed by specialists—and why the competent authority was satisfied that mitigation is adequate.
		18. Presenting benefits without adequately evaluating costs violates the requirement for impartial, sustainability-centred assessment NEMA requires that EIAs address the long-term costs and benefits of development. The Final EIAR:	EAP response: The Appellant is repetitive and does not support the statements up with material facts.
		18.1. Focuses heavily on speculative benefits while ignoring the costs of increased noise, loss of sense of place and community impacts.	CWA Response: This allegation is incorrect and unsupported. The Final EIAR includes full specialist assessments of noise, sense of place, socio-economic conditions, visual impacts, and community effects—each quantifying potential costs and residual impacts after mitigation. The Appellant’s claim that these impacts were “ignored” is factually wrong. Moreover, the Appellant has provided no specialist evidence to contradict the EIAR findings.

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		18.2. Uses promotional language inconsistent with objective environmental assessment.	EAP Response: This is disputed, the language used was objective and dispassionate. CWA Response: “Use of promotional language” The accusation of “promotional language” is vague, unsubstantiated, and legally irrelevant. The EIAR is a regulated technical document prepared by independent specialists in accordance with the EIA Regulations. Assertions about tone do not constitute evidence of non-compliance, nor do they identify any defect in methodology.
		18.3. The omission undermines compliance with statutory and policy-based imperative to give effect to sustainable development. Under the relevant legal framework (including the applicable national sustainable development policy considerations), decision-makers must assess the social, environmental, and economic dimensions of development in an integrated manner. An EIA process that negates or bypasses the need for a thorough sustainability assessment effectively neglects social and economic impacts on neighbouring housing developments cannot lawfully be said to balance the three limbs of sustainable development. It is argued therefore that the EIA process – as a result of these material omissions – is structurally defective.	CWA Response: “Sustainable development not assessed; EIA structurally defective” The Final EIAR explicitly applied the three pillars of sustainable development—social, economic, and environmental considerations—as required by NEMA and section 24O. All components were assessed through dedicated specialist studies. The Appellant’s claim that the process “bypassed sustainability” is incorrect and unsupported. It effectively demands a bespoke viability study tailored to Greenville, which is not required by law.
		18.4. The failing also vitiates the lawfulness of public participation and consultation. Meaningful consultation requires that affected residents are provided with adequate information to understand the implications of the proposal. Where the authority has not undertaken the necessary assessment, consultees are deprived of the opportunity to comment meaningfully. This	EAP response: The comment is not substantiated, please refer to the proof of Public and Authority Participation conducted attached to the final EIAR (Appendix 40, 43 and 44) CWA response: “Public participation procedurally unfair due to insufficient information” This contention misrepresents both the record and the law. The public participation process met all requirements of Regulations 39–41,

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		constitutes procedural unfairness and gives rise to a freestanding ground of challenge.	providing multiple rounds of reports, specialist studies, and opportunities for comment. There were four rounds of public participation, two open days and one public meeting in Fisantekraal where Greenville is located. The Appellant had full access to all assessments and made extensive submissions during each round. The fact that the Appellant disagrees with the conclusions does not render consultation “unfair.” This argument and does not identify any procedural irregularity capable of sustaining an appeal.
		18.5. The authority cannot lawfully impose or secure mitigation without a proper evidential basis. Planning conditions and planning obligations must be justified, necessary, and proportionate. Without an assessment of social and economic impacts, the authority has no lawful basis upon which to determine mitigation, to evaluate the need for planning obligations, or to ensure compliance with statutory tests. Any decision taken in such evidential vacuum is unsustainable.	EAP Response: The Appellant’s attack on the EIA process is unsubstantiated. CWA Response: “Authority had no evidential basis for mitigation” This argument is incorrect. The EIAR and specialist reports provide a clear evidential basis for all mitigation measures contained in the EMPr. Mitigation does not require absolute certainty; it requires a rational connection between identified impacts and proposed measures, which the EIAR demonstrates. The Appellant again conflates its commercial interests with legal requirements.
		18.6. The cumulative effect is a decision that is fatally flawed. The failure to investigate social and economic impacts on proximate housing constitutes a failure to consider material considerations; results in a decision made in the absence of necessary information; produces an irrational and unsustainable outcome; and denies affected parties a fair opportunity to participate. Each of these defects is sufficient individually to render a decision unlawful. Taken together, they demonstrate a fundamental failure in the	CWA Response: “Cumulative defects render the decision fatally flawed; reviewable error” The Appellant’s conclusion is rhetorical and unsupported. No material procedural flaw, missing assessment, or irrationality has been demonstrated. The EIAR contains the necessary information for a lawful decision under section 24 of NEMA, and the competent authority’s reasons confirm careful consideration of all environmental, social, and economic factors.

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		decision-making process. Any resulting permission would therefore be liable to be quashed upon judicial review.	The Minister has the same comprehensive information available to him and it is respectfully disputed that a judicial review of his appeal decision would necessarily be successful.
		19. In summary, this ground of appeal illustrates:	
		19.1. The omissions and flaws in respect of the assessment of social and economic impacts identified by I&APs during the EIA process were not resolved by the EAP or the specialist studies tabled with DEADP in the Final EAIR.	EAP Response: No fatal flaws were identified during the assessment. CWA response: This allegation is incorrect, unsubstantiated, and repetitive. The Final EIAR incorporates a full Social Impact Assessment, specialist noise, air quality, planning, and visual assessments, all of which directly address the social and economic issues raised by I&APs, including Garden Cities. It is assumed that the competent authority considered these inputs and provided written reasons. A mere disagreement with the conclusions does not constitute an “omission” or “flaw.”
		19.2. I&AP concerns were responded to superficially by the EAP through the Comments and Response Table only with no tangible, credible or meaningful attempt to quantify the full range of social and economic impacts or to integrate the concerns raised by stakeholders into the assessment process by undertaking and ensuring a rigorous and credible impact assessment. The proposed CWA Project will have significant and material adverse socio-economic impacts on Garden Cities and in particular the Greenville development in all its component phases. This concern is exacerbated by the fact that the nature, extent and severity of such	EAP Responses: The C&R Report is extensive, and all comments were responded to. CWA response: This assertion is factually incorrect. The Comment-and-Response Report provides detailed responses to all I&AP submissions, and the SIA quantifies socio-economic impacts using accepted methodologies. The Appellant provided no specialist counter-evidence to justify its claim of superficiality.

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		impacts has not been quantified or assessed in the manner required by NEMA and the EIA Regulations.	An appeal is not a means to demand assessments tailored to a private developer's commercial interests.
		19.3. The fact that I&AP concerns were responded to superficially only by the EAP through the Comments and Response Table undermines the accountability and transparency of the public participation process in terms of the EIA Regulations. Public participation is arguably one of the most critically important aspects of the EIA process as it is aimed at harnessing local information regarding environmental aspects and impacts of a project and at fostering citizen participation in environmental decision-making under NEMA.	EAP Response: Please refer to the proof of PPP, which illustrates that it has been very comprehensive and exceeds what the Regulations require (Appendix 40, 43 and 44 of the final EIAR). CWA response: There is no factual or legal basis for this claim. Public participation complied fully with Regulations 39–41: I&APs were notified, reports were circulated, multiple rounds of commenting occurred, and responses were provided for each submission. The Appellant conflates “superficial responses” with “responses it disagrees with.” PAJA does not require the EAP to adopt an I&AP's preferred position; it requires transparency and opportunity to participate — both of which occurred.
		19.4. Regrettably the public participation process has, in these circumstances, failed to attain the key imperative to strengthen accountability from public functionaries. The DEADP approval in face of key I&AP concerns regarding the full range of social and economic impacts is legally indefensible. The EA undermines the accountability and transparency of the EIA process because key concerns about socio-economic impacts were dismissed or ignored without further interrogation by way of specialist assessment. In addition, cumulative socio-economic impacts are simply not identified, evaluated or assessed at all. What is required by NEMA,	EAP Comment: The EIA and the PPP was totally transparent, all the known impacts were assessed including the cumulative impacts. CWA Response: This argument is misleading and incorrect. The public participation process met all statutory requirements and provided Garden Cities with ample opportunity to comment — which it did extensively. The assertion that concerns were “dismissed or ignored” is contradicted by the detailed Comment-and-Response Report and the documented specialist revisions.

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		and the EIA Regulations is an assessment of the cumulative social and economic impacts of the CWA Project on the receiving environment and key receptors.	Cumulative impacts were assessed where required. NEMA does not mandate unlimited or infinite layers of socio-economic modelling, nor does it require bespoke studies for individual developers.
		19.5. The Constitutional environmental right and the section 2 NEMA Principles contemplate that all relevant impacts identified must be assessed and that environmental decisions must achieve a balance between environmental and socio-economic developmental considerations through the concept of sustainable development. It is not possible to ensure that sustainable development is achievable in the face of identified potential economic impacts that have not been assessed in terms of the EIA process. In the circumstances, DEADP should have called for additional studies to be undertaken so that all relevant factors – namely environmental, social and economic factors – can be appropriately balanced in accordance with the principle of sustainable development.	EAP Response: it is unclear what additional studies are required, we are of the opinion that all possible studies have been conducted and that these studies are in line with the NEMA regulations and protocols. If the appellant felt that additional studies were required, it had an opportunity to state that (and specify what those should have been) during the scoping phase, but did not do so. CWA Response: This argument misstates both law and fact. The EIAR assessed environmental, social, and economic impacts in an integrated manner, consistent with NEMA sections 2 and 240. Sustainable development does not require the authority to produce every study which a stakeholder demands, nor does it require a “zero impact” outcome for private developments. The Appellant identifies no legal requirement obliging DEADP to call for additional studies, nor any gap that prevented lawful decision-making. Instead, this is a repetition of its earlier insistence that the EIA must protect the commercial feasibility of the Greenville project — which the EIA Regulations do not require.
		20. We reiterate that Garden Cities employs a significant number of people and adds a great deal of value to the local economy. Garden Cities’ Greenville development in particular stands to be directly and materially adversely affected by the CWA. Despite this the	EAP Response: The findings of the socio-economic impact assessment is clear, the number of jobs that will be created by the CWA is clear and these positive impacts will benefit those residing in Greenville.

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		critically relevant issue – that of economic impact with attendant long-term environmental and social consequences - has not been quantified.	CWA Response: The Appellant’s assertion that the “economic impact... has not been quantified” is factually incorrect. The independent Social Impact Assessment (SIA) conducted as part of the EIAR explicitly evaluated: • economic contributions of the project, • potential distributional effects, • implications for surrounding land uses (including Greenville), • community-level socio-economic indicators, and • long-term regional economic trajectories. No specialist counter-evidence has been submitted by Garden Cities to dispute these analyses. A disagreement with the specialist findings does not create a legal deficiency. CWA is not required by NEMA to safeguard or prioritise a private developer’s commercial interests, nor is the EIA process designed to produce bespoke viability studies for competing developments. The Appellant’s assertion reflects commercial dissatisfaction, not an assessment failure.
		21. A critical objective of the EIA process is to identify and predict the actual or potential impact on socio-economic conditions, including the impact of the proposed development on the feasibility and/or sustainability of other developments in the receiving environment. The Fuel Retailers case held that such impacts form an essential and legitimate component of the assessment, and such considerations are required by law to be carefully assessed during the EIA process.	CWA Response: The Appellant misstates the legal duty under NEMA. While socio-economic conditions are one of the factors to be considered under section 24O, the EIA process does not require an assessment of the “feasibility” or “sustainability” of other private developments in the receiving environment. The EIA Regulations impose obligations to assess environmental impacts and associated social and economic effects of the proposed project itself, not to safeguard the commercial viability of neighbouring developments such as Greenville.

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			The reliance on <i>Fuel Retailers Association v DG Environmental Management, Mpumalanga</i> in this situation is misplaced. <i>Fuel Retailers</i> requires competent authorities to consider the socio-economic implications of the proposed development, not to conduct a detailed viability analysis of unrelated private projects or ensure competitive protection of third-party interests. The Constitutional Court expressly held that the purpose of socio-economic consideration is not to prevent competition or guarantee pre-existing development outcomes. In this case, the independent Social Impact Assessment did evaluate socio-economic conditions, distributional effects, and implications for surrounding land uses. The Appellant simply disagrees with the conclusions. A disagreement does not amount to a legal defect. Accordingly, this ground is misconceived, legally incorrect, and not a valid basis for appeal.
		22. In the circumstances, in light of the fact that the impact of the CWA Project on current and future component phases of the Greenville development has not been determined through a robust, credible scientific methodology and assessment which quantifies the full nature and extent of impacts on Garden Cities and its Greenville development in particular, a rational, reasonable and defensible decision by the competent authority was not possible. The EA should be set aside and the application refused on this basis alone.	The Appellant's assertion that impacts on Greenville were "not determined through a robust, credible scientific methodology" is factually incorrect and unsupported by any specialist evidence. The EIA process included a comprehensive suite of independent specialist studies—Noise, Air Quality, Visual, Social Impact Assessment (SIA), Traffic, Planning, and Cumulative Assessments—all undertaken in accordance with the EIA Regulations and scientifically accepted methodologies. These assessments did consider the surrounding land uses, including Greenville. The Appellant has produced no contrary scientific assessment to challenge the credibility or robustness of these studies. A mere

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			assertion that an outcome is “not robust” cannot, as a matter of law, invalidate an EIAR or render the competent authority’s decision irrational. The decision by DEADP was informed by a full evidentiary record and complied with section 24O of NEMA. The Appellant’s reliance on disagreement, speculation, and repetition does not constitute a lawful basis to set aside an environmental authorisation. Accordingly, this ground is without merit and must be dismissed.
		Ground of appeal 2: 5. Noise Impact Assessment 5. 6. The CRR and Final EIAR fail to demonstrate that the noise impact assessment (NIA) is legally compliant. The technocentric approach and methodology to the evaluation of noise impacts and associated applicable noise rating levels ignores the fundamental significant impacts on Garden Cities and Greenville development. As a result of these impacts, the proposed new airport would still undermine sustainable development and create significant adverse noise impacts the undermine the socio-economic and environmental rights of Greenville residents. A legally compliant noise impact assessment is one that prevents significant adverse impacts and safeguards sustainable development.	EAP Response: The NIA was completed by a reputable specialist who used the latest modelling technology to determine the noise impact. The noise impact on GS property is clear, and the mitigating recommendation is to conduct appropriate land use on the affected areas for example industrial areas, that will contribute to the sustainability of the “new town” expansion. CWA Response: The Appellant’s allegation that the Noise Impact Assessment (NIA) is “not legally compliant” is incorrect, unsupported, and reflects a fundamental misunderstanding of the legal and technical standards applicable to noise assessments under NEMA, SANS 10103, and the EIA Regulations. 1. The NIA is legally compliant and applied the correct methodology. The NIA was undertaken by an independent, suitably qualified acoustic specialist using: • SANS 10103:2008, • ICAO Annex 16,

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			• international best-practice modelling techniques, and • recognised long-term noise indicators (L_{Aeq}, L_{dn}, and peak event analyses). Compliance with SANS 10103 is the applicable legal benchmark. The Appellant identifies no regulatory requirement that was breached 2. The Appellant’s “technocentric approach” claim is vague and incorrect. Noise assessments must rely on acoustical science, modelling, and measurement. That is not a flaw—it is the legally required methodology. The Appellant does not provide any contradictory specialist report or technical critique. Unsupported rhetoric cannot invalidate a lawful specialist study. 3. The Appellant applies an incorrect legal test for “legal compliance.” A noise assessment is legally compliant if it: • follows accepted methodology; • identifies and evaluates potential impacts; • proposes mitigation; • informs decision-making. The Appellant incorrectly asserts that a “legally compliant assessment” must prevent all significant adverse impacts and safeguard sustainable development. That is not the legal test. NEMA does not require zero noise impacts or guaranteed protection of

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			private development interests. Environmental authorisation decisions routinely permit developments that generate noise impacts, provided these impacts are assessed, determined to be acceptable and adequately mitigated. 4. Sustainable development is achieved through balance, not impact elimination. The NEMA principles require integrated consideration of social, environmental and economic factors—not the elimination of all noise. It is assumed that the competent authority considered the NIA alongside socio-economic, visual, air-quality and land-use assessments and imposed mitigation obligations via the EMPr. The allegations of legal non-compliance are unfounded, unsupported by technical evidence and are based on an incorrect legal test, and procedurally inadmissible. Specialist response: The claim that the Noise Impact Assessment (NIA) is “technocentric” or “legally non-compliant,” and that it ignores significant adverse impacts on Greenville and Garden Cities, is not supported by the findings of the CWA Noise Impact Assessment. The NIA was undertaken in full alignment with the legal and technical framework prescribed in South Africa, including the Environmental Impact Assessment Regulations, SANS 10103, SANS 10328, and international ICAO- and FAA-aligned modelling methodologies. These standards form the accepted foundation for environmental noise assessments, and their application is therefore entirely appropriate and legally compliant for this project.

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			The actual modelled noise levels show clearly that residential communities surrounding CWA fall within the acceptable ranges defined by SANS 10103. The predicted L_{Rdn} values for Greenville and Garden Cities mostly fall between 40–50 dB(A), which places them well within the “little impact” or “generally acceptable” categories for residential districts. For example, Greenville receptors R16, R17, R18, and R19 show worst-case L_{Rdn} values of 36.3 dB, 39.2 dB, 43.7 dB, and 49.5 dB respectively, while receptor R22 is predicted at 49.6 dB under Scenario 3. Only one Greenville receptor, R21, situated at the closest point directly south of the runway, reaches 55.2 dB in the opening year and 62.8 dB under the full-capacity worst-case scenario. This is a small area situated effectively at the airfield boundary and does not represent the noise climate of the broader Greenville residential area. The NIA therefore demonstrates that noise impacts remain relatively low across all residential areas, with the overwhelming majority experiencing noise levels well below the thresholds associated with meaningful adverse effects. The suggestion that the NIA “ignores” socio-economic rights or undermines sustainable development is therefore incorrect. The NIA explicitly includes receptors across Greenville, Garden Cities, Bella Riva, Darwin Industrial Park, Klipheuwel and Fisantekraal, and applies the SANS 10103 significance criteria systematically. The predicted L_{Rdn} values across these communities do not meet the thresholds considered “significant” or “unacceptable” under national standards. Furthermore, the report shows that the overall L_{Rdn} in the opening year will be approximately 44 dB, increasing to 58 dB at full theoretical future capacity. Even this upper envelope remains far below the high levels (typically above 65–70 dB Ldn) at which long-term health effects such as cardiovascular disease or sleep disturbance are reliably observed in epidemiological studies.

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			In conclusion, the CWA NIA is both legally compliant and methodologically rigorous. The predicted noise levels in Greenville, Garden Cities, and surrounding communities fall well within accepted thresholds, and there is no evidence from the NIA to support the assertion that the proposed airport expansion would generate significant adverse noise impacts or undermine socio-economic or environmental rights. The conclusions of the NIA demonstrate the opposite: that aircraft noise levels around CWA remain modest, controlled, and compatible with residential and educational environments.
		6. The crux of this appeal ground is that the Final EIAR for the proposed project significantly underestimates the noise impacts on the Greenville development, relying on inaccurate noise assessments, proposing insufficient mitigation measures, and misrepresenting the existing status of Greenville’s ongoing and active residential development, ultimately demonstrating that the proposed CWA project, as currently proposed, is incompatible with socio-economic development and poses a serious threat to the well-being of residents.	EAP Response: The NIA was conducted by a specialist with significant experience, using leading technology for modelling, the findings are therefore not inaccurate. The same specialist has conducted the NIA for Cape Town International Airport’s runway realignment EIA. CWA Response: The claim that the Final EIAR “underestimates” noise impacts is unsubstantiated and incorrect. Assertions of “inaccuracy” and “insufficient mitigation” are speculation, not evidence. Furthermore, this argument simply repeats earlier comments made during the EIA process and is therefore not a valid ground of appeal under Regulation 4(1). The allegation of incompatibility is a planning opinion, not a defect in the noise assessment.

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		7. In South Africa, the national standard SANS 10103:2008 sets “rating levels” for various district types, and guidance suggests that night sound levels should be ~5-10 dB(A) lower than daytime levels. For example, some generic SA guidance lists 45 dB(A) for night time in residential areas as a threshold. On the contrary, ideal health-based night noise levels are around or below ~ 40 dB(A) (outside bedroom) per the World Health Organisation, with higher values (but still modest) in some national guidelines. The City of Cape Town / Western Cape noise-regulations refer to SANS 10103 rating levels for districts. For instance, the mapping around airports uses “district guideline LRdn” levels (day-night average) as in modelling done for the proposed Cape Winelands Airport. One modelling study around Cape Town found that, in a worst-case scenario for a new runway area, portions of the community might experience day-night sound levels (LRdn) of ~ 49 dB(A) (just above 45) in certain zones. The Western Cape Noise Control Regulations allow a “disturbing noise” if it exceeds the rating level by certain amounts, but do not by themselves set a single fixed “night aviation noise limit”.	Specialist response: The claim that the project will violate night-time noise limits or conflict with SANS 10103 and WHO guidelines is not supported by the actual results of the CWA Noise Impact Assessment (NIA). The assessment applies the correct SANS 10103 methodology, including the required 10 dB night-time penalty and incorporates all night operations into the L_{Rdn} modelling. Cape Winelands Airport operates only three night-time flights, all taking place before 23h00, meaning that no late-night or overnight operations contribute to the noise environment. These flights were fully included in the L_{Rdn} predictions, ensuring the assessment reflects the true worst-case night-weighted exposure. The NIA demonstrates that almost the entire Greenville residential area is predicted to remain outside the 40–50 dB(A) L_{Rdn} range, which SANS 10103 classifies as “acceptable” or “little to no impact” for residential districts. Only a very small localised area at the eastern boundary of the future Greenville area falls within the 55 dB(A) L_{Rdn} band, and this is represented in the modelling by receptors R20 and R21. Of these, R21 is the only receptor that exceeds 55 dB(A), and it does so because it is positioned immediately adjacent to the runway boundary, not within the established residential core. This elevated value is highly localised and does not characterise the broader Greenville noise environment. The remainder of Greenville, including the existing and expanding residential portions, shows L_{Rdn} values in the low- to mid-40s, well below the levels at which international studies identify risks of sleep disturbance, cardiovascular effects, or learning impairment. The WHO night-noise guideline of 40 dB(A) applies to continuous background noise, not intermittent aviation events and cannot be

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			used as a regulatory limit for airports. ICAO and SANS therefore evaluate airports using L_{Rdn}, which already integrates the 10dB night-weighting to account for potential sleep disruption. Even with the night penalty applied, L_{Rdn} values around Greenville remain low and do not approach recognised health-effect thresholds (typically ≥ 65 dB for chronic exposures). CWA Response: The Appellant’s summary of SANS 10103 and other noise guidelines is selective, misleading, and legally irrelevant to the compliance of the Noise Impact Assessment (NIA) for the CWA project. 1. SANS 10103 does not set fixed “noise limits” for aviation nor prohibit levels above 40–45 dB(A). SANS 10103 provides contextual rating levels for general district types. It is a guideline, not a statutory limit, and explicitly recognises that certain land uses—such as transportation infrastructure—will exceed background levels. It does not prescribe prohibitions on L_{Rdn} values for airports. 2. WHO 40 dB(A) night-time guidelines are aspirational health benchmarks, not legal limits. The WHO Night Noise Guidelines are: • not adopted in South African law, • not incorporated into SANS 10103, • not incorporated into any Western Cape or national regulation, and

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			- not used by SACAA, ICAO, or any aviation standard-setting body as compliance thresholds. Invoking WHO benchmarks to invalidate a legally compliant NIA is incorrect and irrelevant. 3. The Appellant ignores the correct aviation methodology (ICAO Annex 16) required for airport NIAs. The CWA Noise Impact Assessment applied: - ICAO Annex 16, - SANS 10103, and - LRdn modelling, which is the internationally recognised method for assessing community noise exposure around airports. The Appellant provides no technical evidence showing incorrect data, incorrect modelling, or non-compliance. 4. The “49 dB(A)” reference is benign and far below levels classified as “high community annoyance.” LRdn of ~49 dB(A) is: - well below the SANS 10103 “disturbing noise” thresholds, - well below levels triggering land-use controls around airports internationally, - consistent with normal airport-adjacent residential environments globally. The Appellant’s implication that 49 dB(A) is “unsafe” is technically unfounded. 5. The Western Cape Noise Control Regulations do not create any aviation-specific or night-specific noise limits.

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			The regulations apply to general nuisance noise and explicitly defer to SANS 10103. They do not: • impose fixed night noise limits, • regulate aircraft operations, or • override ICAO/SACAA aviation requirements.
		8. The Final EIAR understates the unique impact of aircraft noise. Annoying or disturbing aircraft noise is one of the clearest examples of where regulatory standards fail to reflect the “lived experience” of human interaction with what is considered to be annoying noise. There are several proven aircraft noise studies that demonstrate that aircraft noise is particularly problematic and further demonstrate why the applicable standards and regulations might technically underrepresent how people actually experience and react to the noise.	CWA Response: This point is not new. The Appellant raised the identical allegation during the Scoping and EIAR comment phases — including claims that SANS 10103 underestimates aircraft noise, that regulatory metrics do not reflect “lived experience,” and that aircraft noise produces disproportionate annoyance. All of these issues were already tabled, responded to, and incorporated into the Noise Impact Assessment and Comment-and-Response Report. Response provided in Appendix 29D of the final EIAR page 223 - <i>Specialist response:</i> <i>The Noise Impact Assessment (NIA) addresses impacts on sense of place, due to its focus on technical parameters. This specialist technical study is designed to:</i> • <i>Quantify environmental noise exposure using internationally recognised metrics (e.g. SANS 10117, SANS 10103, N70, and Ldn);</i> • <i>Model spatial noise distribution under multiple operational scenarios;</i> • <i>Establish thresholds for impact evaluation against regulatory and health-based guidelines (e.g. SANS 10103, WHO).</i>

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			<i>This technical foundation is essential for understanding where and to what extent noise may affect human environments, and forms a core input to broader planning, social, and cumulative assessments.</i> <i>Importantly, impacts on “sense of place” are addressed within the Socio-Economic Impact Assessment (SIA), which draws directly from the NIA’s quantitative outputs. The SIA interprets these findings in relation to local identity, amenity, and lived experience, thus ensuring that subjective, place-based values are meaningfully integrated into the EIA process.</i> <i>This division of expertise reflects standard EIA practice, i.e. each specialist study provides discipline-specific analysis, while integration across themes occurs through cumulative interpretation and synthesis at the impact significance and planning level. Expecting the NIA itself to provide psychosocial interpretation would conflate roles and reduce analytical clarity.</i>
		9. The human health and well-being of residents in the Garden Cities’ Greenville development stand to bear the brunt of the impacts by aircraft noise and annoyance. The human health and well-being of residents is closely tied to noise impacts and sleep disturbance. The unique impact of aircraft noise stems from the fact that aircraft noise is highly intermittent, not continuous and comes in distinct peaks associated with take offs, landings, and flyovers. Even if the average noise level (LAeq) is low according the Final EIAR and NIA, the peaks are very high, sometimes 20–35 dB above background noise. Regulations based on long-term averages (Lden, LAeq) dilute those peaks over hours or entire days, making the noise look less harmful than people experience it. Peaks interrupt sleep,	CWA Response: This argument is not new. The Appellant raised the same allegations during the Scoping and EIAR comment phases, including claims that aircraft noise causes sleep disturbance, that peak events (20–35 dB above background) drive human health effects, that LAeq/LRdn averages “dilute” real-world impacts, and that aircraft noise is uniquely intermittent and particularly harmful. All of these issues were already placed before the EAP, responded to in the Comment-and-Response Report, and incorporated into the Noise Impact Assessment, which modelled peak event noise as well as long-term averages.

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		concentration, and relaxation which are inexorably linked to human health and well-being impacts. Even modest exceedance (e.g., 45-50 dB) can have health impacts at night (sleep, stress).	Please see the response provided in Appendix 29D of the final EIAR page 239: <i>Specialist response:</i> <i>The primary purpose of the Noise Impact Assessment (NIA) is to quantify and predict aircraft noise exposure in accordance with South African regulatory standards (SANS 10103 and SANS 10117), and to assess the potential impact on human amenity and land use compatibility. While the NIA is not a formal health risk assessment, it does incorporate and summarize the internationally acknowledged health effects associated with long-term noise exposure, such as sleep disturbance, annoyance, and cardiovascular risks, which are widely documented in literature from the World Health Organization (WHO), European Environment Agency, and the US Environmental Protection Agency (EPA).</i> <i>Section 2.3 of the NIA offers an introductory overview of these effects to provide context for why noise thresholds such as N70, N60, and LRdn are used, and why night-time noise is penalized. The section is not intended to serve as an exhaustive literature review but rather to support the rationale for the application of internationally aligned noise indicators and thresholds.</i> <i>In line with best practice, the quantitative assessment of exposure is the domain of the noise specialist. Where site-specific health studies are required, these are typically undertaken under a separate Health Impact Assessment (HIA). It is important to note that such an HIA has not been scoped as a requirement in this Environmental Impact Assessment process, nor is it typically required unless triggered by specific thresholds or public health concerns raised by competent authorities.</i>

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			<i>That said, the exposure-response relationships used in the NIA (e.g., expected effects at N70 or 65 dB LRdn) are based on robust international epidemiological research, even if those references are not individually cited in the summary discussion. The mitigation hierarchy proposed in the NIA—combined with monitoring, land use compatibility planning, and the development of a Noise Management Plan—are designed to manage and reduce exposure, which is the key preventative strategy against health risks related to noise.</i> <i>In conclusion, the NIA appropriately addresses the noise-health linkage within its scope, and does so using recognised metrics and exposure-response relationships. The EIA as a whole includes mechanisms to ensure that health and amenity are adequately protected through cumulative and cross-disciplinary inputs, including social, planning, and biodiversity assessments.</i> The Appellant provides no new specialist evidence, no alternative acoustic modelling, and no technical critique demonstrating any flaw in the NIA. Repeating an earlier objection does not convert it into a valid ground of appeal.
		10. The applicable regulatory and policy guidelines or standards employed in the NIA ignore and/or underrepresent the true nature of the noise impacts associated with an airport of the approved scale as experienced by humans and, more specifically, the residents of Greenville. Legal standards tend to be compromises, not health benchmarks. Aircraft noise standards don't reflect real annoyance for the following reasons, which factors were not identified, evaluated or assessed as part of the Final EIAR:	CWA Response: ALL nine issues (10.1 to 10.9) were previously raised by Garden Cities during the EIA process and were responded to. Every point appears verbatim or in substance in Garden Cities' earlier comments, as confirmed below.

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		10.1. The temporal dynamic in terms of which aircraft noise has high rise times (sharp jumps in volume), which are neurologically more disturbing than steady noise.	This point is not new. Garden Cities raised identical concerns during Scoping and the EIAR process, including claims about peak-event noise, sharp volume jumps, and neurological disturbance. All of this was addressed in detail. Specialist response provided in Appendix 29C of the final EIAR page 145: <i>Firstly, the NIA adheres to internationally recognized standards for noise assessment, including SANS 10103:2008, which provides a framework for understanding the relationship between noise levels and community responses. The reference to "vigorous community or group action" is a generalized guideline rather than a guaranteed outcome, and such responses depend heavily on the context, duration, and frequency of noise events, as well as existing community dynamics.</i> <i>Secondly, while Figure 4-14 of the NIA indicates areas within Greenville Garden City experiencing more than 50 N70 events daily, this must be balanced against several mitigating factors. These include the operational design of the proposed airport, prevailing wind conditions, and take-off patterns that ensure aircraft are climbing and moving away from residential areas. As noted in Comment 66.12, the initial climb phase, where engine operations are at higher levels, occurs more than 5 kilometres away from Greenville Garden City, substantially mitigating the intensity of noise exposure at ground level.</i> The NIA assessed peak noise levels (L_{Amax}) precisely for this reason. Repeating an earlier objection does not create a valid ground of appeal. No new evidence or modelling is provided.

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		10.2. Tonality and low-frequency components travel far because aircraft engines generate: Low frequency rumble that penetrates walls and windows; tonality (distinct whine).	This was explicitly raised previously, including references to low-frequency rumble, tonal engine whine, and wall penetration. The acoustic specialist addressed low-frequency components using standard octave-band modelling.
		10.3. Low-frequency noise is harder to insulate against and is more strongly associated with chronic annoyance, but regulatory metrics do not weight these frequencies properly.	The NIA used SANS 10103 and ICAO Annex 16, which already incorporate frequency weighting and accepted acoustic methodology. The Appellant presents no technical critique or contrary study, only a repeated assertion. It is therefore not a valid appeal ground. The comment was previously raised by GC in relation to the chicken farming activities in the area and was responded to by the specialist in Appendix 29D of the final EIAR (page 498): <i>Specialist response:</i> <i>The presence of poultry farming operations adjacent to the site has been acknowledged in the DEIR and considered in both the Noise Impact Assessment (NIA) and broader land use planning context. However, the characterisation of these as “sensitive receptors” in the same category as residential communities is overstated. Poultry farms are primarily industrial-agricultural operations, and while they may have operational sensitivities (e.g., to vibration or low-frequency noise), they are not governed by the same human health or residential amenity thresholds applied to community receptors.</i>
		10.4. The exclusive reliance in the NIA on regulatory metrics average out the way humans react to each aircraft event, not the daily average.	This is a verbatim repeat of earlier comments in which Garden Cities claimed LAeq and LRdn underrepresent lived experience. The NIA assessed peak-event noise (LAm _{ax}) and event frequency in accordance with accepted methodology. Repetition of earlier concerns does not identify any defect in the assessment.

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		10.5. Human annoyance at aircraft noise depends on number of events, not just loudness. Studies show that 30 loud events can be more annoying than 100 quiet ones. Frequency and timing matter more than average energy. Aircraft noise exposure (e.g., 65 dB Lmax) can happen dozens of times per hour near busy airports, leading to persistent stress despite acceptable “average” levels.	This argument was raised previously, including references to multiple loud events creating distress even when averages are low. The NIA assessed event frequency and maximum noise levels. The Appellant provides no acoustic modelling or expert evidence to contradict the results.
		10.6. Non-acoustic factors are powerful influencing factors which are not accounted for credibly in the NIA. In particular, the NIA ignores the fact that aircraft noise annoyance is amplified by unfairness and perceived unfairness (airport benefits vs. community burdens). Lack of control (cannot shut windows in summer, etc.).	Garden Cities made this same point before, citing fairness, burden distribution, and psychological stressors. These non-acoustic factors fall outside the scope of technical noise modelling and were considered within the Social Impact Assessment.
		10.7. Allowable limits in terms of the applicable Regulations and Standards are higher than health optimal levels recommended by WHO guidelines. The WHO Guidelines are much stricter but not always enforced. The WHO Environmental Noise Guidelines (2018) recommend Lden < 45 dB and Lnight < 40 dB. The hard-edge reality is that many airports operate well above this and there is very little of substance in the mitigation measures identified to avoid this inevitable impact.	This WHO comparison was included in Garden Cities’ earlier submissions. WHO guidelines are not incorporated into South African law and are not the legal standard for aviation noise assessments. The NIA complied with SANS 10103 and ICAO Annex 16.
		10.8. Modern flight path concentration increases localised annoyance. The reason for this being that GPS-based navigation (RNAV), flight paths have become narrower. These concentrates noise over smaller geographic areas, in this instance the outskirts of residential areas in Cape Town.	Garden Cities raised this issue previously regarding RNAV concentration and narrower flight paths. The NIA considered flight tracks and operational patterns for modelling purposes. The Appellant presents no contrary technical evidence and simply repeats a prior comment which was responded to. Response from specialist:

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			The concern in the comment is already fully incorporated in the CWA NIA’s noise modelling. The flight paths used in the assessment are not randomised to reflect dispersion and they are modelled exactly as concentrated RNAV tracks. In other words, the noise modelling already assumes narrow, GPS-based flight paths and their associated localisation of noise. Therefore, the noise result due to modern flight-path concentration is already built into the assessment itself
		10.9. Peak Noise (LAmax) and frequency of high-amplitude events give rise to harms are not reflected in aggregate noise contours. Impacted communities may experience dozens—or hundreds—of noisy overflights per day, each producing the following impacts Reduced outdoor amenity Elevated stress responses.	This point was already submitted and responded to in detail in the EIAR comments. Specialist response provided in Appendix 29D of final EIAR (page 270): <i>Impacts on sensitive receptors are in fact a central focus of the Noise Impact Assessment (NIA). The assessment specifically models and maps noise exposure for a variety of receptor types, including residential areas, schools, farms, and other land uses within the vicinity of the airport. These receptors are clearly identified and evaluated in the spatial analysis of noise contours (e.g. N70 and Ldn maps), and their proximity to projected noise exposure zones is explicitly considered.</i> <i>While the summary impact tables may present a single consolidated impact per phase, the underlying modelling differentiates between receptor types based on their location, vulnerability, and applicable noise thresholds. This includes recognising receptors such as Fisantekraal, Klipheuwel, and the Greenville development, as well as institutional and agricultural land uses.</i> <i>Therefore, the claim that impacts on sensitive receptors are not addressed “in their own right” is incorrect. They are thoroughly considered through the technical detail and spatial outputs of the NIA, which inform both the overall impact significance and the</i>

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			<i>recommended mitigation measures in the DEIR and forthcoming Noise Mitigation and Management Plan (NMMP).</i> The NIA assessed both L_{Amax} and L_{Rdn}, including event-based impacts. Contours by definition represent average exposure and are not defective for not illustrating every individual event. The Appellant's repetition does not establish any assessment flaw.
		11. The regulatory metrics used in the NIA average away or mask the true nature of the experienced impacts as the worst noise use a combination of L_{Aeq} (equivalent continuous level) and L_{den} (day-evening-night, with evening/night penalties). The over reliance on these technical metrics in the NIA obscures and underrepresents the true nature of the impact on human well-being and the subjective real-life experience of the reasonable person or 'resident' in the receiving	Specialist response: The comment that the NIA "masks" or "averages away" the true noise impacts by using L_{Aeq} or L_{Rdn} is incorrect and does not reflect how airport noise is legally and technically assessed in South Africa or internationally. The CWA Noise Impact Assessment follows the requirements of SANS 10328, SANS 10103, ICAO airport-noise practice and FAA methodology, all of which mandate the use of L_{Aeq}-based metrics and L_{Rdn}/L_{den} for assessing long-term community noise exposure. These metrics are not optional, as they are the internationally accepted standard for determining whether an airport produces noise levels that are compatible with residential and sensitive land uses. The CWA NIA does not rely solely on L_{Rdn}. The report also assesses L_{Amax} (single-event maximum levels) and the number of noise events above 70 dB (N70 analysis), which specifically capture the peak intensity and frequency of aircraft noise events. These metrics describe the "real-life" momentary experience of residents, which is exactly what the comment alleges is missing. The NIA clearly reports these values and demonstrates that the number of high-level single events around Greenville, Garden Cities and Fisantekraal remains very low, with most receptors experiencing either no L_{Amax} exceedances above typical thresholds or only occasional, short-lived events well within accepted norms.

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			The actual predicted L_{Rdn} values for surrounding communities show that the long-term experienced noise levels remain modest. For the majority of Greenville and the selected receptors fall between 40–50 dB(A) L_{Rdn}, under the full future scenario, and at Fisantekraal High School is predicted between 36–48 dB(A), depending on the operational scenario. These levels lie within the “acceptable” or “little impact” categories defined by SANS 10103. A small area at the extreme southern boundary of future Greenville falls at or near 55 dB(A) L_{Rdn} (R20–R21), and only R21, located directly adjacent to the runway perimeter, exceeds 55 dB(A). This is a highly localised condition and not representative of the wider residential estate. As such, it would be incorrect to claim that the NIA hides or masks impacts. The modelling integrates all the night-time operations, which are three flights, all before 23h00, and applies the mandatory 10 dB night penalty prescribed by SANS 10103 and ICAO. Even with this conservative weighting, L_{Rdn} values remain low across all residential receptors. The NIA includes the correct long-term exposure metrics, incorporates single-event peak analysis and applies all required penalties. The predicted noise environment remains well below thresholds associated with meaningful adverse health or well-being effects and the assessment reflects both the technical and experiential dimensions of aircraft noise in a legally compliant manner.
		12. The NIA may purport to demonstrate that total noise may be unchanged, but fewer people get far worse exposure, producing intense localized annoyance that the metrics don’t capture or reflect accurately. In short, aircraft noise annoyance is	This argument is a repeat of multiple noise-related objections Garden Cities raised during the Scoping and EIAR comment phases and which have already been addressed in detail. Specialist response in Appendix 29D of the final EAIR (page 225):

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		underrepresented in the approach and methodology employed with regard to the Regulations. Add to that the complexity of human annoyance, political pressures, and limitations of standard metrics, and the result is standards that do not reflect lived experience. Aviation noise has particular characteristics (finite events, high peak levels) which may cause sleep disturbance at lower average levels than simpler continuous noise sources. Thus, even if the averaged night-time level seems “within guideline”, the actual human health and well-being impacts may still be significant.	<i>As required by South African regulations, the NIA follows SANS 10117:2009, which prescribes the use of LRdn noise contours to inform land use compatibility planning. These contours remain the primary regulatory benchmark for evaluating environmental noise around airports and are used nationally to assess residential and agricultural suitability.</i> <i>In recognition of the specific sensitivities of the surrounding land uses, such as residential estates, smallholdings, and livestock farming enterprises, the NIA also incorporated supplementary noise metrics, beyond what is required under SANS 10117. These include:</i> <i>• N70 and N60 contours: These represent the number of single noise events exceeding 70 dB(A) (typically linked to annoyance) and 60 dB(A) (linked to sleep disturbance).</i> <i>• Time-of-day exposure assessments, particularly to quantify night-time operations, which were shown to be limited (e.g., only three aircraft movements during night-time hours).</i> <i>These supplementary analyses allow the assessment to consider not only average daily exposure, but also event frequency and intensity, which are important for evaluating impacts on livestock, workers, and residents.</i> <i>The approach taken is both methodologically sound and sufficiently comprehensive to inform decision-making and mitigation planning in a context with diverse and sensitive land uses.</i> The same themes — that LRdn/LAeq averages “mask” peak noise, that aircraft noise produces “localized annoyance,” that finite events disturb sleep even at lower averages, and that standard metrics do not reflect “lived experience” were comprehensively answered in the Comment-and-Response Report and incorporated into the Noise

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			Impact Assessment, which assessed both peak-event levels (L_{Amax}) and day-night averages (L_{Rdn}). The Appellant provides no new acoustic evidence, no alternative modelling, and no technical critique to show any flaw in the NIA's methodology. Unsupported assertions cannot overrule a specialist report that complies with SANS 10103 and ICAO Annex 16.
		13. With regard to impacts on human health and wellbeing even a small number of nighttime flights can cause severe health issues and symptoms including sleep fragmentation, long-term cardiovascular stress. The City's "What is Noise?" educational material lists that noise interferes with sleep and health and notes that "Loss of sleep ... is a critical component of noise-related annoyance." There is no credible evidence tabled in the Final EIAR of the cumulative night-time aviation noise impact in the Cape Town International Airport (CTIA) / greater Cape Town area and how this cumulative impact compares with public-health noise recommendations.	The Appellant's assertions regarding night-time aviation noise and associated health risks are scientifically overstated, unsupported, and irrelevant to the validity of the Noise Impact Assessment (NIA). 1. The Appellant provides no specialist evidence. No medical expert report, epidemiological evidence, or independent acoustic assessment was submitted to substantiate claims of: "severe cardiovascular stress," "sleep fragmentation," or cumulative aviation noise burdens in Cape Town. Unreferenced general statements are not evidence and cannot displace a legally compliant NIA. 2. The claim relies on guidelines not incorporated into South African law. The Appellant cites WHO recommendations and City educational material. Neither: forms part of the Western Cape Noise Control Regulations, is incorporated into SANS 10103, or

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			is required in South African aviation noise assessments. The NIA correctly applied SANS 10103 and ICAO Annex 16, which are the legally recognised standards. 3. Assertions about “peaks causing harm even when averages comply” are already addressed in the NIA (refer Appendix 5 to the final EIAR The NIA assessed: • LAmax (peak event noise), • LRdn (day–night average), • frequency of aircraft events, and • exposure of sensitive receptors such as Greenville. The Appellant identifies no modelling error, no incorrect input, and no misapplication of standards. 4. The argument improperly generalises health research without linking it to the project or providing specific, analogous evidence. The Appellant only cites global studies in the abstract but does not demonstrate that: the modelled exposures in the NIA fall within harmful thresholds; any cumulative burden in the region is relevant to this project; or any regulatory requirement was breached. Generalised health claims cannot invalidate a project-specific noise assessment. 5. The claim about “cumulative night-time aviation noise in Cape Town” is irrelevant. The EIA process requires assessment of the impacts of the proposed

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			activity, not citywide aviation patterns or CTIA’s historical night noise footprint. The Appellant’s attempt to rely on broader metropolitan noise conditions has no basis in NEMA or the Noise Control Regulations.
		14. The result of the deficiencies in the NIA and Final EIAR create a mistrust in the ability and commitment of the Developer and the authorities to control and regulate noise impacts particularly when the proposed new airport will clash with the surrounding land uses. There is also a deep-seated concern about the inevitability of incremental changes over time to new flight paths and increased air traffic. The full spectrum of impacts have not been accounted for through the bare minimum approach to compliance with the applicable Regulations which cannot encode these psychological and social drivers.	CWA Response: This argument is based entirely on subjective mistrust and speculation, not on any technical or legal defect in the NIA or EIAR. Perceived “inevitable” future flight paths or psychological concerns are not impact-assessment criteria under NEMA, SANS 10103, or ICAO standards. The NIA applied the correct methodology, and the SIA already addressed community perceptions and sense-of-place issues.
		15. NIAs typically aim to demonstrate formula compliance with regulatory thresholds, not to guarantee the absence of community or environmental harm. The mere fact that the NIA may establish legal compliance with standards and regulations at best sets a minimum standard. The mere fact that the NIA has been undertaken in accordance with is not an assurance of no harm. Even when an NIA meets all statutory requirements the following concerns still prevail: 15.1. Thresholds often reflect political compromise, not scientific consensus on health effects. 15.2. Permitted daytime and nighttime noise levels are higher than the levels at which WHO, public health bodies, and academic research show adverse effects.	CWA Response: This ground of appeal is not new. Garden Cities raised the same assertions during the Scoping and EIAR comment phases — including claims that regulatory thresholds represent “political compromise,” that WHO limits are more stringent than South African standards, and that LAeq averages “mask” the disruptive nature of aircraft peak noise events. All of these issues were addressed in detail in the Comment-and-Response Report and evaluated by the noise specialist in the NIA (Refer Appendix 5 to the final EIAR). Response provided in Appendix 29D of final EIAR page 506: <i>“The U.S. Federal Aviation Administration (FAA) uses 65 dB DNL as a land use compatibility threshold—not as a direct health-based limit. It marks the point at which residential areas become eligible for federal noise mitigation measures (e.g., insulation or relocation). The U.S. Environmental Protection Agency (USEPA), in contrast, published</i>

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		15.3. NIAs rely on modelled averages (e.g., LAeq), which under-represent the disruptive nature of intermittent high-intensity noise events such as aircraft overflights.	<i>advisory recommendations in 1974 suggesting DNL limits of ≤55 dB for outdoor activity protection and ≤45 dB indoors, based on health and annoyance considerations. These are aligned with the World Health Organization (WHO) guidelines, which also favour a more conservative approach for long-term exposure.</i> <i>In South Africa, the NIA uses the LRdn metric, which is functionally equivalent to DNL/Ldn, incorporating a night-time penalty of 10 dB in line with SANS 10103 and SANS 10117. The thresholds applied, particularly the 55, 60, and 65 dB LRdn contours, align with international norms and allow for a nuanced assessment of both moderate and high noise exposure areas.</i> <i>While DNL/Ldn thresholds vary by jurisdiction and purpose (e.g., land use compatibility vs. public health), the NIA applies metrics and thresholds consistent with both national and international best practices, and does so in a conservative and precautionary manner.”</i> The NIA complied with SANS 10103, ICAO Annex 16, and the Western Cape Noise Control Regulations, which are the legally applicable standards for aviation noise assessment. WHO health guidelines are not incorporated into South African law and cannot invalidate a legally compliant noise assessment. The Appellant provides no specialist evidence or technical critique demonstrating that the NIA’s methodology or inputs were incorrect or insufficient.
		16. Thus, “legal compliance” does not mean “no significant adverse impact”—it merely means “meets the minimum standard required to obtain permission.”	CWA Response: The Appellant’s statement mischaracterises both the purpose and the legal standard of an Environmental Impact Assessment under NEMA. The objective of the EIA process is not to guarantee “no significant adverse impact,” but to:

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			1. identify, evaluate, and assess environmental and socio-economic impacts; 2. apply reasonable mitigation; and 3. enable the competent authority to make a lawful, informed, and balanced decision in accordance with section 24O and the NEMA principles. “Legal compliance” in this context does not mean “minimum standard”; it means the assessment was undertaken using the correct methodology, the correct regulatory framework, and independent specialist inputs, enabling a defensible decision. NEMA expressly recognises that sustainable development involves balancing social, environmental, and economic considerations — not eliminating all impacts. It is respectfully submitted that the applicant has met the minimum standard required to obtain that permission.
		Noise metrics used in NIAs can mask real-world harm 17. The NIA indicates that sound measurements of the continuous A-weighted equivalent sound pressure level (LAeq) at the five selected positions were performed, following the SANS 10103:2008 guidelines. As argued above, the standard NIA metrics (LAeq, 57 dB LOAEL contours, etc.) do not fully account for context of the receiving environment and aircraft noise which causes disproportionate disturbance compared with other noise sources due to sudden onset, high peak levels and Low-frequency components that travel long distances. In fact, using averaged metrics misrepresents the qualitative nature of the impacts because	CWA Response: This argument is not new. Garden Cities previously made the same assertions during the Scoping and EIAR phases — including that LAeq and other averaged metrics “mask” peak-event noise, that aircraft noise has sudden onset and high peak levels, that low-frequency components travel long distances, and that averaged metrics “hide” sleep disruption and annoyance. These issues were addressed in detail in the Comment-and-Response Report and evaluated within the Noise Impact Assessment, which modelled both L_{Amax} (peak) and L_{Aeq}/L_{Rdn} (averages) in accordance with SANS 10103 and ICAO Annex 16.

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		it smooths out high-amplitude events and hides the experienced annoyance and sleep disruption	Response provided in Appendix 29D of the final EIAR page 229: <i>“The N70 metric does not obscure the actual sound levels; it is calculated using detailed event-level sound exposure modelling that includes maximum A-weighted sound levels (Lmax) for each aircraft type, route, and operational mode.</i> <i>While the NIA does not report each individual Lmax values in the main text (as this would result in hundreds of entries), the modelled exceedance thresholds inherently reflect how far above 70 dB(A) typical events reach. For example, most general aviation and regional jets produce Lmax values in the 72–85 dB(A) range at receptors directly under the flight path. This information incorporated in the modelling outputs used to generate the N70 contours.</i> <i>The NIA does not omit the actual noise levels. It uses internationally recognised exceedance-based modelling that is calibrated on real Lmax values and applied across the spatial footprint of the study area. The N70 metric reflects both frequency and intensity indirectly, and is standard in the field for assessing community exposure. Thus, the assertion that actual noise levels are absent or unclear is not supported by the technical structure of the report.”</i> The Appellant provides no independent acoustic analysis or technical critique demonstrating any modelling error or regulatory non-compliance.
		Aviation night noise levels will exceed public-health recommendations 18. There is reason to believe some night-time aviation noise exposures in Cape Town exceed the ideal health-based targets (like WHO’s ~ 40 dB(A) at night). If modelling indicates residents near	CWA Response: This argument simply repeats Garden Cities’ earlier claims that WHO health-based noise guidelines are more stringent than South African regulatory standards and that night-time exposures may exceed

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		flight paths may receive ~ 49 dB(A) (or higher) at night (or averaged day-night), that exceeds the ideal WHO target of ~ 40 dB(A). Whereas the regulatory guideline may permit higher levels (e.g., 45 dB(A) or more) before action triggers. So, while compliance with local regulation may be achieved, local regulation may be less stringent than the optimal health-based target.	WHO's 40 dB(A) target. These identical points were raised during the EIAR comment phases and were fully addressed in the Comment-and-Response Report Response provided in Appendix 29D page 239: <i>The Noise Impact Assessment (NIA) applies industry-standard and regulator-accepted cumulative and event-based metrics that are appropriate to the South African context, while also aligned with international practice. These include:</i> • <i>LRdn (equivalent to Ldn or DNL) for cumulative exposure, incorporating a 10 dB night penalty;</i> • <i>N70 and N60 metrics for quantifying the number of events exceeding 70 dB(A) during the day-night period and 60 dB(A) during night hours, respectively</i> <i>The N70 metric is widely used internationally (e.g. Australia, UK) as a threshold of moderate to high concern for disturbance and community annoyance. The N60 metric already provides a more conservative view for night-time operations, when sensitivity is higher. While N55 or N45 could theoretically be calculated, these thresholds are not in routine use in regulatory practice because lower thresholds tend to overstate concern in areas where ambient background levels (especially in urban fringe or mixed-use areas) already exceed 50–55 dB(A).</i> <i>Regarding the City of Cape Town's MSDF risk contour, the CoCT uses a 65 dB(A) LRdn cumulative threshold to demarcate a noise-sensitive risk zone. The NIA does incorporate and present the 65 dB(A) LRdn contour, clearly showing that it remains within the CWA property boundary, even under full operational scenarios. Therefore, the reference to N65 in this context is a misunderstanding as the MSDF guidance is based on LRdn, not N65 (i.e., the number of events above 65 dBA), and the NIA correctly applies the appropriate metric.</i>

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			<i>Finally, while international bodies like the US EPA and WHO provide valuable health-based guidance (e.g. DNL ≤ 55 dB), those are not regulatory thresholds. In South Africa, the SANS 10103 standard governs environmental noise assessments and sets locally appropriate limits based on land use, background conditions, and acceptability criteria.</i> <i>In conclusion, the NIA's approach is both methodologically sound and policy-compliant, using conservative and internationally accepted metrics. It balances community protection, regulatory alignment, and data interpretability without overstating impacts through the use of marginal or unsupported thresholds.</i> Moreover, WHO thresholds are not incorporated into South African law, are not referenced in SANS 10103, and do not form part of the Western Cape Noise Control Regulations. The Noise Impact Assessment applied the correct legal standards: SANS 10103 and ICAO Annex 16. Compliance with these is the applicable requirement under NEMA. The Appellant provides no technical evidence demonstrating any modelling error or regulatory non-compliance.
		19. In some communities around Cape Town, aviation night noise levels already exceed the best public-health recommendations (WHO's ~ 40 dB(A) Lnight) — though they may still comply with local regulatory or planning guidance (e.g., SANS district levels, City-mapping). This illustrates:	
		19.1. Specific numbers for aircraft operations (take-offs/landings at night) in Cape Town require monitoring data which may not be publicly summarised for all communities.	CWA response: Substantively, the argument is misplaced and irrelevant. The Noise Impact Assessment is based on predictive modelling, which is the correct and legally required method under SANS 10103, ICAO Annex

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			16, and the Western Cape Noise Control Regulations for assessing proposed aviation projects. Monitoring data from elsewhere in Cape Town (including CTIA) is not required, because NEMA requires an assessment of the impacts of the proposed activity, not a retrospective citywide noise audit. No evidence is provided to suggest that the NIA used incorrect assumptions or that the modelling lacks accuracy. Accordingly, this point is unfounded.
		19.2. Mitigation (insulation, flight path design, night-restrictions) may help reduce actual exposure matters more than just average guideline levels.	CWA response: Although this precise wording was not used previously, Garden Cities already raised the same mitigation-related concerns during the EIAR process, including demands for insulation, flight-path redesign, and restrictions. These were responded to in the Comment-and-Response Report and incorporated into the Noise Impact Assessment and EMPr. Substantively, the argument is incorrect. Mitigation measures were considered and assessed, including: • peak-event noise modelling (L_{Amax}), • land-use planning compatibility, • flight-path alternatives, • operational mitigation, and • building-envelope mitigation options. The Appellant provides no acoustic evidence, no modelling, and no technical critique to demonstrate that mitigation is inadequate or improperly assessed.

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			Further, NEMA does not require an EIA to guarantee that mitigation “matters more” than guideline levels — it requires that impacts are identified, assessed, and reasonably mitigated, which was done. The claim relies on speculative assumptions about future airport operations and provides no evidence of any regulatory non-compliance. Response related to insulation, night time restrictions and flight path design provided in Appendix 29D page 283: <i>The Environmental Management Programme (EMPr) and Noise Impact Assessment (NIA) acknowledge that the specific details of the Noise Mitigation and Management Plan (NMMP) will be finalised post-authorisation through a collaborative process with relevant stakeholders. This approach is standard and fully compliant with EIA practice, particularly for infrastructure projects where operational procedures—such as flight paths and scheduling—are refined after environmental approval and in coordination with aviation authorities.</i> <i>The post-mitigation significance ratings in the NIA are based on the reasonable and conservative assumption that the identified mitigation measures are technically feasible, commonly implemented at similar airports, and would be applied as part of the NMMP. These measures include operational controls, land use buffers, possible insulation of receptors, and restrictions on nighttime flying—many of which are already within the airport’s control or under the jurisdiction of regulating authorities such as the SACAA and ATNS.</i> <i>The ratings do not assume perfect mitigation but rather reflect a plausible and enforceable outcome based on a commitment to adaptive management. This is a precautionary yet pragmatic approach, allowing environmental authorisation to proceed while ensuring that final mitigation details are tailored through a</i>

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		Underestimation of impacts by using optimistic assumptions 20. Legally compliant NIAs, such as that informing the Final EIAR, often rely on assumptions that minimise apparent noise exposure: 20.1. Forecast air traffic may be lower than actual future demand, leading to underestimation. 20.2. Fleet mix assumptions (e.g., “quieter” next-generation aircraft) are often optimistic. 20.3. Weather and runway use assumptions may not reflect worst-case conditions. 20.4. Baseline conditions may be taken at quieter periods, reducing predicted relative increases.	<i>stakeholder-driven process, as is typical for complex, phased aviation projects. Therefore, the basis for the post-mitigation ratings is both justifiable and aligned with regulatory expectations.</i> CWA Response: The allegation that the Noise Impact Assessment (NIA) used “optimistic assumptions” is entirely unsubstantiated and not supported by any counter-modelling or expert evidence from the Appellant. The NIA applied conservative and internationally recognised methodologies, including ICAO Annex 16, SANS 10103, and forecast scenarios aligned with industry norms. The Appellant identifies no modelling error, no incorrect input data, and no misapplication of regulatory methodology. Generalised speculation about future traffic, fleet mix, weather or baseline conditions does not constitute evidence, nor does it establish any defect in the Final EIAR. 20.1 There is no evidence that the traffic forecasts used in the NIA are incorrect. They follow accepted aviation planning practice and are consistent with industry-standard forecasting methodologies. The Appellant provides no alternative forecast and no expert analysis. Speculation about future demand—without data—cannot invalidate a legally compliant NIA. 20.2 The fleet mix used in the NIA reflects current and foreseeable fleets typically used in South African domestic operations. The Appellant provides no evidence of any incorrect fleet assignments or unrealistic assumptions. Fleet mix assumptions are standardised, transparent inputs in aviation NIAs; disputing them requires technical evidence, not conjecture.

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			20.3 Runway use and weather assumptions were modelled according to accepted ICAO methodologies, not subjective “worst-case” speculation. NIAs do not model hypothetical extremes; they model realistic operational scenarios. The Appellant provides no meteorological evidence, no runway-use analysis, and no expert critique to support this claim. 20.4 The baseline noise assessment followed SANS 10103 measurement protocols and was independently conducted at multiple representative locations. There is no evidence that measurements were taken at atypically quiet periods. The Appellant’s speculation is not supported by any monitoring data, site measurements, or expert opinion.
		21. Thus, even legally sound assessments produce systematically conservative (understated) results.	CWA response: The statement that “legally sound assessments produce systematically conservative (understated) results” is unsupported, incorrect, and not grounded in any acoustic science or regulatory principle. Legally compliant NIAs do not “systematically understate” impacts; they follow recognised international standards (ICAO Annex 16), national standards (SANS 10103), and accepted modelling methodologies, all of which are designed to produce accurate, not optimistic, community exposure predictions. In the absence of any demonstrable modelling error, incorrect input, or methodological flaw, the Appellant’s statement amounts to nothing more than a generalised opinion, not a valid basis for appeal.

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		Noise impacts are incompatible with key dimensions of sustainable development 22. Sustainable development requires balancing economic viability, environmental protection and social well-being. The new CWA airport is a large-scale infrastructure intervention which directly undermines environmental protections and human well-being by inducing large, permanent, and expanding noise footprints.	CWA Response The Appellant's assertion that the airport is "incompatible" with sustainable development is legally and factually incorrect. NEMA does not require the elimination of all noise nor prohibit infrastructure that generates environmental impacts; it requires that impacts are properly assessed, reasonably mitigated, and balanced against social and economic considerations. The Final EIAR did exactly this through a comprehensive suite of specialist studies, including noise, social, visual and planning assessments, with mitigation incorporated into the EMPr. The Appellant offers no technical evidence showing any flaw, exaggerates the scale and permanence of impacts, and relies on broad generalisations rather than analysis. Strategic infrastructure such as airports routinely operates alongside communities, consistent with sustainable development principles. This claim therefore lacks merit and must be dismissed.
		23. Aircraft noise has well-evidenced links to public health impacts such as cardiovascular disease, hypertension, learning impairment in children, elevated stress and anxiety and reduced sleep quality. These long-term health impacts of the project place a significant and disproportionate burdens on local communities contradict sustainable development principles regarding quality of life and well-being.	Specialist response: While international research has shown that chronic exposure to high levels of aircraft noise can be associated with public-health concerns such as hypertension, cardiovascular strain, sleep disturbance and, in some settings, learning impairment in children, these effects occur only at sustained noise-exposure levels far above those predicted for the communities surrounding Cape Winelands Airport (CWA). The claim therefore does not align with the actual findings of the CWA Noise Impact Assessment Report, which used ICAO- and FAA-aligned modelling to quantify expected noise exposure at all residential and sensitive receptors. The CWA Noise Impact Assessment shows that no residential area, school, or sensitive receptor in the surrounding communities is

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			exposed to aircraft noise levels approaching those associated with the adverse health outcomes cited in the international literature. The highest predicted day-night L_{Rdn} values fall well within the SANS 10103 recommended limits for both urban residential and educational environments. In the CWA study area, typical predicted exposures range predominantly between 40–50 dB(A), with occasional short-duration maximum events (L_{Amax}) that remain consistent with accepted thresholds for areas located near airport facilities. The health effects described in the comment, including cardiovascular disease, chronic hypertension, and measurable learning impairment, are generally associated with long-term exposure above approximately 55–65 dB(A) L_{Aeq}, with many studies identifying thresholds closer to 65–70 dB(A) before statistically significant risks are observed. The CWA NIA demonstrates that the predicted aircraft noise levels fall well below these thresholds, meaning the exposure environment does not fall within the range typically linked to the long-term health effects cited. As such, the scientific mechanisms underlying those effects, i.e. chronic stress load, elevated allostatic pressure, long-duration sleep fragmentation, are not triggered under the noise conditions predicted at CWA. Importantly, the CWA Noise Impact Assessment evaluates both current and future operational scenarios and consistently finds that no community is subjected to noise levels that would constitute a disproportionate burden or a violation of sustainable-development principles. Noise contours remain tightly constrained around the airfield, and surrounding residential areas, including Fisantekraal, do not fall within the high-exposure bands associated with measurable public-health impacts in the international evidence base. As a result,

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			the assertion that the project will produce learning impairment in children or significant negative cardiovascular or sleep-related effects is not supported by the modelled exposure data. The CWA Noise Impact Assessment therefore provides clear evidence that aircraft noise levels in adjacent communities do not meet the conditions under which public-health impacts have been observed in global epidemiological studies. While it is correct that such effects can occur at high levels of chronic exposure, those exposure levels are not present in the CWA context as demonstrated by the ICAO/FAA-aligned modelling. CWA Response The Appellant's reference to generic global literature on aircraft noise and public-health impacts is not linked to any evidence of actual exposure levels predicted for the CWA project, nor to any identified exceedance of South Africa's legally applicable noise standards. No medical specialist input, epidemiological study, or acoustic modelling has been submitted to demonstrate that the Noise Impact Assessment understates exposure, that predicted levels exceed any recognised South African health thresholds, or that residents will experience the levels of noise associated with the cited long-term health effects. The Noise Impact Assessment was undertaken using SANS 10103 and ICAO Annex 16, which are the required standards in South Africa, and already incorporate human health and well-being considerations through the recognised community response curves and rating levels. Sustainable development under NEMA requires a balanced assessment, not zero impact, and does not incorporate WHO guidelines or foreign health studies as binding norms. Airports

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			routinely operate adjacent to residential areas across South Africa and globally without being deemed inherently contrary to sustainable development. In the absence of any project-specific evidence, the Appellant’s argument consists of generalised assertions disconnected from the modelled CWA noise environment and therefore fails to demonstrate any defect in either the NIA or the Final EIAR. It must be dismissed.
		24. Sustainable development explicitly requires equitable distribution of burdens and benefits. The impact places a disproportionate burden on local communities because the noise exposure is not evenly distributed. The proposed new airport directly implicates the Greenville development as it places the heaviest impacts on a limited number of communities. It also reduces property values in specific localities such as the Greenville Development.	EAP Response: The community in close proximity is medium to low income, they stand to benefit from the CWA. The NIA is clear where noise impacts will occur and where not. Impacts on property values were assessed as part of the SIA (Appendix 23 to the final EIAR page 78). CWA Response: This argument is not new — Garden Cities previously raised identical concerns during the Scoping and EIAR comment phases, including assertions that (i) noise exposure would fall disproportionately on Greenville, (ii) impacts would not be “equitably distributed,” (iii) property values would decline, and (iv) sustainable development principles were not being upheld. These concerns were comprehensively addressed in the Comment-and-Response Report. Response provided in Appendix 29D of the final EIAR page 266: <i>While it is acknowledged that noise impacts are spatially localised, the assertion that the costs are borne exclusively by nearby communities while the benefits accrue only to airport users oversimplifies both the distribution of impact and the wider socio-economic benefits of the Cape Winelands Airport (CWA) project.</i>

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			<i>The Draft Environmental Impact Report (DEIR) outlines that CWA will deliver regional benefits, including job creation, skills development, increased connectivity, economic upliftment, and expanded access to air travel—particularly in the northern parts of Cape Town and the Cape Winelands District, which are currently underserved. Many of these long-term beneficiaries include the very communities in proximity to the airport, such as Fisantekraal and Klipheuwel, which suffer from high levels of unemployment and limited economic opportunity.</i> <i>Moreover, the Noise Impact Assessment (NIA) identifies affected areas with precision and proposes mitigation measures including land use buffering, operational controls, and the development of a Noise Mitigation and Management Plan (NMMP). This reflects a commitment to actively manage and reduce potential impacts—not to shift the burden without recourse.</i> <i>The framing of this issue as a binary conflict between burden and benefit ignores the integrated nature of the project, which is designed to ensure that those most affected also stand to gain the most in terms of infrastructure, mobility, and employment. The EIA process has transparently acknowledged trade-offs and has put forward mitigation and adaptive management tools to address them responsibly.</i> Substantively, the contention is incorrect. The Social Impact Assessment (SIA) expressly considered Garden Cities (GC) and the ongoing Greenville development as primary sensitive receptors, including: • alignment with the sequencing of GC’s future construction phases;

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			• assessment of sense-of-place impacts on existing and planned GC neighbourhoods; • evaluation of noise exposure patterns and how these relate to surrounding communities; • assessment of property value implications across the study area, including the Greenville Development itself; and • distributional impacts across communities, including equity considerations. The SIA found no evidence that Greenville bears a “disproportionate” or “unreasonable” burden relative to other surrounding land uses, and concluded that impacts are manageable with proposed mitigation. Sustainable development under NEMA does not require perfectly even distribution of impacts; it requires that impacts are identified, assessed, mitigated, and balanced alongside environmental and socio-economic benefits. The Appellant provides no specialist evidence, no property valuation study, and no counter-SIA analysis to demonstrate that the EIAR’s findings are incorrect. Accordingly, this ground of appeal d fails to demonstrate any defect in either the SIA or the Final EIAR.
		25. Sustainable development requires futureproofing, particularly in the context of increasing global concerns regarding the devastating impacts of climate change and those activities that directly contribute to escalating the potential harm associated with climate change. From a noise perspective hmm airport noise exposure locks in permanent and escalating harm. This flies in the face of the precautionary principle	CWA Response : The assertion that the approach taken is contrary to the precautionary principle and the objectives of EIA is incorrect. The Noise Impact Assessment (NIA) and DEIR take a precautionary and phased approach, consistent with both South African EIA regulations and international best practice. The potential noise impacts have been comprehensively assessed using conservative assumptions, including: - A range of operational scenarios (from 29 to 208 ATMs/day),

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			- A representative fleet mix including large commercial aircraft, - Spatial mapping of Ldn, N70, and N60 contours, - Identification of sensitive receptors and cumulative exposure. This approach ensures that the worst-case and long-term scenarios are fully understood, not understated. The proposed Noise Mitigation and Management Plan (NMMP) allows for refinement and stakeholder consultation post-authorisation—this is not a gap in analysis but a practical mechanism for continuous impact management, especially where operational procedures (e.g. flight paths) will only be finalised through regulatory aviation processes. Mitigation measures have been clearly identified, and the environmental authorisation process includes enforceable conditions, ensuring that commitments made in the DEIR are not optional, but subject to implementation, oversight, and monitoring. Thus, the EIA process as applied here is precautionary, transparent, and legally compliant. It recognises the complexity of airport development while ensuring sufficient detail for robust, responsible decision-making. Specialist response: The comment that “airport noise exposure locks in permanent and escalating harm” is not consistent with either the CWA Noise Impact Assessment (NIA) results nor with how sustainable development and the precautionary principle are applied in environmental law and aviation practice. The CWA NIA, using ICAO/FAA-aligned modelling and SANS 10103/SANS 10328 methodologies, shows that long-term day–night average noise levels (L_{Rdn}) in surrounding communities, including Greenville, Garden Cities and Fisantekraal, lie predominantly in the 40–50 dB(A) range. Only a very small area at the future eastern boundary of Greenville (receptors R20–R21, particularly R21 at the runway edge) approaching or exceeding 55 dB(A) in a worst-case, full-

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			capacity scenario. These levels fall within, or very close to, the “acceptable” residential bands used in SANS 10103, and are well below the 65–70 dB(A) ranges where international health literature begins to show robust cardiovascular or cognitive risks for long-term exposure. ICAO’s Balanced Approach to Aircraft Noise Management requires that airports periodically review and adjust operational procedures, fleet mix, land-use planning and operating restrictions in response to technological change and community impact, rather than fixing a static noise footprint indefinitely. Newer aircraft are consistently quieter than legacy types and international trends show that noise footprints around many major airports have shrunk over time even with growth in movements, due to quieter engines, steeper climb profiles and operational restrictions. In this context, the CWA NIA has already adopted conservative, future-scenario modelling and includes management measures that can be strengthened if monitoring indicates higher-than-expected impacts, which is exactly how the precautionary principle is meant to operate. In South African, the precautionary principle (as set out in NEMA) does not require refusal of any project with a non-zero impact. NEMA requires that potential significant harm be identified, assessed with best-available science and managed or mitigated where there is scientific uncertainty. The CWA NIA does precisely this, i.e. it quantifies current and future aircraft-noise exposure, compares those levels to SANS 10103 rating curves and international health thresholds and finds no significant adverse noise impacts for the vast majority of receptors, with a small localised area at the runway boundary identified and explicitly characterised. In addition, with only three night operations per day (all before 23h00) already included in the L_{Rdn}

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			with the full 10 dB night penalty, and with predicted levels remaining in the low- to mid-40s dB(A) across most of the residential fabric, there is no evidence of “permanent and escalating harm”. For CWA, the evidence from the NIA shows a moderate, spatially limited noise footprint, compatible with existing surrounding land uses under SANS 10103, combined with recognised tools for future adaptation, such as operational changes, land-use controls, fleet modernisation and monitoring. On this basis, the project, as currently assessed, does not amount to a permanent and escalating noise harm and is consistent with a precautionary, sustainable-development approach grounded in measured and modelled exposure rather than speculative worst-case assumptions.
		Noise Impacts are long-term, irreversible, and likely to worsen over time 26. An inevitable aspect regarding the long-term incompatibility of land uses in the long term is that airports tend to expand; operations intensify; and communities grow around infrastructure. Therefore, noise contours almost always grow rather than shrink. The traditional motivations used to obtain environmental and planning approvals is based on “quiet aircraft” improvements and technology. Any such improvements are offset by increased flight frequency. Once an airport is built, noise-exposed communities have no practical recourse.	CWA Response: The assertion that airport noise contours “almost always grow rather than shrink” is unsupported, speculative, and factually incorrect. Noise contours change over time based on regulated operational limits, technological improvements, fleet modernisation, and airspace management, not on inevitability. Globally and in South Africa, noise footprints around many airports have shrunk over the last two decades as a result of more efficient engines, quieter airframes (body/mechanical structure of the aircraft), and performance-based navigation. The Noise Impact Assessment (NIA) modelled future operational scenarios using ICAO-compliant inputs, including realistic fleet mixes and operational assumptions. The Appellant provides no acoustic modelling, no expert evidence, and no data showing that CWA’s contours will expand, or that the NIA used incorrect assumptions. Speculation about hypothetical future expansions or unlimited traffic growth is not part of the legal test

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			under NEMA. The EIA must assess the impacts of the proposed activity, not unconstrained or imaginary future scenarios. Any future operational changes would require separate regulatory approvals, including updated noise assessments where applicable, meaning affected communities do, in fact, have procedural recourse. Claims that “once an airport is built, communities have no practical recourse” are simply wrong. Airports in South Africa operate under SACAA licensing, Part 139 regulatory oversight, municipal land-use controls, and may be subject to future amendments to authorisations should operations materially change. Accordingly, the appeal point is unsupported and speculative, and must be dismissed.
		Monitoring 27. Post-authorisation noise monitoring is often used at new airports to check whether predicted noise levels match real-world outcomes. However, it is an inadequate tool for applying the impact-mitigation hierarchy. Monitoring happens after impacts occur.	CWA Response The Appellant’s claim misunderstands the purpose of post-authorisation noise monitoring. Monitoring is not a substitute for impact assessment nor is it intended to “apply” the mitigation hierarchy. Rather, it is a required and internationally recognised compliance tool used to: 1. verify model accuracy, 2. ensure adherence to authorised operational parameters, and 3. trigger additional management actions if deviations occur. This is exactly how monitoring is used at airports worldwide and within South Africa’s regulatory framework. Monitoring is a core component of adaptive management, which is itself a recognised part of the mitigation hierarchy under NEMA. The hierarchy does not prohibit activities until every conceivable impact is avoided; it

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			requires reasonable prediction, mitigation, and post-authorisation oversight — which is precisely what the EIAR and EMPr provide. The Appellant offers no evidence that the predictive modelling is flawed, nor that monitoring is inadequate or inappropriate. Monitoring is a standard, necessary, and legally compliant safeguard, not an indicator of assessment deficiency. Accordingly, this argument is incorrect, unsupported, and irrelevant regarding the validity of the EIAR.
		27.1. The mitigation hierarchy prioritises avoiding impacts before they happen, whereas post authorisation monitoring only measures noise after the airport is already operating, which means in turn that (1) affected communities may already be exposed to significant disturbance; (2) avoidance and minimisation opportunities (e.g., runway location, flight paths, operational restrictions) are no longer realistically available; and (3) it turns noise into a compliance exercise rather than a planning-stage mitigation process.	EAP response: The TOR for specialist studies included the following requirement: Consider the mitigation hierarchy to reduce development impacts and to control negative effects on the environment. (refer section 8 in the amended draft EIAR), so the consideration of the mitigation hierarchy was included in specialist reports prior to development of their impact assessments and mitigation recommendations in the amended draft EIAR. The mitigation hierarchy was applied to the biophysical aspects on the application area. With reference to noise impact refer to by the I&AP, the proposed project is for expansion of an existing airport at this site, with existing impacts (inclusive of noise). A NIA was conducted and mitigation were proposed. Important to note that the I&AP's site forms part of the future urban environment and development still needs to take place. It's argued that some of the rights have lapsed and that some application procedures are still required. Considering this, the adjustment required is planning related because the development is far from being implemented. Integrated planning between surrounding properties that is also in a planning phase is therefore regarded as the best mitigation action considering it can result in a

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			functional urban environment with optimal socio-economic opportunities.
		27.2. Even when monitoring identifies noise problems often the impact already occurs before any corrective action is possible, contradicting the hierarchy's preventative intent, and defeating the principal object of the EIA process. Monitoring as a type of post-authorisation mechanism lacks strong, enforceable consequences. The relevance of monitoring in the post authorisation stage is also illustrated by likely future adjustments to the CWA Project including for example effective mitigation through the re-routing aircraft, and further restricting night f lights may be politically or operationally difficult once the airport is functioning.	CWA Response The Appellant again mischaracterises the purpose of post-authorisation monitoring under NEMA. Monitoring is not intended to prevent impacts before they occur; rather, it forms part of an adaptive management framework, which is expressly contemplated in the EIA Regulations and consistent with the mitigation hierarchy. The hierarchy requires impacts to be avoided where reasonable, minimised where avoidance is not possible, and managed through ongoing operational controls. Monitoring is a critical component of this process and allows authorities to enforce compliance, to verify modelling accuracy, and — where necessary — to impose further conditions or corrective measures. The assertion that monitoring “lacks strong, enforceable consequences” is factually incorrect. Post-authorisation monitoring is embedded in the EMPr and enforceable under NEMA, the Noise Control Regulations, and SACAA Part 139. Any deviation from authorised limits or operational parameters may trigger compliance enforcement, amendments to licence conditions, operational restrictions, or administrative action under section 24E or 24F of NEMA. Speculation about hypothetical future “political or operational difficulty” in adjusting flight paths or imposing operational restrictions is irrelevant and unsupported. Changes to flight routing, operational hours, or mitigation measures remain subject to legal and regulatory controls, regardless of whether the airport is operating.

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			The appeal point therefore reflects speculation, incorrect legal assumptions, and no evidence of any defect in the EIAR or monitoring framework. It must be dismissed.
		28. An inherent flaw in monitoring as an effective mitigation strategy is that there may be long delays between detection, analysis, and any intervention. Thus, monitoring provides information, not meaningful mitigation. Furthermore, monitoring typically uses metrics such as LAeq or Lden, which can, as argued in this Appeal, mask peak noise events which directly affected communities often find most disruptive. As a result, real-world impacts on human health and well-being may be underestimated, reducing the ability to deliver targeted mitigation identified in the Final EIAR.	CWA Response: The Appellant again misstates the purpose and function of post-authorisation noise monitoring. Monitoring is not a mitigation measure by itself — it is a compliance, verification, and adaptive-management tool required under NEMA and the EIA Regulations. Its role is to confirm modelling accuracy, ensure adherence to authorised operational limits, and enable authorities to impose additional measures if deviations occur. This is standard practice for airports globally and forms part of the accepted mitigation hierarchy. There is no evidence that monitoring will involve “long delays” or that intervention would be ineffective. Monitoring conditions in the EMP are legally enforceable, and any exceedances can trigger corrective action, licence amendments, or enforcement under NEMA, Part 139, or the Noise Control Regulations. The argument that monitoring “masks peak noise events” is incorrect and repetitive. Peak noise (L_{Amax}) was already assessed in the NIA alongside long-term metrics such as LAeq and LRdn, in line with SANS 10103 and ICAO Annex 16. These metrics are the legally recognised standards in South Africa for evaluating community noise exposure. The Appellant provides no acoustic evidence showing any mismeasurement or underestimation.

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			Claims that “real-world health impacts may be underestimated” are speculative, unsupported by any expert report, and unrelated to the actual modelled outcomes. Accordingly, paragraph 28 is incorrect, unsubstantiated and must be dismissed.
		29. Noise monitoring does not address distributional and equity issue because it is aggregated across zones rather than identifying vulnerable groups (such as schools, places of worship, hospitals, low-income areas). This highlights the disproportionate burdens on specific communities and raises concerns about environmental justice and creating new noise nuisance “hotspots” – where none previously existed - created by actual flight behaviour.	CWA Response: The Appellant’s claim misunderstands both the purpose of noise monitoring and the content of the Noise Impact Assessment (NIA). Substantively, the NIA and Social Impact Assessment (SIA) did identify vulnerable and noise-sensitive receptors — including schools, places of worship, residential areas, and community facilities — as required under SANS 10103 and the EIA Regulations. These receptors were assessed individually, not “aggregated across zones,” and the modelling explicitly mapped exposure across the Greenville development and other surrounding communities. The claim that vulnerable groups were “not identified” is factually incorrect. Noise monitoring is not intended to perform distributional or equity analysis; that role belongs to the pre-authorisation specialist assessments, which have already been carried out. Monitoring is a verification and compliance mechanism, not a duplication of the SIA or NIA. The Appellant provides no evidence — acoustic, social, or spatial — to suggest that any “hotspots” will be created, nor does it identify any flaw in the modelling assumptions regarding flight paths or exposure zones.

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			Assertions of “environmental justice” concerns are speculative and unconnected to any actual modelled impact from the CWA project. These generalised statements do not identify a defect in the EIAR or NIA. Accordingly, paragraph 29 is incorrect and unsupported, and should be dismissed.
		30. Monitoring programmes are often limited in scope and duration because they have limited scope of operation (duration) or use sparse monitoring stations that miss localised effects (inadequately spatialised monitoring zones). This makes it incomplete and biased, undermining its value for mitigation.	CWA response: Substantively, the claim is incorrect and speculative. The EIAR does not prescribe “limited” or “sparse” monitoring. The EMPr provides for legally enforceable, fit-for-purpose monitoring, aligned with South African noise regulations, SANS 10103, and SACAA Part 139 requirements. Noise monitoring stations can be added, repositioned, or intensified based on operational data, and monitoring protocols are routinely refined as part of adaptive management — an accepted and standard component of environmental governance. The Appellant provides no evidence that the proposed monitoring will be incomplete, biased, or incapable of identifying localised effects. Nor does it identify any flaw in the modelling that monitoring is intended to verify. Assertions about “inadequately spatialised zones” are made without referencing any alternative methodology, monitoring protocol, or acoustic standard. Monitoring is not a mitigation measure by itself; it is a compliance and verification mechanism designed to support enforcement and corrective action when required. This aligns fully with NEMA and international best practice. Accordingly, the appeal point is unsupported and speculative, and must be dismissed.

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		31. The mitigation hierarchy requires avoiding harm to sensitive receptors, which monitoring alone cannot ensure. Even if modelling assumptions are optimistic based on predictions regarding aircraft fleet mix, operational procedures, or weather patterns the fact remains that monitoring can only reveal the error; it cannot correct for flawed modelling. Thus, post-authorisation monitoring is reactive, not proactive and is meaningless in the sense of it is not capable of adhering to or implement the mitigation hierarchy. Where monitoring indicates or confirms an “overshoot” in predicted impacts this leaves little room for true effective mitigation.	CWA Response: The Appellant fundamentally misinterprets the mitigation hierarchy and the role of monitoring within the EIA regime. The hierarchy requires that impacts be avoided where reasonably possible, minimised where avoidance is not feasible, and managed and monitored through enforceable operational controls. It does not require the elimination of all noise, nor does it require pre-emptive correction of hypothetical modelling errors. South African law expressly recognises adaptive management as a legitimate and necessary component of the mitigation hierarchy, with post-authorisation monitoring forming an integral part of that approach. The claim that monitoring is “meaningless” or “incapable” of supporting the hierarchy is incorrect. Monitoring enables the competent authority to verify modelling accuracy, enforce compliance with noise-related conditions, and impose corrective measures or licence amendments if deviations occur. These mechanisms are fully enforceable under NEMA, the Noise Control Regulations, and SACAA Part 139, meaning monitoring is neither passive nor reactive, but part of an established compliance framework. Speculation about “optimistic” fleet mixes, weather patterns, or operational procedures is not supported by any technical evidence and ignores the fact that the Noise Impact Assessment used ICAO-compliant, SANS-aligned modelling based on realistic and transparent inputs. The Appellant provides no counter-modelling or expert evidence showing that the NIA is flawed. The argument that an “overshoot” leaves “little room for mitigation” is incorrect, as adaptive management and licence conditions provide for continuous adjustment of operational parameters, including routing, procedures, and mitigation strategies, should this ever be required.

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			Accordingly, paragraph 31 is speculative and unsupported, and provides no basis to challenge the validity of the EIAR or the NIA
		The impact on human health and well-being and “quality-of-life” effects are underrepresented 32. Noise nuisance and annoyance is dismissed in the EIA process as an automatic and inevitable consequence of the Project, yet this impact is recognised by health authorities globally as a legitimate health outcome, associated with the proposed airport’s inevitable impact on reduced outdoor recreation or to enjoy gardens or public spaces; and results in higher stress hormone levels.	CWA Response: This argument is not new. Garden Cities repeatedly raised the same themes during the EIAR comment phases — including claims that aircraft noise causes “annoyance,” reduces quality of life, affects outdoor recreation, disrupts daily living, and produces stress-related effects. These concerns were comprehensively addressed in the Social Impact Assessment (SIA) and the Noise Impact Assessment (NIA) and responded to in the Comment-and-Response Report. Previous response in Appendix 29D of the final EIAR page <i>The Noise Impact Assessment (NIA) was conducted in full compliance with the following, which are both nationally recognised standards, and are aligned with international best practice in environmental noise assessment:</i> • <i>SANS 10117, which prescribes methodology for calculating aircraft noise exposure using models such as the Integrated Noise Model (INM); and</i> • <i>SANS 10103, which establishes guidelines for acceptable noise levels relative to land use.</i> <i>The NIA followed a scope addressing multiple dimensions of impact including:</i> • <i>LRdn contours (reflecting day-night average noise exposure, incorporating night-time penalties for sleep sensitivity);</i> • <i>N70 event counts (capturing frequency of noise events exceeding 70 dB(A) during the day, linked to speech interference and annoyance);</i>

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			• <i>N60 event counts (capturing night-time exceedances above 60 dB(A), directly aligned with WHO guidance on sleep disturbance thresholds).</i> <i>The above ensures the assessment covers both cumulative exposure and single-event intrusions, directly tying to health and wellbeing considerations.</i> <i>The Impact assessment methodology included:</i> • <i>Modelling of future noise contours under multiple operational scenarios;</i> • <i>Explicit consideration of sensitive receptors, including current and planned residential areas;</i> • <i>Use of supplementary metrics such as N60 and N70 event counts to evaluate short-term sound exposure and sleep disturbance potential.</i> <i>This assessment offers a quantitative, spatially detailed foundation for understanding potential noise impacts and planning for mitigation.</i> <i>In addition, the NIA supports a layered mitigation strategy, comprising:</i> • <i>Airport operational measures (e.g. flight path optimisation and fleet mix);</i> • <i>Land-use and architectural planning within affected developments;</i> • <i>A proposed Noise Mitigation and Management Plan (NMMP) to guide long-term noise governance, stakeholder engagement, and ongoing monitoring.</i> <i>In light of the above, the NIA provides a robust and rational basis for informed decision-making on the application. Its conclusions are technically defensible, its methods are transparent and replicable, and</i>

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			<i>its recommendations are proportionate to the scale and intensity of potential impacts.</i> <i>In addition, the NIA does not stand in isolation but feeds into:</i> <i>The Environmental Management Programme (EMPr), which incorporates a two-tier mitigation approach (airport-side operational measures and land-use/building design controls), as well as a proposed Noise Mitigation and Management Plan (NMMP) to adaptively manage operational noise.</i> <i>The Social Impact Assessment (SIA), which interprets the implications for community sense of place and quality of life.</i> <i>Based on the above the NIA provides a thorough, decision-ready basis for evaluating the proposed CWA, consistent with both environmental legislation and responsible planning practice.</i> The SIA explicitly assessed: - annoyance and sense-of-place effects, - changes in outdoor amenity, - quality-of-life impacts, - community well-being, and - the exposure of sensitive receptors, including the Greenville community. The NIA also evaluated peak-event noise, long-term exposure (LRdn), community response categories under SANS 10103, and potential amenity effects. No specialist evidence is provided in the appeal to contradict these findings. Furthermore, global references to general health literature do not demonstrate that the modelled noise levels for the CWA project fall within harmful thresholds, nor do they reflect the South African

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			regulatory framework, which relies on SANS 10103 and ICAO Annex 16 — not WHO guidelines or generic international statements. Accordingly, paragraph 32 is repetitive, unsupported by project-specific evidence, and provides no basis to challenge the EIAR or the NIA. It must be dismissed.
		33. These everyday disruptions associated with the CWA Project directly undermine environmental quality and social well-being, which are core to sustainable development, and, whilst the NIA may be legally compliant, it does not address or enable a broader sustainability evaluation because it does not require exploration of alternative sites, minimisation of flight numbers, and consideration of alternative transport modes. In short, the project may comply with noise regulations, but it fails the wider sustainability test because less harmful alternatives exist but are not required to be considered.	CWA Response: This argument is not new; Garden Cities repeatedly raised the same allegations during Scoping and EIAR submissions — namely that (i) everyday noise impacts undermine social well-being, (ii) the project allegedly fails a vague “sustainability” test, and (iii) the EIA should have required different sites, fewer flights, or non-aviation transport alternatives. All of these points were thoroughly addressed in the specialist studies and in the Comment-and-Response Report. Previous response from Appendix 29D of the final EIAR page 287: <i>The assertion that the amended DEIR is “fatally flawed” due to alleged deficiencies in the treatment of noise impacts is both inaccurate and overstated. The Noise Impact Assessment (NIA) addresses aviation-related noise using internationally recognised methods and aligns with South African regulatory standards (SANS 10103 and SANS 10117). It includes:</i> • <i>Conservative modelling of two operational scenarios (early and full capacity),</i> • <i>Aircraft-specific noise profiling including larger commercial jets,</i> • <i>Contour mapping using Ldn and N70/N60 metrics,</i> • <i>Spatial analysis of impacts on sensitive receptors, and</i> • <i>Day-night differentiation with appropriate penalties.</i>

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			<i>These are all standard and legally compliant tools used in environmental assessments globally, precisely because aviation noise is a recognised long-term concern. Moreover, no EIA is required to eliminate all uncertainty, but rather to demonstrate that impacts are sufficiently understood, assessed, and managed to enable informed decision-making. The DEIR and NIA do exactly that—providing a robust, precautionary, and adaptable framework. Declaring the report “fatally flawed” is not supported by evidence and disregards the considerable technical detail and legal compliance already presented.</i> Substantively, the argument is based on a misinterpretation of the EIA Regulations. The NIA’s purpose is to assess noise impacts, not to conduct a generalised sustainability study, to redesign national aviation policy, or to evaluate alternative transport modes (which fall far outside the scope of a project-level EIA). The broader sustainability assessment was in fact undertaken through the combined EIAR, including the Need and Desirability analysis, the SIA, and the Planning Assessment, each of which considered economic, social, and environmental factors. The EIA Regulations do not require an assessment of “alternative sites” where the proposal involves the expansion of an existing lawful airport on land already zoned for aviation use. Nor does NEMA require an applicant to propose “fewer flights” — flight numbers are a product of aviation economics and SACAA regulation, not a matter of EIA-level control. No evidence is provided that a “less harmful alternative” exists, nor is any lawful alternative identified. Claims that the project “fails the wider sustainability test” are unsupported, ignore the positive socio-economic benefits quantified in the EIAR, and rely on vague generalisations rather than any technical analysis.

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			Accordingly, paragraph 33 is misconceived and unsupported by evidence, and must be dismissed. Previous response Appendix 29D page 380: <i>The claim that no location alternatives were considered or substantiated is incorrect. While the amended DEIR may not include an exhaustive breakdown of all parcels assessed, the conclusion that CWA is the only reasonable and feasible location is a product of extensive feasibility screening, prior to the start of the EIA process, not oversight.</i> <i>Airports require highly specific conditions:</i> ○ Proximity to the metro but outside dense urban zones, ○ Flat topography for a 3.5 km runway and associated RESAs, ○ Separation from other major airports (e.g., CTIA), ○ Location outside nuclear safety exclusion zones (e.g., Koeberg), ○ Avoidance of mountainous terrain or critical biodiversity areas, ○ Amalgamated and secure land parcels, ○ Airspace compatibility with Cape Town TMA, ○ Minimal relocation or expropriation impact, ○ And access to bulk infrastructure. <i>These criteria severely constrain alternative sites. Other options were indeed explored but eliminated due to insurmountable constraints, including airspace conflicts, topography, or exclusion zones.</i> <i>The complexity of airport siting is such that only a handful of sites in the Cape Town region could ever technically qualify, let alone proceed</i>

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			<i>to comparative evaluation. Hence, the assertion of material deficiency lacks appreciation for site-specific feasibility in airport planning.</i> <i>In accordance with the Scoping Report, Cape Winelands Airport did not assess alternative locations for the proposed development. This is because the nature of the activity—namely the operation and expansion of an airport—remains fixed. The proposal constitutes the expansion and formalisation of an existing airport, with current infrastructure and existing development rights already in place on the site.</i> <i>As such, this is not a greenfield development requiring consideration of new locations. The airport is already established at its present site, and the proposed project builds upon that footprint. The activity is intrinsically tied to the location, which has historically functioned as an airfield. Given that no alternative locations were introduced during the scoping phase and considering that the statutory process does not require alternatives that are not reasonable or feasible, it would be inappropriate to now introduce speculative location alternatives during the impact assessment phase.</i> <i>The project therefore proceeds on the basis that there are no viable location alternatives, and that the environmental assessment focuses on understanding the impacts of expanding the existing airport at its current, lawful site.</i>
		34. In terms of the adequacy of mitigation in this context, we submit the following:	
		34.1. Insulation programmes protect indoor environments but do nothing for outdoor exposure, open windows, and the broader community experience of noise.	CWA Response: This point is not new; and was previously raised during the EIAR commenting stage, including claims that insulation “does nothing for

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			outdoor exposure” and that mitigation is inherently inadequate. These arguments were addressed in the SIA, NIA, and Comment-and-Response.. Previous response provided in Appendix 29D to final EIAR page 149: <i>Regarding the estimated 5.3919 hectares, which fall within the 55–60 dB(A) LRdn contour, the concern is noted.</i> <i>The 55 dB(A) LRdn threshold according to SANS 10103:2008 provides guidance on acceptable environmental noise levels in different land-use contexts. While 55 dB(A) is considered the upper recommended level for “urban districts with mixed residential and commercial use”, the 55–60 dB(A) range is not an exclusionary threshold for residential development.</i> <i>Instead, it indicates an area where:</i> <i>Moderate annoyance may occur, particularly during extended outdoor exposure.</i> <i>Careful land-use planning and building design should be considered to maintain indoor acoustic comfort and limit health or quality-of-life impacts.</i> <i>Regarding the portion of the development within the 55–60 dB(A) noise contour, the following best-practice mitigation measures could be recommended—not as rigid requirements, but as reasonable design responses in line with South African and international norms:</i> <i>Architectural Design Considerations:</i> <i>o Orientation of noise-sensitive rooms (e.g., bedrooms) away from the primary noise source.</i> <i>o Use of noise-reducing windows and improved glazing.</i> <i>o Enhanced wall insulation and sealing to reduce airborne sound transmission.</i> <i>o Incorporation of mechanical ventilation systems to allow windows to remain closed during peak noise periods.</i> <i>Site Planning:</i>

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			<i>o Buffer zones or non-sensitive land uses (e.g., green space, parking, or commercial components) can be positioned closer to the airport-facing boundary</i> <i>o Use of landscaping and structural barriers to reduce perceived noise and improve privacy.</i> <i>In addition, the proposed noise monitoring strategy ensures that any future changes in operational noise, due to flight patterns or volume, can be detected early and addressed proactively. This includes:</i> <i>• Installation of a permanent noise monitoring station near or within the Bella Riva estate.</i> <i>• Post-construction validation of modelled noise levels.</i> <i>• Adaptive mitigation if unexpected exceedances are recorded.</i> <i>In addition to the average noise levels (e.g. LRdn), single-event noise metrics, such as the N70 (number of events that the L_Amax exceeds 70 dB(A)) are used internationally to assess the potential impact of aircraft noise on residential amenity.</i> Substantively, the assertion mischaracterises both the impact and the mitigation framework. Insulation is only one of several mitigation measures identified and is not relied upon as a stand-alone solution. The EIAR adopts a layered mitigation approach, including: • flight-procedural mitigation, • spatial planning buffers, • operational controls, • adaptive management, and • post-authorisation monitoring. South African law does not require all outdoor exposure to be eliminated — only that impacts are reasonably mitigated to acceptable regulatory standards. The Appellant provides no evidence

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			that any modelled outdoor noise level is unacceptable under SANS 10103, the Noise Control Regulations, or ICAO guidance. The argument is therefore factually incorrect.
		34.2. Flightpath and runway-use changes may shift noise burdens rather than reduce them, simply moving over flights from one community to another.	CWA response: This statement is speculative and not supported by the findings of the Noise Impact Assessment. The NIA evaluates future flightpaths and runway use based on established aviation safety principles, prevailing wind conditions, and airspace constraints, not arbitrary redistribution. Noise contours are modelled precisely to identify exposure levels, and the assessment shows no simple “shifting” of noise from one community to another, but rather a managed and predictable pattern of aircraft movements aligned with international best practice. Moreover, any future adjustments to flightpaths are regulated by NASCOM and the SACAA, ensuring that changes cannot be made in a manner that unfairly or disproportionately burdens any community.
		34.3. Effective mitigation is undermined by a lack of transparency regarding flight-path options and for relying on baseline data that under-states future impacts.	EAP response: The answer provided in the example is according to the information available to the applicant and the EAP at the time. Design of flight paths and thus knowing where speed reduction will occur follows on the issue of an EA and is a process completed within the SACAA structures. Stakeholders will be involved as part of the Noise Mitigation and Management Plan. Response from CWA: The response cited is appropriate and accurate given the current phase of the project. The finalised flight paths and airspace design for Cape Winelands Airport (CWA) are still subject to ongoing regulatory approval, including input from the South African Civil Aviation Authority (SACAA) and Air Traffic and Navigation Services (ATNS).

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			Until those routes are formally confirmed, it would be premature—and potentially misleading—to provide precise locations for operational elements such as approach speed reduction zones. Rather than being non-specific, the answer is technically responsible and in line with international aviation procedure, where route design is refined The inability to provide a precise location for speed reduction on approach at this stage does not reflect a deficiency in the noise impact assessment (NIA) but rather a realistic and transparent acknowledgment of where the project currently sits in the aviation regulatory and airspace design process. Final flight paths, altitude profiles, and procedure-specific details—such as where deceleration will occur—are determined through a structured approval process involving SACAA and ATNS and cannot be finalised until the relevant authorities confirm the operational airspace framework. Despite this, the NIA has already assessed multiple flight paths, noise contours, and aircraft types under conservative operational assumptions, providing a robust picture of likely community exposure. These models account for aircraft performance and operational behaviour during approach and departure, including the typical location and effect of noise-generating phases like thrust reduction and flap deployment. The absence of a definitive speed-reduction point does not invalidate or weaken the overall noise assessment, which uses established metrics (e.g. Ldn, N70) and multiple operational scenarios to reflect both initial and future full-capacity impacts. The EIA process remains cumulative, iterative, and adaptive, and further detail will be provided as airspace design is finalised— ensuring that I&APs will be kept informed with increasingly specific information at appropriate milestones.

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		34.4. “Quieter aircraft” technology, though helpful, is incremental and often negated by increases in flight movements associated with the inevitable expansion of the CWA Project in the future.	CWA Response: This point is not new; Garden Cities previously argued during the EIAR commenting process that “quieter aircraft technology” would be outweighed by future traffic growth. These concerns were already addressed in the NIA) and the Comment-and-Response Report. Previous response in Appendix 29D of final EIAR page 234: <i>The NIA is based on a fleet mix reflective of anticipated commercial and general aviation use, including modern, quieter aircraft that comply with ICAO Annex 16 noise standards.</i> <i>The model provides spatially explicit noise contours (e.g., 55, 60, and 65 dB LRdn) and event-count thresholds (e.g., N70>50), enabling nuanced interpretation of both chronic and acute noise exposure. The findings are aligned with international benchmarks, including WHO, ICAO, and South African SANS guidelines.</i> <i>The NIA does account for the noisiest elements of aircraft operations, uses conservative and well-established modelling parameters, and provides both quantitative and spatial detail sufficient for decision-making. Assertions that the approach is oversimplified are not substantiated by the technical methodology applied.</i> Substantively, the claim is speculative and unsupported. The NIA used ICAO-approved fleet mix assumptions and modelled realistic aircraft types expected in the operational horizon of the CWA Project. Modernisation of fleets is not “incremental” in the manner suggested — global fleet renewal by major carriers has already resulted in material reductions in both L_Amax and cumulative noise footprints. These reductions are recognised in ICAO Annex 16, which shows successive noise certification standards producing substantial, not marginal, improvements.

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			The assertion of “inevitable future expansion” is irrelevant to the EIA. The EIA Regulations require assessment of the proposed project, not speculative, unconstrained future growth. Any expansion beyond what is authorised would require new regulatory approvals, updated modelling, and additional public participation. There is no evidence submitted by the Appellant showing that the NIA relied on flawed fleet assumptions, nor that quieter technology will be “negated” by traffic levels. Without counter-modelling or acoustic expert evidence, the statement remains unsubstantiated and incorrect.
		35. The 2015 review “Aircraft noise effects on health” by Dr Charlotte Clark (for the Airports Commission) states that over the past decade, evidence that aircraft noise exposure leads to increased risk for poorer cardiovascular health has increased considerably. A 10dB increase in aircraft or road traffic noise was associated with a 7-17 % increase in risk of cardiovascular outcomes. That review references the HYENA study: 4,861 people around 7 European airports (including Heathrow) found that a 10 dB increase in night-time aircraft noise was associated with a 14 % increased odds of hypertension. Further, the NIHR-commissioned “Impact of short-term aircraft noise on cardiovascular disease risk in the area surrounding London Heathrow airport” – RISTANCO study – found a positive link between avoidable death rate and daily aircraft noise exposure, particularly at night. A 2023 study in ScienceDirect “Aircraft noise and cardiovascular morbidity and mortality” found associations between aircraft noise and increased incidence of cardiovascular disease.	CWA Response: The Appellant’s reliance on foreign, population-level public-health studies does not demonstrate any defect in the CWA Noise Impact Assessment (NIA) or the EIAR. None of the studies cited relate to South African regulatory standards, South African noise environments, or the modelled noise levels applicable to the CWA project. Importantly, these studies report associations, not causation, and are based on noise exposures far higher, denser, and more sustained than those modelled for the CWA proposal. The Appellant has not demonstrated that any of the exposure thresholds reflected in these European studies are applicable to, or exceeded in, the CWA NIA. South African environmental law does not incorporate WHO guidelines or foreign public-health literature as binding regulatory limits. The appropriate and legally required acoustic standard under NEMA is SANS 10103, supported by ICAO Annex 16. The NIA complied

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			fully with these standards and modelled LRdn, LAeq, and LAmax values in accordance with accepted national methodology. The Appellant has provided no contradictory modelling, no expert acoustic critique, and no medical evidence showing that the predicted CWA noise levels fall within the risk categories identified in the cited European studies. Moreover, the studies referenced relate to major Tier-1 international hub airports (e.g., Heathrow, with 1,300+ daily movements), not a regional airport with a regulated, phased operational envelope such as CWA. Comparing European mega-hubs to a South African Code 4 runway expansion is methodologically inappropriate and produces misleading impressions unsupported by the project's actual acoustic profile. The appeal ground therefore consists of generic global literature, disconnected from actual modelled noise levels, South African law, and project-specific evidence. It does not identify any flaw in the NIA and cannot serve as a valid basis to challenge the EIAR.
		36. The evidence for children: aircraft noise exposure at school is associated with impairments in reading, memory and attention. The 2015 review reports that children aged 9-11 around Heathrow, Schiphol and Madrid airports showed increased annoyance at higher noise levels; and a 10 dB increase at school was associated with ~0.13 increase in hyperactivity symptoms. Though the clinical significance of hyperactivity is small, the cognitive/learning effects remain.	CWA response: The Appellant's summary selectively cites international literature without applying it to the actual conditions assessed in the CWA EIA, nor does it acknowledge the South African regulatory thresholds, the site-specific noise modelling, or the mitigation hierarchy required under SANS 10103 and WHO guidance. Most importantly: No schools fall within the contour ranges associated with the effects described in the cited studies.

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			The international studies referenced generally relate to LAeq > 55–60 dB at schools adjacent to large, high-intensity hub airports such as Heathrow, Schiphol and Madrid. In contrast, the CWA Noise Impact Assessment shows that schools in the Greenville and broader Garden Cities context fall well outside these thresholds for all phasing scenarios. The Appellant fails to acknowledge that the specialist modelling demonstrates compliance with LRdn criteria for community health and cognitive outcomes. Where exceedances occur, these are negligible to low, relate to future-phase, high-intensity operational scenarios, and are fully mitigable through the measures already committed to by CWA. The studies cited do not account for modern aircraft fleets and improved noise performance mandated under ICAO Annex 16 Chapter 14. The aircraft types modelled for CWA comply with significantly stricter noise certification standards than those prevalent at the time of many of the studies cited. The Appellant presents generalised global evidence without demonstrating any causal link to the Greenville development or to children’s cognitive outcomes in the South African context. Appeals must address site-specific substantive environmental impacts, not abstract research findings. The Appellant omits that the Noise Specialist Study was subject to multiple rounds of public comment, revision, peer review, and

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			regulatory scrutiny, with no evidence submitted showing that the methodology or findings are flawed. Accordingly, the Appellant’s reliance on international literature does not constitute evidence of an unassessed or improperly assessed impact, nor does it demonstrate any deficiency in the EIA process. The CWA assessment remains robust, locally grounded, and compliant with all applicable noise-health standards.
		37. Many of the areas under new or increased flightpaths are already socially deprived, and noise sensitive populations (children, elderly, those with existing health issues) will bear more of the burden. This is directly relevant to the Greenville development which offers low-income housing to vulnerable groups of people. From a noise perspective alone — leaving aside air-pollution, climate, surface-transport and other environmental issues —the extra burden is disproportionate, risks deeper social inequities and may violate public-health and liveability commitments. Unless decision-makers adopt the highest health-based standards, provide full transparency and ensure communities are not simply asked to bear the cost of airport-growth, the case for expansion is weak	CWA Response: The Appellant’s submission relies on broad generalisations about vulnerable communities rather than the site-specific evidence generated through the CWA Noise Impact Assessment (NIA). The modelling clearly demonstrates that Greenville and surrounding residential areas lie outside the noise contour ranges associated with adverse health or cognitive outcomes under all development phases. Assertions that these communities will face disproportionate burdens are therefore factually incorrect and unsupported by any contour-based analysis. The allegation that Greenville sits under “new or increased flightpaths” is directly contradicted by the assessed noise envelopes, which confirm negligible to low impacts and full compliance with recognised standards, including WHO guidelines and SANS 10103. The claim of potential violations of “public-health and liveability commitments” is speculative and does not align with the regulatory benchmarks applied in the EIA process. The Noise Specialist Study already incorporates the highest relevant health-based standards, including ICAO Annex 16 aircraft certification data and DEADP norms. Under the National Appeal Regulations, an appeal must identify a process flaw, an unassessed substantive environmental impact, or

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			new information. The Appellant provides none of these; instead, it presents social commentary that falls outside the scope of an appeal and ignores the findings of the specialist reports. Finally, the suggestion that vulnerable communities will “bear the cost of airport growth” disregards both the modelling and the socio-economic assessments, which show no adverse impact on Greenville’s viability and, in fact, identify major long-term benefits, including improved access to employment, regional economic diversification, and enhanced freight and passenger capacity for the Western Cape. The Appellant’s argument is therefore neither evidence-based nor aligned with the statutory criteria for appeal. It should also be noted that as recorded in the SEIA reports the benefits to the community will far outweigh negative impacts. The expansion of the airport presents an opportunity for meaningful economic activity for the Fisantekraal community.
		38. Over emphasis on technocratic nature of EIA means Noise Impact Assessment can be fully compliant and still fail to capture peak noise disturbance or represent true human health and community effects. Therefore, even a legally compliant NIA does not prevent a proposed new airport from creating significant adverse noise impacts and undermining sustainable development. It direct implicates address equity, environmental sustainability, and long-term social well-being.	CWA response: The Appellant’s assertion misunderstands both the purpose and the methodology of a Noise Impact Assessment. The NIA for CWA does not merely achieve “legal compliance”; it uses multiple internationally recognised metrics—including LRdn, L_Amax, peak event analysis, WHO guidelines (2018), SANS 10103, and ICAO Annex 16 aircraft certification data—to capture both average and peak noise effects. The specialist study, therefore, specifically assesses the very phenomena the Appellant claims are “not captured,” including peak disturbance and community response indicators. The Appellant provides no evidence that the NIA failed to assess any material noise pathway or receptor. On the contrary, the DEADP-reviewed NIA contains peak event modelling, flight-path specific

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			exposure, cumulative assessments across all phasing scenarios, and mitigation evaluation. The contention that a “fully compliant NIA” still allows significant unassessed impacts is speculative and inconsistent with the detailed, multi-layered methodology applied. Furthermore, allegations regarding “equity, sustainability, and long-term social well-being” fall outside the scope of the National Appeal Regulations unless supported by demonstrable, site-specific environmental impacts that were not assessed. None are provided. The Appellant’s argument substitutes broad philosophical concerns for substantive evidence. The EIA thoroughly addresses vulnerable communities, environmental sustainability, and long-term social outcomes through the NIA, SEIA, and mitigation framework, all of which confirm no significant adverse noise impacts that would undermine sustainable development.
		39. Overall the noise assessment is materially deficient, making the noise assessment is materially incomplete and unreliable and the Final EIAR fatally flawed. The NIA is based on incorrect and inconsistent baseline assumptions. Noise should be evaluated in detail because it is the most significant concern for local communities. Key concerns include:	EAP Response: The NIA was completed by a reputable specialist, DDA, which makes use of leading technology in the NIA. DDA also completed the NIA for the EIA for the realignment of the Cape Town International Airport runway, demonstrating comparable and credible experience in noise impact assessment modelling in the aviation sector.
		39.1. Noise assessment is incomplete, unclear and unreliable, with incorrect baseline assumptions and inconsistent data.	EAP Response: The NIA is according to standard, the specialist is skilled in NIA with a track record of airport development modelling. CWA response: This is a repeat of Garden Cities’ previous comments, all of which were addressed comprehensively in the Final EIAR and the specialist’s response-to-comments. The allegation remains unsubstantiated.

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			Previous response from specialist (Appendix 29D of final EIAR page 215-216): <i>The Noise Impact Assessment (NIA) was conducted in full compliance with the following, which are both nationally recognised standards, and are aligned with international best practice in environmental noise assessment:</i> • <i>SANS 10117, which prescribes methodology for calculating aircraft noise exposure using models such as the Integrated Noise Model (INM); and</i> • <i>SANS 10103, which establishes guidelines for acceptable noise levels relative to land use.</i> <i>The NIA followed a scope addressing multiple dimensions of impact including:</i> • <i>LRdn contours (reflecting day-night average noise exposure, incorporating night-time penalties for sleep sensitivity);</i> • <i>N70 event counts (capturing frequency of noise events exceeding 70 dB(A) during the day, linked to speech interference and annoyance);</i> • <i>N60 event counts (capturing night-time exceedances above 60 dB(A), directly aligned with WHO guidance on sleep disturbance thresholds).</i> <i>The above ensures the assessment covers both cumulative exposure and single-event intrusions, directly tying to health and wellbeing considerations.</i> <i>The Impact assessment methodology included:</i> • <i>Modelling of future noise contours under multiple operational scenarios;</i>

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			• <i>Explicit consideration of sensitive receptors, including current and planned residential areas;</i> • <i>Use of supplementary metrics such as N60 and N70 event counts to evaluate short-term sound exposure and sleep disturbance potential.</i> <i>This assessment offers a quantitative, spatially detailed foundation for understanding potential noise impacts and planning for mitigation.</i> <i>In addition, the NIA supports a layered mitigation strategy, comprising:</i> • <i>Airport operational measures (e.g. flight path optimisation and fleet mix);</i> • <i>Land-use and architectural planning within affected developments;</i> • <i>A proposed Noise Mitigation and Management Plan (NMMP) to guide long-term noise governance, stakeholder engagement, and ongoing monitoring.</i> <i>In light of the above, the NIA provides a robust and rational basis for informed decision-making on the application. Its conclusions are technically defensible, its methods are transparent and replicable, and its recommendations are proportionate to the scale and intensity of potential impacts.</i> <i>In addition, the NIA does not stand in isolation but feeds into:</i> • <i>The Environmental Management Programme (EMPr), which incorporates a two-tier mitigation approach (airport-side operational measures and land-use/building design controls), as well as a proposed Noise Mitigation and Management Plan (NMMP) to adaptively manage operational noise.</i>

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			• <i>The Social Impact Assessment (SIA), which interprets the implications for community sense of place and quality of life. Based on the above the NIA provides a thorough, decision-ready basis for evaluating the proposed CWA, consistent with both environmental legislation and responsible planning practice.</i> The NIA uses standardised baseline methodology, incorporating on-site measurements, verified model inputs, and ICAO-certified aircraft noise data. No alternative baseline methodology or contradictory dataset has been provided by the Appellant. The DEADP-accepted specialist study is neither incomplete nor unclear, and the Appellant offers no technical evidence of inconsistency.
		39.2. Baseline (Scenario 1) is not based on actual current conditions, inflating baseline noise and distorting comparisons with future scenarios.	CWA Response: This claim is also a repeat of earlier GC comments. Scenario 1 is based on measured on-site ambient conditions, validated through industry-standard modelling practices, and reflects the appropriate “no-project” reference case for comparing future operational scenarios. The Appellant has not produced any conflicting measurements nor demonstrated methodological error. Without evidence of incorrect monitoring periods, faulty equipment, or invalid normalisation, the allegation is unfounded. The baseline used is consistent with NEMA, SANS 10103, DEADP guidance, and international airport noise assessment norms.

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		39.3. Noise contours show significant expansion of high-noise areas (e.g., 55 dBA contours expanding from 2.5 km ² to 10.3 km ²), contradicting claims made in the Final EIAR.	CWA Response: This claim misrepresents the findings. The NIA explicitly models growth between phases, and any increase in contour size is proportional to the projected increase in aircraft movements. The Final EIAR never claimed that contours would remain static; it states that impacts remain within acceptable regulatory thresholds, with no sensitive receptors (including Greenville) falling within actionable ranges. The Appellant's argument is not based on facts and offers only a restatement of the very contour outputs already presented and explained during public participation.
		39.4. Key community questions—such as where speed reductions or approach noise will occur— could not be answered.	This is demonstrably false and again repeats earlier comments. The NIA and EIA documentation clearly describe the runway configuration, approach paths, climb gradients, aircraft operational profiles, and associated noise modelling. These are standardised ICAO inputs and do not rely on speculative future operator choices. Where operational variations may occur in later phases, the EIA correctly states that such variations will be governed by SACAA procedures and would be subject to further approval (by environmental authorities). This is not a deficiency; it is normal and lawful for all airport EIAs in South Africa.
		39.5. Mitigation hierarchy is poorly applied. The responsibility and burden of impact is shifted to surrounding land uses instead of avoiding or minimising impacts.	CWA Response: The allegation that the mitigation hierarchy is “poorly applied” and that responsibility is being shifted onto surrounding land uses is incorrect and again repeats comments previously raised by Garden Cities, all of which were thoroughly addressed in the Final EIAR. Previous response in Appendix 29D of final EIAR page 281:

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			<i>The TOR for specialist studies included the following requirement: Consider the mitigation hierarchy to reduce development impacts and to control negative effects on the environment. (refer section 8 in the amended draft EIAR), so the consideration of the mitigation hierarchy was included in specialist reports prior to development of their impact assessments and mitigation recommendations in the amended draft EIAR. The mitigation hierarchy was applied to the biophysical aspects on the application area.</i> <i>With reference to noise impact refer to by the I&AP, the proposed project is for expansion of an existing airport at this site, with existing impacts (inclusive of noise). A NIA was conducted and mitigation were proposed. Important to note that the I&AP's site form part of the future urban environment and development still need to take place. It's argued that some of the rights have lapsed and that some application procedures are still required. Considering this, the adjustment required is planning related because the development is far from being implemented. Integrated planning between surrounding properties that is also in a planning phase is therefore regarded as the best mitigation action considering it can result in a functional urban environment with optimal socio-economic opportunities.</i> <i>The amended draft EIAR (section 8.5.4) states:</i> <i>The identification of the most suitable and cost-effective mitigation measures, together with a realistic time schedule for their implementation, can only be a result of consultations between the various stakeholders associated with all the airport operations, and taking into consideration the safety and security requirements associated with these airport operations. This process falls outside the scope of the present noise impact study. Once these consultations take place and the mitigation measures, together with the implementation</i>

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			<i>schedule have been determined, their effects can be quantified and the mitigated impact rating tables determined. The following actions can be considered, in order to minimise the noise impacts around the Cape Winelands Airport:</i> •<i>Encourage airport compatible land-use planning via:</i> -<i>establishing compatible land use (such as industrial and commercial) to be located around airport facilities.</i> -<i>directing incompatible land use (such as houses and schools) away from the airport environs and the runway alignments</i> <i>The CWA is at present in consultation with adjacent landowners on possible amendment to land uses and this is an ongoing process.</i> The mitigation hierarchy is properly and transparently applied: Avoidance: The runway orientation and approach profiles were selected specifically to avoid overflight of existing residential areas. Minimisation: The assessment uses quieter ICAO Annex 16 Chapter 14 aircraft and applies conservative operational assumptions to minimise impacts. Mitigation: The EMPr includes concrete measures for acoustic design, operational noise management, land-use interface strategies, and monitoring. Crucially, the Appellant’s argument that impacts are being “shifted” to surrounding land uses ignores the fact that Garden Cities’ own Environmental Authorisation and development rights for the Greenville expansion have lapsed. DEADP confirmed that the EA was extended for 10 years and expired in July 2025 without commencement of activity. Those rights no longer. It is therefore inaccurate and misleading for GC to claim that CWA is imposing impacts on rights or developments that are no longer lawfully in place.

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			Accordingly, 39.5 is both factually incorrect and based on the faulty premise that GC holds valid rights that CWA must “protect”, when in fact no such rights exist at present other than Agriculture.
		39.6. Noise mitigation details are postponed until after authorisation, undermining reliability of post-mitigation impact ratings.	CWA Response: The Appellant’s claim is incorrect, and it also repeats earlier comments previously raised by Garden Cities and already addressed in the Final EIAR. Noise mitigation measures are not “postponed” until after authorisation. The CWA EMPr includes binding conditions that the proponent must implement. Detailed engineering design is correctly scheduled for the post-authorisation phase, as required by law, because design can only proceed once authorisation parameters and conditions are confirmed. Therefore, the reliability of the post-mitigation impact ratings is not undermined—they are based on the exact level of detail that is legally required at EIA stage. EAP Response: The Noise Mitigating Management Plan, in the development of which stakeholders will be engaged post authorisation, is a standard requirement in order to set an appropriate platform for engagement, feedback and monitoring.
		Ground of appeal 3: Need and Desirability 40. The Final EIAR does not comply with the NEMA 2014 EIA Regulations as it fails to provide an objective, evidence-based assessment of the project’s need and desirability. Claims regarding	EAP response: The comment on bias is noted. The EAP is independent and remains so throughout the EIA process. The need and desirability of the proposed project is discussed in detail in section 5 of the amended

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		fuel savings, carbon reductions and socio-economic benefits are unsubstantiated, unsupported and not supported by evidence. As such, the EIAR does not present reliable information capable of informing lawful environmental decision-making.	draft EIAR, and according to the DEA&DP guideline document. The specialist reports substantiating this was attached to the final EIAR. Previous response in Appendix 29D of the final EIAR page 343: <i>EAP response:</i> <i>The Need and Desirability of the proposed project is assessed in Section 5 of the amended draft EIAR.</i> <i>Section 5 includes background information on the proposed project in way of introduction (section 5.1 Development context). Section 5.2 elaborates on the need – how this proposed project relates to the interests of the broader public (which includes passengers, the aviation sector, larger adjacent communities and not just adjacent landowners), and desirability – Geographical placement of this proposed expansion at the existing CWA in terms of land use, transport (air and land) and acting as a second airport in CoCT and a reliever to CTIA amongst others. Where needed the information is backed up by technical studies.</i> <i>The additional motivations included in Section 5.2 resulted from inputs from the aviation stakeholder sector and is included to provide a broader view on the need and desirability of the proposed project.</i> <i>Further to this as stated in Section 5.2.7, Appendix 36 CWA in the Context of Spatial Policy and Land Use Rights Section 6 assesses the proposed project against the 2013 DEA&DP Guideline on Need and Desirability, specifically those questions related to a strategic spatial planning perspective.</i> <i>The Socio-Economic Impact Assessment (Appendix 23) reiterates that the need and desirability of the proposed project was successfully illustrated through the analysis of the DEA&DP Guideline and shows contribution to economic growth, maintaining a competitive</i>

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			<i>advantage by having a diversified aviation infrastructure to cater to multiple aviation needs, alleviating capacity constraints at major hubs, and illustrating that the proposed development of CWA is more time-efficient and cost-effective than building a new airport.</i> <i>CWA's location, ability to avoid urban constraints or have an undue negative impact on large residential communities, accessibility from major roads (N1) and railway, and reducing road congestion around the two airports adds to its desirability.</i> <i>The positioning and expansion of the CWA in Cape Town, recognised as a national urban node, aligns with the CoCT's competitive growth potential, and meets national, regional, and the CoCT's spatial and economic needs in terms of National Spatial Development Framework (NSDF) 2050 Outcomes, The PSDF 2014 Policies, Greater Cape Metro Regional Spatial Implementation Framework (GCM RSIF) 2019 Policies, Western Cape Growth for Jobs Strategy 2023 and Priority Focus Areas (PFA), The CoCT MSDF 2023 Policy Intent, The 2022-2027 CoCT IDP Priorities, IDP MSDF Priorities.</i> <i>Part of the development extends over the UDE, mostly the airside components (runway safety area).</i> <i>Part of the development site that is outside of the UDE includes land of 'Agricultural Significance' indicated in the MSDF. The eastern portion of the development site, which lies within the UDE, is identified as Core Biodiversity Area (refer Figure 19 in the amended draft EIAR). Refer to page 123 in the amended draft EIAR where agricultural significance, aquifer vulnerability and CBA mapping has been dealt with. This also links with the requirement for ecological sustainability and indication of the project in relation to legislation, policies, plans and strategies.</i> <i>The site-specific circumstances justifying deviations to accommodate CWAs expansion forms part of the land-use application as is required</i>

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			<i>in terms of section 9 of the MPBL. Similarly, the LUPA application is being prepared.</i> <i>No amendment to the MSDF is required in terms of section 6 (b) of the Municipal Planning By-law, subject to CoCT considering that the site-specific circumstances justify a deviation from the MSDF for those parts of the proposed development that are not consistent with the MSDF.</i> <i>Further to this sustainability and climate change is addressed in Section 5.3.</i> Response from CWA: The DEIR fully applies the “need and desirability” principle as intended—evaluating whether the proposed CWA is ecologically sustainable and socio-economically justifiable. Key points: • Ecological sustainability is demonstrated through compliance with all relevant thresholds, including air quality (NAAQS), biodiversity offsets, noise mitigation, and land use compatibility. • Socio-economic justification is strongly supported by independent specialist reports, highlighting job creation, connectivity, spatial transformation, and infrastructure resilience. • The DEIR applies the criteria outlined in the EIA Regulations and national policy. The claim that it fails to do so is incorrect and ignores the breadth of content in Section 5 and accompanying specialist inputs. The assessment is balanced and consistent with the legal and policy framework. Response from CWA:

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			The assessment of need and desirability in the amended DEIR is grounded in objective analysis and supported by regional planning frameworks, economic forecasts, and specialist inputs. It considers the strategic role of CWA in improving air access, relieving pressure on CTIA, and supporting long-term spatial and economic development goals. Far from ignoring negative impacts, the DEIR explicitly identifies, quantifies, and proposes mitigation for them—demonstrating a balanced approach. The suggestion of bias is unsubstantiated; the document reflects both opportunities and constraints, in line with NEMA and DEA&DP guidance.
		41. References to alignment with SDGs 11, 12 and 13 are asserted without analytical support. The EIAR does not demonstrate how the proposed development substantively advances these goals, rendering the claims misleading and inconsistent with the NEMA principle requiring accurate, transparent and fact-based assessments (section 2(4)(g)).	EAP response: The comment is noted. Please note that the proposed project will contribute to SDG's. The DEA&DP Guideline does not require SDG analysis, yet the amended draft EIAR has included this additional information, which adds to the evaluation of sustainability of a proposed project. Note SDG9 was not previously identified as an area of contribution, but should also be considered. Response from CWA: The DEIR's reference to the United Nations Sustainable Development Goals (SDGs) is both appropriate and justified. - The project directly supports SDG 8 (Decent Work and Economic Growth) through infrastructure-led job creation and regional investment. - It contributes to SDG 9 (Industry, Innovation and Infrastructure) by expanding critical aviation infrastructure in an under-served region. - SDG 13 (Climate Action) is addressed through measurable system wide CO₂ savings, as modelled in the Diversion Airport Analysis report.

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			These links are practical, not overstated. The DEIR demonstrates how the project supports SDG-aligned outcomes in a realistic and evidence-based way.
		42. Accordingly, the need-and-desirability assessment is materially deficient and does not meet the legal standard required to support environmental authorisation. Instead of complying with NEMA's requirement for an evidence-based evaluation, the need and desirability chapter in the EIAR reads like a marketing document, not an environmental assessment. This is shown due to the fact that it contains "excessively wordy/verbose" statements and marketing phraseology rather than factual analysis. This language is indicative of a pro-development bias. The implications of this are that the Final EIAR lacks the neutrality and independence required of an EAP by the EIA Regulations.	EAP response: These statements are rejected and the EAP's independence is asserted. Describing a positive impact on the environment by reducing the carbon footprint resulting from air travel into the region is based on technical input from specialists (refer Appendix 15 to the amended draft EIAR). The statement prioritising people, planet and profit is a strategic viewpoint of the applicant and forms the basis for the CWA focus on design and operation with climate change in mind (inclusive of the use of renewable energy, development of water sources and other sustainable measures as included in the amended draft EIAR). The general statements referred to in Section 5 in the EIAR serves as background information on what role CWA will play within the regional aviation sector (based on specialist opinions) and CWA's approach to its environmental responsibilities. "Cape Winelands Airport's objective is to adopt an embedded sustainability approach – prioritising, people, planet and profit." – provides a commitment by the applicant to its environmental responsibilities. "With the increasing awareness of finite resources that the planet has to offer CWA intends to adopt environmentally responsible methods in all their operations" - provides a commitment by the applicant to its environmental responsibilities. "CWA has an opportunity to harness the power of multi-airport cities to create a positive impact on the environment by reducing the carbon footprint resulting from air travel into the region" – factual statement based on specialist studies conducted.

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			“CWA aims to fulfil several key roles within the aviation sector, unlocking new markets while enhancing existing ones and creating further opportunities within the sector, significantly improving the socio-economic landscape within the region.” – factual statement based on specialist studies conducted. “It is important to note that CWA’s role – even when considering the other operators in the market – will have an enhancing effect on the aviation sector for existing operators, as opposed to a mere redistribution of the market to existing sub-sectors.” - factual statement based on specialist studies conducted. Response from CWA: The language used in Section 5 of the DEIR reflects the purpose of the “Need and Desirability” assessment, which is to present the project’s strategic value, sustainability alignment, and long-term benefits—not promotional material. Statements such as the proposed CWA potentially “creating a positive impact on the environment by reducing the carbon footprint” are not overstatements. They are based on aeronautical performance modelling, which shows that the introduction of a closer alternate airport (i.e. CWA) will allow airlines to reduce the amount of fuel carried for emergency diversion purposes. This saves approximately: - 110 million kilograms of fuel carried as deadweight annually, - Resulting in 20 million kilograms of fuel not burned, and - An estimated 60 million kilograms of CO₂ emissions avoided annually. These are credible, extrapolated figures based on a basket of aircraft types and route profiles modelled by aviation performance experts, not speculative claims. The use of terms like “people, planet and profit” reflects the well-established triple bottom line framework for sustainable

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			development. It is a recognised framework for assessing socio-economic and environmental co-benefits. Furthermore, economic development and regional infrastructure improvements are legitimate considerations in Section 5, as required by the EIA Regulations and spatial planning frameworks. The EIR remains objective, procedurally correct, and grounded in specialist input and strategic planning documents. There is no indication of bias or exaggeration—only a comprehensive explanation of the project's broader public value.
		43. The claims made by the EAP in the EIAR are overstated, inaccurate, or not supported by evidence. During the public participation process, Garden Cities identified multiple examples where the need and desirability compiled by the EAP makes unsubstantiated or exaggerated claims about the benefits of the proposed CWA Project whilst masking or underestimating the potential negative effects. The arguments made by the EAP about economic or sustainability benefits are flawed and/or overstated, inaccurate or irrelevant. Claims of major fuel savings and CO₂ reductions are not backed by the cited studies. The implications of this are that the Final EIAR is based on a material misrepresentation of benefits of the project. This skewed methodology and assessment undermines the legal requirement for a fact-based need analysis in the EIA process.	EAP Response: The statements made about the EAP are rejected. The EAP based its findings on available literature that was disclosed as part of the EIA. This statement follows on the comment 42, which has been addressed above. CWA Response: The Appellant's claims are broad, unsubstantiated assertions that repeat earlier comments already addressed during the EIA process. No specific example is provided to demonstrate that any benefit described by the EAP is inaccurate, overstated, or unsupported. In contrast, the Final EIAR is based on specialist studies, independent modelling, and verifiable data sources that directly inform the need and desirability assessment. The economic, sustainability and fuel-efficiency benefits cited in the EIAR are grounded in industry-standard aviation literature, WTTC/WTO methodologies, and internationally recognised operational principles. The Appellant provides no contradictory data or alternative modelling, nor does it identify any methodological error. Simply labelling the EAP's findings as “overstated” or “misrepresented” is not evidence and does not meet the threshold for

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			a valid appeal ground under Regulation 4(1) of the National Appeal Regulations. The allegation regarding fuel savings and CO₂ reductions is particularly unsubstantiated. There is an independent study which confirms this. The EIAR clearly sets out the operational mechanisms through which diversions, reduced holding, airspace efficiency, and multimodal access improvements contribute to measurable environmental efficiencies. The Appellant does not rebut these mechanisms, nor does it cite any study that contradicts the EAP's conclusions. The contention that the EIAR “masks negative effects” is equally without merit. All environmental, social, noise and economic impacts—including adverse impacts—are explicitly assessed, rated, and subjected to public participation and regulatory scrutiny. The Appellant has not shown any omission of required impact categories or any procedural defect. Accordingly, the claim that the EIAR is based on “material misrepresentation” is unsupported and incorrect. The assessment follows a fact-based, legislatively compliant methodology, grounded in specialist input and subject to independent review.
		44. The section fails to comply with NEMA EIA Regulation content requirements as it does. The chapter on need and desirability in the Final EIAR does not meet the formal regulatory expectations as it does not properly answer the foundational question of whether the development is appropriate in its environmental and spatial context. The implications of this are that the Final EIAR and the need	EAP Response: The EAP applied the Need & Desirability requirements of Appendix 3(1)(h) in the EIAR. CWA Response: The Appellant provides no evidence to support the assertion that the need and desirability section “fails to comply with NEMA EIA Regulation content requirements.”

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		and desirability enquiry does not satisfy mandatory EIA content standards prescribed by the EIA Regulations.	This is an unsubstantiated allegation and a repeat of earlier comments previously made during the EIA process, all of which were addressed by the EAP. Refer to response to point 40 above. The need and desirability assessment in the Final EIAR was compiled strictly in line with the requirements of Appendix 3(1)(h) of the 2014 EIA Regulations (as amended), which sets out the mandatory content for this chapter. The EIAR explicitly addresses: • the project's alignment with spatial planning instruments, • policy integration at municipal, provincial and national levels, • socio-economic need, • location-specific considerations, and • the feasibility and consequences of the no-go alternative. These are precisely the elements required by the Regulations. The Appellant's statement that the EIAR "does not properly answer whether the development is appropriate in its environmental and spatial context" is incorrect. The EIAR includes a detailed analysis of the CWA project's compatibility with the MSDF, IDP, Provincial Spatial Development Framework, aviation planning frameworks, and sector-specific strategies. The Appellant does not identify a single regulatory clause that has allegedly been breached, nor does it show where any required content is absent. In the absence of any reference to a specific law or Regulation that has not been complied with—and without identifying a substantive omission—the Appellant's claim cannot stand. The need and desirability section fully satisfies the mandatory content standards

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			prescribed by the EIA Regulations, and the Appellant has not demonstrated otherwise.
		45. The need and desirability enquiry reported in the Final EIAR does not adequately consider the suitability of the site for the CWA Project. The airport’s context—surrounding land uses, housing developments, existing and growing residential areas, and noise sensitivity associated with the existing predominant land uses—makes the desirability of the Project uncertain, yet the EIAR glosses over these constraints. The EAP in the Final EAIR fails to ask or answer, “whether this development is still appropriate for this place,” which is the core purpose of the need and desirability test. Without appropriate and contextually relevant situational evaluation, the need and desirability enquiry in the Final EIAR is baseless.	EAP Response: The site suitability has been dealt with adequately in the EIA process and is included in the final EIAR. Refer response to point 40 above. CWA Response: The Appellant’s argument is a repetition of concerns already raised during the public participation process and fully addressed in the Final EIAR and its response-to-comments. Refer response to point 40 above. The assertion that the need and desirability assessment “does not adequately consider the suitability of the site” is incorrect. The EIAR contains a detailed, contextual evaluation of the site, including its existing airport land use, long-standing aviation function, compatibility with surrounding zoning, and alignment with municipal, provincial and national spatial frameworks. The location is not a new or untested land use—it is an existing licensed airport that has operated safely within this context for decades, a point the Appellant overlooks. The EIAR fully considers surrounding land uses, including existing and proposed residential areas, agricultural land, industrial activity, and environmental sensitivities. These factors are explicitly assessed in both the biophysical and socio-economic components, as well as in the noise, visual, heritage, and traffic studies. The suggestion that the EIAR “glosses over constraints” is unsupported and contradicts the extensive specialist reporting, which identifies constraints, evaluates them, and proposes mitigation where required.

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			The central question posed by the Appellant—whether this development “is still appropriate for this place”—is directly answered in the need and desirability chapter: the project is appropriate because it aligns with regional aviation requirements, complements Cape Town International Airport, supports provincial economic policy, optimises an already zoned and operational aviation site, and avoids the environmental and social impacts that would arise from greenfield airport development elsewhere. The Appellant does not identify any specific mandatory content element missing from the assessment, nor does it cite any inconsistency with Appendix 3 of the EIA Regulations. Accordingly, the claim that the need and desirability assessment is “baseless” is without merit, unsupported by evidence, and inconsistent with the comprehensive situational analysis included in the Final EIAR.
		46. The need and desirability enquiry in the Final EIAR is also rhetorical. Instead of weighing environmental, social, and policy factors and undertaking an objective and independent critical analysis of need and desirability, the EAP relies on broad and meaningless statements about unlocking markets, innovation and aviation competitiveness. The Final EIAR also includes various generic sustainability narratives which are nothing more than window dressing And do not serve as a credible and scientifically proven basis for achieving the imperative of sustainable development in terms of section 2(4) of NEMA. The comments submitted by Garden Cities during the public participation process, clearly identified the concern that the conclusions reached by the EAP are not independent, credible or evidence-driven. The EAP’s conclusions regarding need and desirability are disconnected from the actual environmental impacts foreseeable in connection with the CWA	EAP response: The Appellants statements are rejected. The EAP has the ability to understand the socio, economic and environmental parameters of the case. We analysed the biophysical, social and economic environment by applying a wide range of specialist studies that informed the EIA and their conclusions. The Appellant only has the economic interest and their business model in mind and the fact that some areas on its property can’t be developed for residential use, but it fails to grasp that an integrated development is still possible where various land uses can be combined to form a successful “new town” that can benefit all. GS land use rights have lapsed and they will not be able to develop housing, but the opportunity to consider other land use is still available, the business model just needs to be reviewed. This situation is as much of the appellant’s making (allowing the rights to lapse) as it is the expansion of the airport.

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		Project. The implications of this are that the Final EIAR fails to apply NEMA’s sustainability threshold and the reasonableness test under administrative law.	CWA Response: The Appellant’s claim that the need and desirability section is “rhetorical” and based on “meaningless statements” is unsubstantiated and again repeats earlier assertions made during public participation, all of which were responded to by the EAP. The need and desirability assessment in the Final EIAR is explicitly grounded in the requirements of Appendix 3 of the EIA Regulations, which call for an integrated analysis of policy alignment, socio-economic need, spatial context, environmental constraints, and feasible alternatives. Each of these elements is addressed in detail and supported by both specialist studies and policy references at municipal, provincial and national level. Refer responses provided from page 354-362, and page 437 – 458, page 470 - 473 in Appendix 29D of the final EIAR. The suggestion that the EIAR relies on “generic sustainability narratives” is incorrect. The sustainability considerations referenced in the EIAR—regional economic uplift, reduced dependency on a single airport, resilience of logistics infrastructure, avoidance of greenfield impacts elsewhere, and optimisation of an existing aviation site—are all fact-based, context-specific, and evidence-driven. The Appellant does not identify a single statement that is allegedly incorrect, nor does it provide any technical evidence that contradicts the socio-economic findings. Merely describing the analysis as “window dressing” does not ground a successful appeal. Furthermore, the allegation that the EAP’s conclusions are “not independent, credible or evidence-driven” is unfounded. The specialist studies informing the need and desirability chapter—including socio-economic, traffic, noise, ecological and spatial

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			planning inputs—were prepared by independent professionals registered in their respective fields and subjected to a full public participation and regulatory review process. The Appellant does not identify any methodological flaw or any omitted environmental impact that would render the assessment “disconnected” from foreseeable consequences. Accordingly, the claim that the Final EIAR fails to apply NEMA’s sustainability threshold or the reasonableness test is without merit. The EIAR’s conclusions are based on objective, policy-aligned, and evidence-based analysis, and the Appellant has not demonstrated otherwise.
		47. The Final EIAR also selectively interprets policy to support the CWA project which is a further indication of pro-developer bias. The need and desirability analysis is selective and displays an exclusive preference for citing supporting policy language which translates into pro-developer bias. This bias is exacerbated by the omissions of key planning and environmental policies that contradict the so-called ‘need’ for the CWA Project. This selective approach is unbalanced and inconsistent with credible best practice EIA impact assessment, analysis and reasoning. NEMA and the EIA Regulations require clear evidence-based justification, grounded in environmental, socio-economic and spatial realities. This has not been achieved in the Final EIAR where the need and desirability section relies heavily on broad rhetorical statements such as “unlocking new markets” and “embedded sustainability”. As indicated above, these statements are meaningless and are not supported by credible investigations and analysis. Such rhetoric cannot, on any version, be said to meet the legal standard for a reasoned, defensible need and desirability analysis doing an EIA	EAP response: The IAP is unclear to which policies, plans, strategies were selectively interpreted by the EAP. Sections of the report that conflict with this apparent bias portrayal are included by the EAP as stated by the IAP, to provide a holistic picture. Response from CWA: The claim that the amended DEIR selectively presents a positive view of the proposed CWA by “cherry-picking” policies is unfounded and overlooks the structure and intent of the Need and Desirability assessment in Section 5. Key clarifications: - The DEIR follows the requirements of the EIA Regulations, which explicitly direct the EAP to assess the project’s alignment with applicable spatial plans, strategic frameworks, and national development policies. The analysis references a wide range of sources—including the MSDF, PSDF, IDPs,

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		process in terms of the EIA Regulations. This is as a substantive deficiency in the assessment underpinning the section 24 NEMA application for the CWA project.	National Development Plan, and aviation sector strategies—to determine alignment. - The emphasis on economic growth, employment creation, and regional infrastructure needs reflects the policy intent of these documents. These are legitimate and material considerations in the need and desirability determination, particularly for a nationally significant infrastructure project. - Where there are concerns or uncertainties—such as environmental sensitivity or land use compatibility—these are addressed elsewhere in the DEIR, including in the specialist studies and risk assessments. The purpose of the need and desirability section is not to restate all impact risks but to evaluate whether the project serves a broader public interest and aligns with strategic planning objectives. Thus, the DEIR provides a balanced, policy-driven justification for the proposed CWA. The process is transparent, procedurally correct, and inclusive of risks and benefits, enabling the competent authority to make an informed decision. There is no evidence of selective reporting.
		48. The need and desirability assessment further fails to comply with the 2014 EIA Regulations. Regulation 21 specifically requires that the need and desirability section provide a balanced, evidence-based assessment of whether the proposed activity is appropriate in its environmental and socio-spatial context. However, it does not meet these formal requirements.	EAP response: The N&D section complies with the EIA Regulations and the guideline. CWA response The Appellant's allegation is a repeat of earlier comments and remains unsubstantiated. Regulation 21 of the 2014 EIA Regulations does not prescribe the content of a need and desirability assessment; rather, it addresses the consideration of environmental factors in decision-making by competent authorities. The required content of the need and desirability section is set out in Appendix 3(1)(h) of the

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			EIA Regulations—not in Regulation 21. The Final EIAR fully complies with Appendix 3 by providing: an evidence-based assessment of socio-economic need, an analysis of spatial compatibility, alignment with municipal, provincial and national policy instruments, consideration of environmental constraints, and evaluation of the no-go alternative. The Appellant does not identify which specific mandatory element is allegedly absent, nor does it demonstrate any factual inaccuracy in the assessment. Instead, it relies on broad assertions that do not meet the threshold for a valid appeal under Regulation 4(1) of the Appeal Regulations. Furthermore, the EIAR provides a balanced, integrated and situationally grounded evaluation of the proposed activity, using specialist studies (noise, biodiversity, socio-economics, heritage, traffic and aviation) to assess appropriateness within the environmental and socio-spatial context. This goes beyond the regulatory minimum and reflects standard EIA practice. Accordingly, the claim that the need and desirability assessment “fails to comply” with the Regulations is unsupported by evidence and inconsistent with the structure and content of the Final EIAR.
		49. The need and desirability section in the Final EIAR also does not answer the central legal question whether the CWA development is appropriate for this place, given environmental sensitivities, surrounding land uses, and long-term spatial planning. The	CWA response The Appellant’s argument is a restatement of earlier comments already addressed during the EIA process and remains unsupported by any reference to a specific regulatory requirement. The Final EIAR

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		assessment fails to answer whether this CWA development is still appropriate for this place. This omission is material and renders the need and desirability assessment legally insufficient.	addresses the question of whether the CWA development is appropriate for this location. This is addressed explicitly in the need and desirability chapter, the spatial planning alignment section, the specialist studies, and the integrated assessment of alternatives. The EIAR concludes—based on policy analysis, spatial compatibility, existing land use, socio-economic need, and environmental constraints—that the expansion of the existing airport remains appropriate for this place. Refer response to point 46 above. It is incorrect for the Appellant to suggest that the EIAR ignores environmental sensitivities, surrounding land uses, or long-term spatial planning. Each of these elements is comprehensively assessed: Environmental sensitivities are addressed through the biodiversity, heritage, hydrology, noise, and visual studies, each concluding that impacts are acceptable or can be mitigated. Surrounding land uses are analysed in detail, including neighbouring residential areas, agricultural activity, and industrial zones. Long-term spatial planning is evaluated through reference to the MSDF, SDFs, IDPs, the Provincial Land Transport Framework, and aviation sector strategies. These instruments confirm that CWA aligns with regional planning frameworks and complements Cape Town International Airport in supporting economic resilience and mobility goals. The Appellant provides no evidence that any mandatory content prescribed by Appendix 3 of the EIA Regulations is missing, nor does it identify any specific deficiency in the analysis. Simply asserting that the EIAR “fails to answer the question” does not make it so. The EIAR presents a balanced, evidence-based, policy-aligned conclusion that the proposed development is appropriate for its location.

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			Accordingly, the allegation that the need and desirability assessment is “legally insufficient” is unfounded.
		50. The need and desirability section is biased, promotional, and not objective. NEMA requires that environmental information be accurate, objective, and free from bias (NEMA s 2(4)(g)). However, this section is drafted using marketing language, not neutral environmental analysis. It contains excessively verbose narratives and cosmetic marketing phraseology all of which are indicative of a strong and persistent pro-development bias. The assessment in the Final EAIR is self-evidently tainted and does not satisfy the duty to present transparent, factual information to I&APs and the competent authority.	EAP Response: This statement is disputed. The NEMA Regulations, Protocols and guidelines were all followed, the outcome of the process was independently confirmed. CWA response The Appellant’s assertion that the need and desirability section is “biased, promotional and not objective” is unsubstantiated and represents a repetition of earlier comments, all of which were responded to in the Final EIAR and the EAP’s comment-and-response report. Refer response to point 46 above. No examples of alleged “marketing language” or “cosmetic phrasing” are identified, nor does the Appellant point to any single statement that is factually incorrect, misleading, or inconsistent with the specialist findings. Without such evidence, the allegation remains a generalised opinion, approaching defamation of the EAP, and is not a valid ground of appeal. The EIAR is required by NEMA s 2(4)(g) to present information that is accurate, objective and free from bias. The need and desirability section satisfies this requirement. It is based on policy analysis, specialist studies, spatial planning instruments, and empirical socio-economic data. The conclusions regarding regional economic role, aviation system resilience, land-use compatibility, and environmental constraints are all directly supported by referenced evidence and specialist inputs. These are factual statements, not promotional

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			content. The Appellant has not demonstrated any deviation from NEMA’s objectivity principle. Furthermore, the need and desirability assessment does not substitute marketing narratives for analysis. It incorporates: municipal, provincial and national spatial and transport policies; the Provincial Land Transport Framework, which explicitly recognises CWA as a strategic facility; specialist-derived assessments of environmental constraints; socio-economic modelling; and comparative evaluation of the no-go alternative. These are all standard components of a neutral, policy-aligned need and desirability inquiry. Accordingly, the allegation that the assessment is “tainted” lacks any factual basis and does not identify a single regulatory requirement that has been breached. The Final EIAR presents transparent, factual, and objective information, consistent with NEMA and the 2014 EIA Regulations.
		51. Key claims are also overstated, inaccurate or unsupported. Regulation 21 requires evidence-based justification. Instead, the need and desirability section includes numerous unsubstantiated and exaggerated claims, including on economic benefits and sustainability. The statements in the need and desirability chapter are flawed and/or overstated, inaccurate or irrelevant. Unsupported or incorrect statements cannot legally satisfy the requirement for a reasoned need analysis.	EAP Response: The Applicant doesn’t substantiate this comment by naming specific aspects, it is merely a wide statement in an attempt to discredit the process followed and the large number of studies considered to aid the EAP in formulating the Need & Desirability section. CWA Response

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			The Appellant again makes broad, unsubstantiated assertions without pointing to a single specific statement in the need and desirability section that is allegedly “overstated,” “incorrect,” or “unsupported.” The allegation that Regulation 21 requires “evidence-based justification” misstates the law. Regulation 21 guides the decision-making obligations of the competent authority; it does not set out the content requirements for a need and desirability assessment. Those requirements appear in Appendix 3(1)(h) of the 2014 EIA Regulations (as amended), and the Final EIAR fully complies with them. The need and desirability chapter is grounded in: spatial policy instruments (MSDF, IDP, SDFs, PLTF); socio-economic data and modelling; aviation sector planning frameworks; environmental constraints identified by specialists; and analysis of the no-go alternative. These constitute the very evidence-based inputs the Regulations require. The Appellant also alleges “exaggerated claims” relating to economic benefits and sustainability but provides no contrary data or expert evidence and identifies no statement that is factually incorrect. The socio-economic and sustainability benefits referenced in the EIAR derive from specialist studies using accepted methodologies (WTTC/WTO frameworks, regional GDP modelling, transport network analysis, and comparative aviation system performance). These are evidence-based conclusions, not unsupported assertions. In the absence of any specific inaccuracy or missing required content, the Appellant’s claim cannot be sustained. The need and desirability

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			section provides a reasoned, fact-based, policy-aligned assessment, meeting both the letter and spirit of the EIA Regulations, and the Appellant has not demonstrated otherwise.
		52. The enquiry selectively cites policy and omits contradictory planning considerations. A lawful need and desirability enquiry must demonstrate full and balanced alignment with relevant national, provincial, and municipal planning frameworks. However, the Final EIAR selectively interprets policies, excludes evidence of misalignment, and applies planning provisions “nebulously,” without clear substantiation. Selective policy use is inconsistent with NEMA’s requirement for credible and comprehensive environmental information. The enquiry improperly relies on rhetorical assertions rather than analysis.	EAP Response: The EIA Reports cover and analyse all the policies required to be addressed. This allegation is vague and entirely unsubstantiated. CWA Response: The allegation that the EIAR “selectively cites policy” is unsubstantiated and repeats previous comments that were addressed during the EIA process. The need and desirability section in the Final EIAR references all relevant national, provincial, and municipal spatial and planning frameworks, including the MSDF, IDP, SDFs, Provincial Spatial Development Framework, Western Cape Provincial Land Transport Framework (which specifically identifies CWA as a strategic initiative), and aviation sector policies. The Appellant does not identify any specific policy instrument that was allegedly omitted, misrepresented, or incorrectly applied. The suggestion that the EIAR “excludes evidence of misalignment” is incorrect. Where constraints or areas of sensitivity exist—such as noise impacts, biodiversity considerations, and surrounding land uses—these are explicitly acknowledged in the specialist studies and integrated assessment. The need and desirability section evaluates these constraints within the broader planning and policy context, which is the objective required by Appendix 3(1)(h) of the EIA

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			Regulations. The Appellant provides no contrary policy analysis demonstrating any real inconsistency between the CWA project and the applicable planning frameworks. Furthermore, the claim that the EIAR applies planning provisions “nebulously” is vague and unsupported by any example or policy citation. The EIAR’s spatial and policy analysis is detailed, evidence-based, and grounded in formal planning instruments. It demonstrates clear alignment with regional economic development objectives, aviation capacity needs, and long-term spatial strategies that support complementary airports in metropolitan regions. The Appellant’s broad assertions do not identify any factual inaccuracy or regulatory non-compliance, nor do they satisfy the requirement under Regulation 4(1) for a substantive appeal ground. Accordingly, the contention that the policy analysis is selective or non-compliant is without merit. The Final EIAR presents a balanced, comprehensive, and policy-aligned assessment consistent with NEMA’s requirement for credible and comprehensive environmental information.
		53. The Final EIAR’s need and desirability assessment is also legally and substantively deficient, not only because it employs promotional and biased language, but it also misrepresents or overstates potential benefits, whilst also failing to address the fundamental question of site suitability and desirability. This skewed take on the need and desirability is exacerbated by the selective reference policy, relies on unsupported claims and does not comply with the 2014 EIA Regulations or NEMA’s requirements for transparent, objective and factual environmental information. As a result, the	EAP Response: The site suitability was addressed in the Scoping Report and in the EIA Report, the site is an existing airport as a start, considerations were given to environmental, social and economical aspects to inform the suitability of the site. Refer to response to point 46 above. CWA response The Appellant’s statement is a broad assertion that repeats allegations already made under points 43–52, all of which have been

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		need and desirability assessment is fatally flawed, thus undermining the credibility and legal sufficiency of the Final EIAR as a basis for defensible and informed decision-making. The competent authority is in such circumstances effectively precluded from relying on this assessment as a basis for environmental authorisation.	addressed both in the Final EIAR and in the responses above. The Appellant again fails to identify a single specific statement in the need and desirability assessment that is factually incorrect, misleading, or unsupported. Without pointing to any actual misrepresentation or omission, the claim of “legal and substantive deficiency” is unfounded and does not meet the requirements of Regulation 4(1) of the National Appeal Regulations. The need and desirability assessment does not employ biased or promotional language. It is structured in accordance with Appendix 3(1)(h) of the 2014 EIA Regulations and supported by extensive specialist input, empirical socio-economic data, and formal spatial policy instruments. The assessment addresses site suitability directly, including: the appropriateness of the site as an existing airport with established aviation rights, compatibility with surrounding land uses, environmental sensitivities identified by specialists, long-term spatial planning at municipal and provincial levels, and the consequences of the no-go alternative. These are precisely the issues required by the Regulations. The Appellant also alleges “unsupported claims” and “misrepresentation” without providing a single example or any contrary expert evidence. The EIAR’s assessment of benefits—including regional connectivity, operational resilience, optimisation of existing aviation land, and socio-economic uplift—is grounded in specialist reports and recognised methodologies. Disagreement with the conclusions does not constitute misrepresentation. The suggestion that the competent authority is “precluded” from relying on the EIAR is incorrect. The EIAR provides transparent,

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			factual, policy-aligned information sufficient for defensible decision-making. The Appellant has not demonstrated any legal flaw that would disqualify the need and desirability assessment from consideration. Accordingly, the allegation that the assessment is “fatally flawed” is unsupported, incorrect, and not a valid basis for appeal.
		Ground of appeal 4: Alternatives 54. The consideration of alternatives is wholly inadequate. Only variations of the same development proposal were examined during the EIA process. It does not provide a legally sufficient assessment of reasonable and feasible alternatives. The argument that no genuine alternatives were assessed, is evident from the fact that there is no attempt to investigate a scaled-down airport expansion; or alternative layouts; or alternative site footprints; or reduced runway lengths. The minor changes labelled as “Alternative 4” are minor modifications only and are not true alternatives intended to avoid impacts in term of the impact mitigation hierarchy.	EAP Response: Alternatives were not “manufactured”; the EAP followed the guidance of the regulations to formulate alternatives that were both reasonable and feasible alternatives. Alternatives that did not meet this criteria were disqualified early in the process (as required by the EIA Regulations). Response from CWA: The suggestion that alternatives have been wholly neglected is incorrect. Over the past several years, CWA has reviewed and refined several layout iterations, including development footprint variations, runway orientation, operational phasing, and land use configurations—each tested against aviation safety, airspace integration, and technical feasibility. The project’s current configuration already reflects these refinements, with numerous concessions made to address adjacent land uses. The design accommodates buffer areas, avoids the Koeberg nuclear exclusion zone, and optimizes the site’s topography to minimize cut-and-fill. Importantly, a shorter runway was modelled, but would have imposed payload and operational penalties, reducing commercial attractiveness and limiting long haul alternate use viability. While residential expansion is acknowledged, much of the land South of the airport has lapsed planning rights, and any new urban development would need to account for the airport’s legally entrenched operations.

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			A scaled down version of the airport would fail to achieve its strategic aviation and economic objectives and would not materially reduce noise exposure given aircraft operational requirements. Thus, alternatives have not been ignored—they have been explored and refined extensively within real-world constraints.
		55. The "no-go" alternative was applied inconsistently, especially in the Noise Impact Assessment, creating a misleading assessment. This approach results in misleading comparative outcomes and does not meet the standard for a consistent and transparent alternatives analysis.	Response from CWA: The use of Scenario 1 in the NIA as the base case is both deliberate and appropriate. Unlike other specialist studies, which reflect the current operational state, the Noise Impact Assessment must model the full lawful operational potential of the site, consistent with what is permissible under existing infrastructure and aerodrome rights. This includes all four legally constructed and technically usable runways at Cape Winelands Airport, which pre-date NEMA and do not require new environmental approval to operate. This is not a “mismatch” but a precautionary approach—designed to provide I&APs and authorities with a realistic worst-case noise envelope. If the application to expand CWA fails, the airport can still legally escalate operations on the existing footprint. Ignoring this fallback would understate the true noise context and create a false impression of the relative impact of the proposed development. The baseline for each discipline is tailored to the nature of that impact. For noise, lawful capacity matters; for air quality or biodiversity, current activities and emissions are the relevant base. Uniform baselines across disciplines are not required by NEMA—instead, appropriate, context-specific baselines must be applied to ensure defensible and accurate assessment. The accusation that the reasoning deserves “disdain” is unwarranted and mischaracterizes a transparent, technically reasoned methodology.

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		56. As a critical pre-requisite, the EIAR underpinning the EA must identify and assess feasible and reasonable alternatives, including location, layout, scale and technology. The main concerns raised in support of this appeal include the following:	CWA response The Appellant's claims under points 56.1 – 56.4 simply repeat earlier objections made during the public participation process, all of which were comprehensively addressed in the Alternatives section of the EIAR and in the EAP's responses. Refer Previous response page 473 of Appendix 29D of final EIAR: <i>The development of Alternatives, the impact assessment and the mitigation proposed has been in consultation with and with input from IAPs from the outset. The development of and assessment of alternatives has followed the NEMA process and reacted to stakeholder input on various aspects (Biosecurity, noise mitigation, visual mitigation, groundwater management, terrestrial and freshwater offsets, amongst others).</i> <i>Refer pages 365 to 409 in Appendix 29D of final EIAR.</i> The Appellant again fails to identify any regulatory requirement that has been breached or show that any mandatory category of alternatives was omitted. The EIAR complies fully with Appendix 3(1)(h)(ix) and Appendix 3(2) of the 2014 EIA Regulations, which require the identification and assessment of reasonable and feasible alternatives—not speculative or non-viable options. The alternatives assessed include layout, runway alignment, operational configuration, infrastructure sequencing, no-go, and technology/mitigation options, which meets the regulatory standard.

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		56.1. Alternatives provided are merely minor technical variations (Alternatives 2, 3, 4) that do not reduce impacts.	CWA response This is a repeat comment comprehensively answered in the Final EIAR. Refer to response to point 56 above. The Appellant incorrectly assumes that alternatives must reduce impacts to be valid. NEMA requires assessment of reasonable and feasible alternatives, not artificially invented options with no engineering or aviation basis. The alternatives assessed include: • Different runway alignments, • Different taxiway and apron configurations, • Phasing/scale variations, • Operational alternatives (flight paths, sequencing), • The no-go alternative. The specialist studies evaluate the impacts of each option. The fact that the preferred alternative optimises operational and environmental factors does not invalidate the others.
		56.2. There is no reduced-footprint or scaled-down alternatives provided.	CWA response Again, this is a repeat of earlier GC comments. A “reduced-footprint” option was considered and discarded because it is not feasible for an airport, would violate minimum aviation safety standards, and would not meet the purpose and need of the project—criteria explicitly recognised in the EIA Regulations. Reducing the runway length, terminal footprint, or aeronautical areas below minimum operational requirements would create an unsafe, non-functional airport and therefore constitutes an unreasonable alternative under NEMA.

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			The EIAR clearly explains why such options were rejected early in the screening phase. Refer response to point 56 above.
		56.3. There is no alternative site analysis supplied, even though the EIAR claims such alternatives were examined.	CWA response: This claim has already been raised and addressed during public participation. The EIAR includes a clear explanation of why alternative sites are not feasible, given: this is an existing licensed airport, the existing property already has established aviation rights, relocating an existing airport is not reasonable, practical, or environmentally preferable, establishing a new greenfield airport would result in greater, not lesser, environmental impacts. NEMA does not require examination of alternatives that are unreasonable or infeasible. The EIAR complies fully with the Regulations by screening out an alternative site as not viable and documenting that reasoning.
		56.4. Some “alternatives” were introduced late to address errors, not to reduce environmental impacts.	CWA response: This allegation is incorrect and again repeats prior GC submissions. Alternatives were introduced or refined in response to: specialist refinements, engineering design updates, public comments, and regulatory input. This is exactly how the adaptive refinement process under NEMA is intended to function. Incorporating new alternatives or clarifications

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			during the public process does not indicate error; it indicates proper iterative development consistent with the Regulations and accepted EIA practice. The Appellant provides no example of any “error” nor shows how the inclusion of additional alternatives violates any regulatory requirement.
		57. This constitutes material non-compliance with the legal requirement to present feasible, impact reducing alternatives. The EIAR’s treatment of alternatives constitutes material non-compliance with the statutory requirement to identify and evaluate feasible, impact-reducing options. By failing to present and assess meaningful alternatives, the EIAR undermines the decision-making process, deprives the competent authority of the necessary information to weigh impacts against benefits and renders the environmental authorisation legally indefensible. The omission of robust alternative analysis represents a fundamental procedural and substantive flaw in the environmental assessment	CWA Response: The Appellant’s claim of “material non-compliance” is incorrect, unsupported by evidence, and largely a repetition of comments previously raised during the EIA process. The allegation relies on the false premise that the EIAR is required to present impact-reducing alternatives, when NEMA and the 2014 EIA Regulations require the identification and assessment of reasonable and feasible alternatives—not contrived or unworkable options designed solely to reduce impacts. The EIAR complies fully with Appendix 3 of the EIA Regulations, which requires: - A description of feasible alternatives, - An explanation of alternatives that were considered but screened out and why, - A comparative assessment of the environmental impacts of each alternative, - The no-go alternative. All of this is clearly presented in the Final EIAR. Refer to response to point 56 above. The Appellant does not identify any regulatory clause that the alternatives assessment failed to meet.

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			The contention that the EIAR “fails to present meaningful alternatives” ignores the fact that the CWA is an existing licensed airport. Many of the alternatives implied by the Appellant—reduced footprints, scaled-down layouts, or relocation—are not feasible because they would create an unsafe or non-functional airport. The EIA Regulations explicitly allow proponents to screen out alternatives that are unreasonable, unsafe or do not meet the project’s purpose and need. The Appellant further claims that the EIAR “deprives the competent authority of necessary information.” This is incorrect. The EIAR presents a comprehensive and comparative evaluation of layout, configuration, phasing, operational, and no-go alternatives, all supported by specialist studies. DEADP had all required information to weigh impacts, benefits, and statutory considerations. Finally, the allegation that the EIAR’s alternatives assessment renders the authorisation “legally indefensible” is unsupported by any reference to law, regulation, or factual omission. The Appellant has not demonstrated a single procedural defect or substantive flaw that would constitute material non-compliance. Accordingly, the contention that the EIAR omitted a “robust alternative analysis” is without merit.
		Ground of appeal 5: Policy and Planning Misalignment 58. Claims of alignment with national, provincial and local planning documents are selective, overstated or incorrect. This shows inconsistency and allows for proper decision-making to not be rendered proper.	EAP Response: A registered Town Planner was involved from the onset of the EIA process to inform the EAP on planning policies. This proved to be of assistance in concluding the alignment in the EIA Report. Findings of the land use planning report (Appendix 36 to the final EIAR) informed the EIA.

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			CWA response This assertion is unsubstantiated and is a repeat of earlier comments previously raised by Garden Cities and fully responded to in the Final EIAR's comment-and-response report. The Appellant again provides no examples of any policy misquoted, ignored, or selectively interpreted. The EIAR references all relevant municipal, provincial and national planning instruments, including: • Municipal Spatial Development Framework (MSDF) • District and Local SDFs • Integrated Development Plan (IDP) • Western Cape Provincial Spatial Development Framework • Western Cape Provincial Land Transport Framework (2024/25–2028/29), which explicitly identifies CWA as a strategic aviation initiative • National aviation and transport policy (White Papers, NATMAP, Provincial Transport Strategy) The Appellant does not identify any specific statement in which the EIAR misrepresents policy alignment. Without such evidence, the allegation cannot be sustained nor does it form the basis of a defensible appeal.
		59. The EIAR emphasises policies that support development while omitting those indicating misalignment. This lack of information allows for the aspect of transparency to be hindered.	EAP response: The EAP was transparent on all environmental, social and economic aspects of the EIA and rejects the appellant's statement. CWA response

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			This is another repeat comment, previously made during the EIA process and addressed in detail by the EAP. The Appellant again provides no policy reference that was allegedly omitted. The EIAR comprehensively lists and evaluates all applicable planning instruments and cites both areas of alignment and the relevant constraints. Importantly: • Environmental constraints (noise, biodiversity, heritage, hydrology) are fully integrated into the assessment. • Compatibility with surrounding land use is evaluated through multiple specialist studies. • Spatial planning considerations—including the Greenville development, urban edge matters, and agricultural potential—are explicitly assessed. The allegation that planning provisions were “omitted” is unsupported and does not identify a single omitted document or clause.
		60. The proposed project is not aligned with the desired future spatial development of the area. As a result, this shows inaccuracy and a lack of evaluation overall.	EAP Response: The airport aligns with the areas future spatial development pattern, and in addition it will be the catalyst for a sustainable “new town” that will provide jobs for people who will occupy the residential development planned by the appellant. CWA response This claim is also a repetition of prior comments, already addressed by the EAP. Previous response in Appendix 29D of final EIAR page 447:

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			Response from town planner: <i>This is an introductory paragraph ending with a “colon” (:) which is a punctuation mark used to introduce information that elaborates on or explains in the following sections. To draw conclusions of bias on the basis of the introductory paragraph overlooks the rationale presented in section 6.2 on Location Factors and throughout Appendix 36. The comment also fails to recognise that areas where the proposal is not consistent with the MSDF and the District Plan. Deviations from the MSDF is dealt with in four sections in the report. Citing areas of alignment with strategic frameworks is a fundamental part of assessing spatial desirability and determining a project’s strategic fit within the hierarchy of plans. Simply put, it’s about framing the development within the context of existing spatial and economic plans.</i> <i>Regarding the comment that “it could be attributed to any significant investment project” underscores an important point not recognised in the comments by MEGA. While major investments of this scale are few, their regional economic multiplier effects remain significant, regardless that the benefits may seem generic.</i> <i>Evidence for employment quantification is provided in App-23-CWA-Socio-Economic-Impact-Assessment.</i> <i>Refer responses Appendix 29D page 447 to 448.</i> The Appellant again does not cite which spatial development objective is allegedly breached. The EIAR’s spatial analysis demonstrates: CWA is an existing airport with long-standing aviation rights, not a new incompatible land use.

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			The MSDF recognises aviation as a regional economic asset and supports diversification of the aviation system. The Provincial Land Transport Framework explicitly supports CWA as a complementary aviation facility to CTIA. The airport aligns with strategic objectives for logistics, economic development, mobility, and risk mitigation. No municipal or provincial plan identifies the CWA site as inappropriate for continued or expanded aviation use. By failing to reference any spatial policy clause or planning objective, the Appellant has not demonstrated misalignment nor any deficiency in the EIAR.
		Ground of appeal 6: Non-compliance with NEMA principles 61. The Final EIAR demonstrates systemic failure to apply several core NEMA principles that are legally binding on environmental decision-making.	EAP response: The EIA considered all of the relevant NEMA principles that were required. CWA Response: The Appellant’s allegation of “systemic failure to apply several core NEMA principles” is vague, unparticularised, and a repeat of concerns already raised and addressed during the EIA process. The Appellant does not identify which “core” NEMA principles were allegedly violated, how they were violated, or where in the Final EIAR such non-compliance supposedly occurs. Without specifying the principle, the location in the report, or the nature of the alleged inconsistency, this ground fails to ground an appeal. Contrary to the allegation, the Final EIAR demonstrates explicit alignment with the NEMA s 2 principles, including: • Sustainability and risk aversion (s 2(4)(a)(viii) & (vii));

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			• Avoidance, minimisation and mitigation hierarchy (s 2(4)(a)(i)–(iii)); • Equitable access to natural resources and socio-economic benefits (s 2(4)(d) & (e)); • Integrated environmental management (s 2(4)(l)); • Polluter pays and duty of care principles; • Transparent and participatory decision-making, demonstrated by multiple rounds of public participation and specialist revisions. Every specialist study—including noise, biodiversity, heritage, socio-economics, traffic, hydrology, and alternatives—explicitly applies the precautionary approach, evaluates risks, and identifies feasible mitigation, as required by NEMA. The Appellant offers no evidence that the EIAR omitted or misapplied any binding principle. The broad and unsupported claim of “systemic failure” is therefore unsubstantiated, does not identify any legal defect, and cannot be sustained as a valid appeal ground.
		62. The Precautionary Principle has not been applied. Section 2(4)(a)(vii) of NEMA requires the precautionary principle to be applied where information is uncertain, inadequate or unreliable. Significant uncertainties remain regarding key impact drivers. These uncertainties are shown and not addressed through additional studies, conservative scenarios or avoidance measures.	EAP Response: It is unclear what extra studies, scenarios and avoidance measures the Appellant refers to, the comment is therefore merely wide and unsubstantiated. Numerous references to “precautionary” exist throughout the EIA Reports. Response from CWA: The precautionary principle has been applied in scenarios where data gaps exist, including the use of conservative assumptions and upper-bound impact modelling (e.g. full operational capacity in noise and air quality assessments). The DEIR is clear about information limitations

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			where they occur and transparently addresses them through post-authorisation management plans such as the EMPr and Noise Mitigation and Management Plan (NMMP). The assessment approach is fully aligned with the requirements of NEMA, the EIA Regulations, and current best practice guidance.
		63. The review shows that the Final EIAR repeatedly downplays uncertainty, particularly regarding noise, biodiversity and aviation growth projections. For example:	CWA response: This is a repeat of earlier comments raised by Garden Cities during public participation. The Appellant again fails to identify a single instance where uncertainty was “downplayed” or omitted. In reality, the Final EIAR explicitly acknowledges uncertainty in several places—as required by NEMA—and applies conservative, precautionary assumptions, including: Worst-case aircraft movement projections, High-growth aviation scenarios, Conservative noise propagation modelling, Maximum development envelope biodiversity modelling, and Upper-bound impact ratings even where mitigation is available. The EIAR does not downplay uncertainty; it incorporates it directly into significance ratings and mitigation frameworks.
		63.1. Noise data and scenarios contain major inconsistencies and uncertainties that are not resolved, yet the significance ratings remain unchanged.	Specialist response: The NIA explicitly acknowledges and evaluates the inherent uncertainties associated with aircraft operations, future fleet mix, atmospheric variability, and long-term planning. These sources of uncertainty are fully accommodated by using conservative modelling assumptions, including the incorporation of the 10 dB night penalty, future fleet capacity, worst-case operational conditions and maximum expansion runway usage. The uncertainty is therefore built into the

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			predictions rather than ignored. As such, none of the uncertainties cited would alter the final impact significance classification. The noise contour maps, receptor tables, L_{Rdn} values, L_{Amax} predictions and scenario comparisons align with the standard and predictable results produced by SANS and ICAO-compliant aircraft noise modelling methodologies. The unchanged significance ratings reflect the fact that, regardless of scenario, noise levels in surrounding communities remain low, predominantly within the 40–50 dB(A) range, which does not constitute a significant adverse impact. CWA response: This allegation is unsubstantiated and simply repeats prior noise objections (already addressed in the EIAR and specialist responses). The Noise Impact Assessment: • Uses ICAO-certified aircraft noise data, • Applies international standard modelling (INM/Doc 9911 equivalent), • Uses consistent baseline assumptions, • Applies a conservative growth forecast, and • Treats uncertainty by modelling higher-intensity scenarios, not lower. The Appellant does not identify any specific inconsistency, error, incorrect input, or methodological defect. Without evidence, the allegation does not ground a valid appeal.

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		63.2. Biodiversity impacts remain uncertain, but no additional studies or avoidance measures are implemented.	EAP Response: All biophysical studies were identified through the DFFE screener or through stakeholder input or by the EAP as best practice. All specialist studies were conducted by highly qualified, experienced and independent specialists. Without specifying the extra studies the Appellant believes are required, this comment is rejected. CWA response This is another repeat comment previously raised and addressed during the Draft and Final EIAR stages. Previous response Appendix 29D of final EIAR page 260: <i>Furthermore, the biodiversity impacts have been identified, assessed, and addressed in the DEIR through detailed specialist studies, with proposed mitigation, offset, and environmental management measures. These issues are being dealt with transparently within the EIA process and do not conflict with the policy's intent to prioritise existing sites for aviation development. Therefore, the claim of overstatement is not supported by either policy interpretation or project fact.</i> The Biodiversity Specialist Study: Identified all relevant species and habitat sensitivities, Applied the Western Cape Biodiversity Spatial Plan, Conducted ground-truthing and field surveys, Assessed cumulative impacts, Identified mitigation and offset obligations, Applied precautionary significance ratings. No competent authority, commenting authority (CapeNature), or independent reviewer identified any deficiency in the biodiversity assessment.

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			The Appellant, by contrast, provides no evidence of any missing study, omitted species, or inaccurate mapping. The allegation is speculative.
		64. NEMA requires that where information is uncertain, the environment must be protected proactively. The EIAR does not do this and is in violation of NEMA.	EAP Response: No biophysical environmental aspects were uncertain to a point that required formal protection, neither were such recommendations made. CWA response This is incorrect in law and is unsupported by facts. NEMA's precautionary principle (s 2(4)(a)(vii)) requires: Anticipation of potential impacts, Avoidance and minimisation where possible, and Application of risk-averse and cautious approaches. The EIAR does exactly this: High-growth aviation scenarios were included, Maximum footprint layouts were modelled, Worst-case biodiversity envelopes were assessed, Noise modelling incorporated conservative operational assumptions, Where uncertainty existed, higher significance ratings were used, not lower. There is no violation of the precautionary principle, and the Appellant does not identify any specific requirement that was allegedly breached.

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		Ground of appeal 7: Poor Application of the Mitigation Hierarchy 65. NEMA requires mitigation to follow four steps: avoid → minimise → rehabilitate → offset. The Final EIAR fails at the first step. This is shown in the following ways:	EAP response: This statement is rejected - all aspects of the assessment applied the mitigation hierarchy as required. CWA Response: Mitigation Hierarchy: The mitigation hierarchy is clearly applied throughout the DEIR, with avoidance, minimisation, mitigation, and management measures integrated at both planning and operational levels. Where certain impacts cannot be avoided (e.g., noise in specific zones), these are acknowledged and accompanied by specific mitigation strategies, including post-approval management tools. The implication that these elements have not been applied is inaccurate and does not reflect the documented scope and depth of the EIA process.
		65.1. Avoidance alternatives were never explored. There are no layout changes, scaling-down options, runway length alternatives or design permutations.	65.1 EAP Response: The no-go alternative entails the “avoidance” of the proposed expansion. The “No Go Option” was included as one of the alternatives assessed during the EIA Phase. CWA response This is a repeat comment, previously raised by Garden Cities and fully addressed in the Alternatives section of the Final EIAR and in the EAP’s response-to-comments. Refer to response to point 56 above. The allegation is factually incorrect. The EIAR did explore avoidance alternatives at multiple levels: Runway alignment alternatives: These were considered and screened out based on safety, aviation regulations, airspace constraints, and environmental sensitivities. Layout and configuration alternatives: Different apron, taxiway, terminal and landside configurations were assessed.

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		65.2. The EIAR incorrectly requires surrounding land uses (e.g. residential developers) to adjust to airport noise. This inverts the mitigation hierarchy.	Scaling-down options: These were rejected as not feasible because they would produce a non-functional airport that fails minimum SACAA and ICAO safety and operational requirements. No-go alternative: This is the ultimate avoidance option, fully assessed as required by NEMA. The Appellant incorrectly assumes that avoidance alternatives must involve “scaled-down” designs, despite these being unfeasible for an airport. The EIA Regulations allow screening out alternatives that cannot meet project purpose, safety requirements, or operational viability. 65.2 EAP Response: The proposed project is for the expansion of an existing airport with existing impacts, inclusive of noise. The surrounding future residential developments do not have rights, those have either lapsed or amendment applications are in process. The CWA application and the future growth of the urban area in this “new town” area can co-exist. CWA Response: This allegation is incorrect and again a repeat of earlier GC submissions that were fully responded to. Refer response to Comment 11.37 (page 266); response to 11.42.1. (page 275); Response to 64 (page 423) in Appendix 29D of final EIAR. The EIAR does not require surrounding land uses to adjust to airport noise. Instead, it: - Assesses noise impacts thoroughly for all phases; - Confirms compliance with SANS 10103 and DEADP thresholds; - Shows that Greenville and other sensitive receptors fall outside actionable contour ranges;

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		65.3. Noise mitigation is deferred until after authorisation, meaning mitigation does not exist at the decision-making stage	Applies avoidance (runway orientation), minimisation (fleet assumptions), and mitigation (acoustic design, monitoring, future operational controls). The mitigation hierarchy is properly applied: Avoidance – runway alignment chosen to avoid residential areas. Minimisation – quieter aircraft assumptions, conservative scenarios. Mitigation – built-form treatments, noise management measures. There is no requirement for residential developers to “adjust.” In fact, the irony is that Garden Cities’ own development rights have lapsed, meaning its future development intentions no longer hold any legal status—yet it argues that the EIAR must adapt to rights that no longer exist. 65.3 EAP response: This statement is incorrect; the NIA does deal with mitigating measures therefore it does inform decision making. CWA response: This claim mischaracterises the legal framework and is again a repeat of comments already addressed. Under the EIA Regulations: Mitigation must be identified and committed to at the EIA stage, But detailed engineering design is only completed after authorisation and incorporated into the final EMPr. This is standard practice for all major infrastructure projects in South Africa, including airports. In the EIAR:

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			Noise mitigation measures are identified (acoustic design approaches, land-use interface strategies, monitoring requirements, operational controls). These will become binding conditions in the EA once issued. The fact that engineering detail is finalised post-authorisation is normal, lawful, and required—not a deficiency. The Appellant provides no evidence of omitted or unidentified mitigation measures, nor any regulatory requirement that would prohibit finalisation of detailed mitigation during the post-authorisation stage.
		66. This violates the mandatory mitigation sequencing under NEMA and is inconsistent with environmental practice. This omission undermines the integrity and reliability of the impact assessment, renders the proposed mitigation measures uncertain and prevents the competent authority from making a legally defensible decision based on fully mitigated impacts. The assessment is therefore procedurally and substantively inadequate for the purposes of environmental authorisation.	EAP Response: The comments is repetitive and overstated, the EIA process followed was according to the NEMA Regulations and Protocols. Further, the failure to identify precisely the violation of the mitigation sequence and how it ought properly to have been sequenced undermines this statement to completely. CWA response As per 65 Above
		Ground of appeal 8: Non-compliance with the EIA Regulations, 2014 as amended 67. The Final EIAR fails to comply with several specific regulatory requirements in the EIA Regulations.	EAP response: The Final EIAR does comply with the EIA Regulations. CWA response The Appellant's allegation is entirely unparticularised and does not identify a single provision of the 2014 EIA Regulations with which the Final EIAR supposedly fails to comply. This is a repeat of earlier broad statements, already raised during public participation and addressed in the Final EIAR and Comment-and-Response Report.

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			Without identifying: • the specific Regulation allegedly breached, • where in the EIAR the non-compliance is said to occur, and • the nature of the alleged deficiency, the claim is legally insufficient and cannot be considered a valid appeal ground. • In contrast, the Final EIAR was compiled in strict accordance with Appendix 3 of the EIA Regulations, including all mandatory content requirements such as: • project description; • need and desirability analysis; • alternatives assessment; • baseline environment; • specialist inputs; • impact assessment; • mitigation measures; • EMPr; • public participation; and • reasoned conclusions. No competent authority or commenting authority identified any omission of required regulatory content during the review process. Accordingly, the vague and unsupported assertion in point 67 fails to demonstrate any procedural or substantive non-compliance and cannot be relied upon as a lawful basis for appeal.

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		Inadequate Description of the Affected Environment (Regulation 21©) 68. The EIAR must provide a clear, accurate and comprehensive description of baseline conditions. A misleading baseline renders the impact assessment non-compliant and undermines the integrity of the entire EIA process and the Final EIAR. This deficiency compromises the validity of impact assessments and misguides the evaluation of mitigation measures. However, the following indicates that the description of the affected environment and baselines conditions is inadequate:	EAP Response: All the baseline conditions were considered as part of the EIA process, and were included in the Scoping and EIA Reports. CWA response The Appellant's allegation under point 68 misinterprets Regulation 21(c) and repeats comments already raised during public participation and which were responded to in the C&R Report. Refer response to comment 11.32.2 Appendix 29D of final EIAR (page 262). Regulation 21(c) concerns the consideration of environmental impacts and information by the competent authority. It does not prescribe baseline-methodology requirements for the EIAR, which are instead set out in Appendix 3 of the 2014 EIA Regulations. The Final EIAR complies fully with Appendix 3, which requires a description of the affected environment that is relevant to the project and its impacts. The EIAR provides: • Detailed descriptions of current noise, biodiversity, hydrology, traffic, heritage, social and spatial conditions. • Specialist-derived mapping, modelling, and on-site baseline surveys. • Clear separation of baseline ("Scenario 1") and future-phase scenarios. • A transparent explanation of datasets, assumptions and conservative modelling. The Appellant does not identify any specific baseline descriptor that is missing, incorrect, or misleading. Instead, it repeats previously raised (and answered) concerns regarding noise and flight path mapping.

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			Accordingly, the allegation of “non-compliance with Regulation 21(c)” is incorrect in law and unsupported by evidence.
		68.1. Noise baseline (Scenario 1) is not the actual current condition but an inflated, theoretical full capacity scenario, which misrepresents existing impacts.	EAP Response: Scenario 1 represents the No Go scenario where the existing runways operate at their maximum permitted capacity, assuming 301 aircraft movements per day.. This comment was previously raised in the EIA process and has been addressed in Appendix 29D of the final EIAR (page 243). CWA response This is a repeat comment from the Draft EIAR stage and was addressed in full by the noise specialist. The claim is factually incorrect. • Scenario 1 represents CWA exercising its current rights at full capacity, supported by on-site monitoring and validated by standardised acoustic modelling. • It is not an “inflated theoretical full-capacity scenario.” • The specialist also used conservative assumptions (e.g., upper-bound movements, worst-case propagation) to avoid underestimating noise, consistent with NEMA’s precautionary principle. The Appellant has not provided: • Any alternative measurements, • Any contradictory modelling, or • Any evidence of error in the baseline

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			Therefore the allegation is unfounded and fails as a substantive appeal ground.
		68.2. Baseline maps are labelled “Current” despite representing fictional future flight paths, which the calls misinformation.	CWA response This allegation is also a repeat comment previously raised by Garden Cities. The EIAR correctly distinguishes between: 1. Baseline conditions (measured current environment at full capacity on existing approved runways), and 2. Future operational scenarios (flight paths required for impact prediction). “Current” baseline maps show the existing conditions—noise contours, land use, receptors, and environmental features. Where future scenarios are modelled, they are clearly labelled as Scenario 2, Scenario 3, or future-phase movement projections. Future flight paths are not “fictional”; they are necessary predictive modelling tools, required by ICAO and DEADP for evaluating potential environmental impacts. Predictive mapping is mandatory in an EIA and does not constitute “misinformation.” The Appellant’s argument therefore reflects a misunderstanding of how environmental impact modelling works and does not identify any non-compliance with the Regulations.

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		68.3. Conflicting aircraft movement numbers appear across reports, making baseline understanding impossible.	CWA response The Appellant's claim is incorrect and repeats a comment previously raised and fully addressed in the Final EIAR's comment-and-response report. Refer response to comment 11.32.2 Appendix 29D of final EIAR (page 262). There are no conflicting aircraft movement numbers across the specialist studies. The EIAR uses a single, consistent dataset for baseline and future aircraft movements, derived from: Verified historical aircraft movement data for the actual baseline, and A single, harmonised set of projected movements for future scenarios, applied consistently across the Noise, Traffic, Air Quality and Socio-Economic assessments. Any variations in numbers between tables or figures reflect different scenario years (e.g., baseline, PAL 1, PAL 2, PAL 3) or different modelling purposes, not contradictions. These distinctions are clearly labelled in the EIAR. The Appellant does not identify: • which numbers allegedly conflict, • in which reports they appear, • or how they would affect any baseline conclusion. Without specifying any example or demonstrating any effect on the assessment, the allegation is unsubstantiated and does not meet the standard for a valid ground of appeal. In short, the baseline understanding is clear, consistent, and fully transparent, and the Appellant's claim is factually incorrect.

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		Inadequate Assessment of Impacts (Regulation 21(e) & (h)) 69. An impact assessment that lacks reliable data or excludes major impacts cannot meet regulatory standards. The EIAR must assess nature, significance, duration, extent, magnitude and mitigation of impacts. However, the following indicates otherwise: 69.1. Noise — the most significant community and I&AP concern — is not assessed in the Socio Economic Study as a standalone impact. 69.2. Impacts on current on-site businesses are not assessed at all.	CWA response The allegations under points 69.1 to 69.4 repeat concerns already raised by Garden Cities during the EIA process and fully addressed in the Final EIAR and the EAP's comment-and-response report. Previous response to comment 6 in Appendix 29D of final EIAR (page 213): <i>EAP response:</i> <i>The list of considerations provided by the IAP is not exhaustive. The two key principles mentioned - the precautionary principle and the mitigation hierarchy – are noted and form part of the Scoping and EIA process to date.</i> <i>The assessment of impacts by the EAP or relevant specialists are indicated per specialist report and in Section 8.1.3 of the amended draft EIAR.</i> Response from CWA: <i>The statement reiterates standard principles of Environmental Impact Assessment (EIA) practice, all of which have been adhered to in the amended Draft Environmental Impact Assessment Report (DEIR) for the Cape Winelands Airport (CWA). The significance criteria applied in the DEIR explicitly incorporate the sensitivity of receptors, relevant planning frameworks (including the MSDF and regional SDFs), stakeholder input, applicable standards (e.g. SANS 10103, SANS 10117, NAAQS), and the mitigation hierarchy.</i> <i>The precautionary principle has been applied in scenarios where data gaps exist, including the use of conservative assumptions and upper-bound impact modelling (e.g. full operational capacity in noise and air</i>

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		69.3. Impact ratings rely on mitigation that does not yet exist (pending Noise Management Plan). 69.4. Key impact assessments rely on incorrect, inconsistent, or incomplete data.	<i>quality assessments). The DEIR is clear about information limitations where they occur and transparently addresses them through post-authorisation management plans such as the EMP and Noise Mitigation and Management Plan (NMMP).</i> <i>The assessment approach is fully aligned with the requirements of NEMA, the EIA Regulations, and current best practice guidance.</i> None of these points identifies an actual regulatory breach, any omission, or any substantive deficiency in the impact assessment. 69.1 EAP Response: The Socio-Economic IA does consider the noise impact, statements made under 69.1 to 69.4 is unsubstantiated and rejected. CWA Response: This is a repeat comment. Noise is correctly assessed by the Noise Specialist using mandated modelling methodologies. The socio-economic specialist then incorporates the conclusions of the noise study into the integrated impact assessment. Socio-economic specialists do not duplicate acoustic modelling — they rely on the specialist findings, which is standard and required practice under the EIA Regulations. The EIAR therefore properly integrates noise into the overall significance ratings. 69.2 CWA Response: The claim in 69.2 is incorrect and repeats an earlier comment already addressed. The businesses currently operating on the site are tenants, not land-right holders, and all occupy the property under lease agreements that include development and termination clauses. These contractual provisions expressly allow CWA to give notice to vacate when development proceeds. As such, there is no displacement impact in the NEMA sense, because the tenants have no permanent

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			land rights and entered into leases knowing development would likely could occur. The socio-economic specialist assessed the relevant project-level impacts required under Regulation 21(e) and transitional matters relating to private lease agreements fall outside the scope of environmental impact assessment. EAP response: The on-site current businesses' roles in training, recreational flying, microlight operations, maintenance, and regional GA activity were considered in the SIA. 69.3 CWA response: This repeats a misunderstanding already addressed. The EIA Regulations require mitigation to be identified and committed to, not fully engineered before authorisation. Noise mitigation — including acoustic design principles, land-use interface controls, monitoring, and operational measures — is fully identified in the EIAR. A Noise Management Plan is a normal post-authorisation requirement for airports and major infrastructure projects. There is no regulatory requirement for it to exist pre-authorisation. EAP response: this comment has been addressed above. 69.4 CWA response: This is a vague, unsupported allegation and another repeat comment. The Appellant does not point to a single incorrect figure or inconsistency. All specialist studies rely on verified baseline data, harmonised aircraft movement projections, conservative modelling assumptions, and cross-disciplinary integration. No authority (DEADP,

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			CapeNature, City of Cape Town, Provincial Transport) identified any data deficiency. Without identifying an actual error or omission, the allegation cannot stand as a valid ground of appeal. EAP response: The comment is vague about which impacts were incorrectly assessed, or which impacts assessments are considered key by the Appellant. The EAP rejects the allegation; all impacts identified by stakeholders; the EAP and specialists were assessed.
		Inadequate Public Participation and Responses to Issues Raised (Regulation 39–41) 70. A cursory review of the Final EIAR indicates that I&AP questions were not adequately addressed: 70.1. The answers were vague, generic or evasive, particularly regarding flight paths and noise. A detailed response should have been provided as this shows lack of attention.	EAP Response: Please refer to the Proof of PPP that clearly shows that an adequate process was followed. The comments made by the Appellant are vague, the responses in the C&R (Appendix 29A to D of the final EIAR) are comprehensive. CWA response The allegations raised under 70.1 and 70.2 are repeat comments and do not withstand scrutiny when compared with the documented public participation process. Importantly, the Appellant’s own environmental attorney, Mr Richard Summers, expressly states that his review of the Final EIAR was only a “cursory” one. This admission is significant: a cursory review, by definition, lacks depth, rigour, or detailed engagement with the material, and cannot credibly underpin accusations of inadequate responses, insufficient detail, or evasiveness. Responses to I&AP comments were detailed, comprehensive and specialist-supported.

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			The Final EIAR contains an extensive Comment-and-Response Report, addressing every submission line-by-line. Responses relating to noise, flight paths, airspace, operational assumptions and alternatives were all prepared with specialist input. It is therefore unsurprising that a “cursory review” might miss the depth and structure of these responses—this deficiency lies with the reviewer, not the EIAR. The claim that answers were “vague or evasive” is unsupported and contradicted by the record. The appellant identifies no specific example of a vague or inadequate response. The regulations require clear and reasoned responses; they do not require the EAP to provide information that does not yet exist (e.g., operational details subject to ATNS or SACAA approval). Where information was legitimately not yet finalised, the EAP explained this transparently, consistent with NEMA’s precautionary approach. Meaningful engagement did occur and no authority found any procedural defect. Public participation included multiple rounds of review, public meetings, circulation of all specialist reports, and unrestricted opportunities for comment. No commenting authority—DEADP, the City of Cape Town, or CapeNature—raised any concern about the adequacy of responses. The appellant’s reliance on a self-described “cursory” and incomplete

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			review cannot outweigh the oversight of expert authorities that actually reviewed the documentation in full. The allegation of “non-answers” on specific issues (70.2) is inaccurate. Questions such as speed-reduction locations were answered appropriately within the constraints of aviation regulatory processes. These future operational specifics fall under ATNS and SACAA and cannot be predetermined in an EIAR. The EAP’s explanation of these constraints is not evasive but legally correct. Points 70.1 and 70.2 rely on a cursory and incomplete review and provide no evidence of inadequate engagement or regulatory non-compliance. The public participation process was extensive, thorough and fully compliant with Regulations 39–41, and all I&AP issues were addressed in detail in the Final EIAR. EAP response: all comments received from IAPs were recorded and responded to in full in the C&R (Appendix 29A to D of the final EIAR). This comment is vague and cannot be answered in detail.
		70.2. Key questions (e.g. speed reduction locations) received non-answers, indicating insufficient information for meaningful engagement.	CWA response Points 70.1 and 70.2 rely on a cursory and incomplete review and provide no evidence of inadequate engagement or regulatory non-compliance. The public participation process was extensive, thorough and fully compliant with Regulations 39–41, and all I&AP issues were addressed in detail in the Final EIAR.

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		71. Failure to answer relevant and reasonable concerns constitutes non-compliance with the public participation requirements. This goes against section 33 of the Constitution of South Africa in terms of the right to fair administrative justice.	EAP Response: Comprehensive responses were provided in the C&R report throughout the EIA process. CWA response The allegation that the EAP failed to answer “relevant and reasonable concerns” is unfounded and not supported by the administrative record. Every comment received during the public participation process was formally logged, categorised, and responded to in the Comments and Responses Report contained in the Final EIAR. The appellant has not identified a single instance of a concern that was ignored or left unanswered, nor have they provided any evidence of non-compliance with Regulations 39–41. Importantly, section 33 of the Constitution does not entitle an I&AP to a response with which it agrees; it requires that the I&AP be afforded a fair opportunity to participate and to receive a proper response. Both requirements were met comprehensively. The process included multiple rounds of public participation, extended timeframes, public meetings, and repeated opportunities for further submissions. The appellant made extensive comments throughout, all of which were addressed. A disagreement with the substance of a response does not amount to a procedural irregularity. What is being alleged is dissatisfaction with the answers provided, not a failure to provide them. This is not grounds for appeal under the National Appeal Regulations. In fact, the appellant relies on the very responses contained in the Final EIAR in its appeal, which confirms that the responses were provided. It is also relevant that the appellant’s own attorney, Mr Richard Summers, expressly acknowledges that his review of the Final EIAR was

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			“cursory.” A superficial review cannot form the basis of an accusation that issues were not responded to. There is no evidence of any procedural unfairness or prejudice suffered by the appellant, and therefore no basis for a claim that section 33 rights have been infringed. Overall, the public participation process was procedurally sound, more than compliant with all regulatory requirements and cannot be impugned merely because the appellant does not accept the substantive outcomes.
		Ground of appeal 9: Non-compliance with spatial planning and land use management legislation 72. The EIA Regulations require proof of planning alignment. There is an objective failure to demonstrate this undermines the lawful basis for authorisation. The EIAR selectively cites policies and claims alignment with spatial plans without sufficient evidence. This is evidenced by:	CWA response The claim that the EIAR fails to demonstrate planning alignment is incorrect and not supported by the record. The EIAR provides a detailed and comprehensive assessment of all relevant spatial planning instruments, including the MSDF, the District Spatial Development Frameworks, the draft PLTF, and sector-specific aviation and transport strategies. Each of these documents was evaluated in full, and the EIAR sets out explicit references showing how the proposed CWA development aligns with, supports, or is neutral to the identified spatial objectives. It is also inaccurate to suggest that the EIAR “selectively cites” policy. The planning chapter references the full suite of applicable documents and includes both supportive and non-supportive elements, demonstrating a balanced, transparent assessment rather than selective extraction. The appellant has not identified a single planning document that was omitted or misrepresented.

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			Importantly, the draft Provincial Land Transport Framework expressly identifies CWA as a strategic initiative and records the Western Cape Government’s commitment to ongoing engagement with the project. This is direct, authoritative provincial policy support, contradicting any allegation of non-alignment. Furthermore, spatial planning alignment under the EIA Regulations does not require that an activity must already be included in every plan, nor does it require perfect consistency. It requires consideration of relevant planning frameworks and demonstration that the activity does not conflict with them. That threshold is clearly met. The appellant also overlooks the fact that spatial plans are inherently strategic and non-prescriptive. They guide development but do not fix future land uses, particularly in fast-evolving infrastructure sectors such as aviation. The EIAR correctly interprets these plans and shows alignment with economic growth objectives, infrastructure diversification, resilience planning, and regional connectivity – all of which are core themes in municipal, district, and provincial frameworks. The assertion of “objective failure” is therefore unsubstantiated. No evidence is offered of any misalignment, misinterpretation, or omission, and the appeal relies on generalised assertions rather than technical counter-evidence. The planning assessment in the EIAR is thorough, accurate, and compliant with the requirements of the EIA Regulations.

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		72.1. Policies are applied nebulously or without meaningful analysis, according to the review.	EAP response: This comment has been addressed above. The findings of the land use planning report (Appendix 36 to the final EIAR) informed the EIA process and findings. CWA response The allegation that policies were applied “nebulously” is unsubstantiated and contradicted by the detailed policy-by-policy assessment contained in the EIAR. Each spatial plan and policy was evaluated with explicit references, clear reasoning, and documented alignment. The reviewer’s comment reflects a subjective opinion rather than any demonstrable flaw in the analysis, and no example of nebulous or inadequate application has been identified.
		72.2. The EIAR does not answer the critical planning question: Is this project aligned with the desired long-term spatial character of the area? The review notes for this question is not adequately addressed. It is vague and does not provide clear feedback.	EAP response: This comment has been addressed above. CWA response The EIAR answers this planning question directly and in detail. It evaluates the long-term spatial character set out in the MSDF, District SDFs, and the draft PLTF, and demonstrates that the project aligns with regional economic development objectives, transport resilience, and the strategic diversification of aviation capacity. The allegation of vagueness overlooks the explicit policy-by-policy analysis already provided, and no example of an unanswered or unclear aspect is identified.

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		Ground of appeal 10: Misrepresentation of International Policy – SDGs	
		73. The Final EIAR asserts alignment with Sustainable Development Goals (SDGs) 11, 12, and 13. Upon review, these claims are demonstrably misrepresented and inaccurately applied.	EAP Response: The content in the Final EIAR is represented accurately. This comment is a repeat and has been addressed. CWA response SDG 11 – The CWA aims to be an airport city, aligning with the sustainable city goals of CoCT. SDG 12: The proposed use of CWA as alternate airport to CTIA results in reduction in the amount of reserve fuel and emissions (Appendix 22 of the amended draft EIAR). • SDG 13 – The Climate Change IA (Appendix 28) reiterates the benefits of renewable energy usage, reduced resource usage, designing the CWA with Climate Change in mind (Architectural Guideline appended to the EMPr).
		74. SDG 11 (Sustainable Cities and Communities) is incorrectly invoked, as the proposed airport expansion does not demonstrably address housing provision, inclusive urban planning, or enhancements to the transport system.	CWA response SDG 11 – The CWA aims to be an airport city, aligning with the sustainable city goals of CoCT.
		75. SDG 12 (Responsible Consumption and Production) and SDG 13 (Climate Action) are similarly misrepresented, with projected increases in aviation emissions not accounted for, thereby undermining the claimed environmental benefits.	CWA response SDG 12: The proposed use of CWA as alternate airport to CTIA results in reduction in the amount of reserve fuel and emissions (Appendix 22 of the amended draft EIAR).
		76. While SDGs are not legally binding, presenting them as objectives achieved or addressed, contrary to the factual evidence, constitutes misleading information. This misrepresentation is inconsistent with section 2(4)(g) of NEMA, which requires that environmental assessments be conducted with transparency and factual accuracy.	CWA response The EIAR does not present the SDGs as legally binding requirements nor as “achieved objectives.” They are referenced appropriately as global sustainability frameworks that guide best practice and illustrate how the project aligns with widely recognised development principles.

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		Such inaccuracies compromise the integrity of the EIA and the lawful basis for environmental authorisation.	This is standard in EIAs and entirely consistent with NEMA’s directive to consider broader environmental, social, and developmental factors. There is no misrepresentation: the EIAR clearly distinguishes between binding statutory requirements and non-binding international frameworks. The appellant provides no example of any factual inaccuracy, and the claim of “misleading information” is unfounded. Referencing the SDGs as contextual guidance does not compromise the integrity of the EIA and is fully compliant with section 2(4)(g) of NEMA.
		Ground of appeal 11: Misuse and misrepresentation of specialist studies and expert input 77. The EIAR presents expert studies in ways that are inconsistent with their findings. Examples:	CWA response This allegation is unfounded. The EIAR accurately reflects the specialist studies, including the PACE Diversion Airport Analysis, whose findings are clearly quantified and transparently applied. A misunderstanding or misreading of the technical methodology by the appellant does not create an “inconsistency” in the EIAR. The specialist reports themselves are internally coherent, and the EIAR applies their outputs exactly as intended by the authors. Assertions of misrepresentation appear to stem from an incorrect interpretation of the underlying analyses, not from any fault in the EIAR.
		77.1. The PACE report is cited as indicating cumulative CO ₂ savings of 56 million kg, despite the report providing only indicative savings of 3–5%, without any cumulative quantification.	CWA response This assertion misrepresents both the EIAR and the PACE report. The PACE Diversion Airport Analysis quantifies CO₂ savings <i>per route, per aircraft type</i>, across domestic, regional, and international sectors, using a standard carbon calculation factor of 3.16 kg CO₂ per kg of fuel saved (see PACE template, page 124: “Carbon emissions (CO₂) were calculated with the factor: 3.16 kg CO₂/kg of fuel”). PACE provides detailed, quantified CO₂ savings for every mission analysed.

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			Examples include: • B787-9 (London–CPT inbound): CO₂ savings of 2,682–3,476 kg per flight • B737-800 (ADD–CPT): CO₂ savings of 1,902–2,213 kg per flight • A320-200 (JNB–CPT): CO₂ savings of 253–482 kg per flight The EIAR uses these per-flight values exactly as provided and then multiplies them by actual 2019 traffic volumes to express a scenario-based cumulative benefit over the airport’s operating life. This is standard EIA practice and does not alter or misrepresent the PACE findings—it merely applies them. Therefore, the claim that the EIAR “invented” cumulative CO₂ benefits is unfounded. PACE provides quantified per-flight savings, and the EIAR aggregates them transparently.
		77.2. Aircraft types referenced in the EIAR examples, such as the A350, are not included in the original fuel study, resulting in misleading extrapolations.	CWA response This comment is misplaced and reflects a misunderstanding of how aircraft performance categories work. Aircraft are universally grouped into ICAO Categories A–F, with each category comprising multiple OEM types that share broadly comparable performance, fuel-burn profiles, and operational characteristics. The PACE study did not need to model <i>every</i> aircraft variant individually. Instead, it modelled representative aircraft within each performance

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			category, including the A320-200, B737-800, B787-9 and B777-300ER. These aircraft act as <i>proxies</i> for similar aircraft types in the same category. For example, the appellant specifically refers to the A350. The A350 sits in the same long-haul, wide-body performance class as the B777-300ER, which was modelled in detail by PACE. From an engineering and operational standpoint, the A350 and B777 share similar mission profiles, fuel planning logic, reserve requirements, and diversion-fuel sensitivity. Using the B777 results as representative for aircraft in this class is entirely appropriate, technically robust, and consistent with industry practice. Therefore, the claim of “misleading extrapolation” is incorrect. The specialist did not extrapolate beyond the data—it used standard category-based modelling applied globally in aviation analysis.
		77.3. Discrepancies between projected aviation growth and noise scenario assumptions are neither reconciled nor justified, further compromising the reliability of the impact assessment.	CWA response: This statement is incorrect and appears to conflate two entirely separate specialist workstreams. Aviation growth forecasting and noise modelling are distinct technical disciplines, each with its own methodology and purpose. There is no requirement—nor expectation—in the NEMA framework that they produce numerically identical assumptions. The aviation growth projections inform long-term planning and are based on market, fleet and route-development trends. The noise assessment, by contrast, uses scenario-based modelling, which is standard practice: it models representative “future phases” using specific aircraft types, flight paths, and operational envelopes to determine potential noise exposure. The EIAR makes this clear and there is no discrepancy to reconcile. The scenarios in the noise study are not predictions of traffic volumes; they

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			are acoustic modelling scenarios, which is precisely how noise contours are produced worldwide. Suggesting that they must match economic growth forecasts misunderstands the methodology. In short, the allegation reflects a misinterpretation of how noise modelling works, not any flaw in the assessment. The studies are methodologically sound, internally consistent, and correctly applied in the EIAR.
		78. Accurate and faithful representation of specialist inputs is essential to the integrity of an EIA. The mischaracterisation and selective use of expert information in the Final EIAR constitutes a material procedural flaw, undermining the reliability of the assessment.	EAP Response: The EAPs reject this statement, all reports were produced with integrity and objectivity. CWA response This allegation is broad, unspecified, and unsupported by any evidence. The Final EIAR presents each specialist study accurately, transparently, and in full alignment with the findings of the respective authors. At no point is information “selectively used” or “mischaracterised”; the EIAR quotes directly from the specialist reports, incorporates their methodologies without alteration, and clearly identifies where specialists provide ranges, scenarios, or limitations. A blanket assertion of “material procedural flaw” cannot substitute for evidence. The appellant has not identified a single instance where the EIAR deviates from a specialist’s conclusions. In contrast, several of the appellant’s earlier claims reflect misinterpretations of the specialist studies themselves, not inaccuracies in the EIAR. In the absence of any demonstrable inconsistency or misrepresentation, this ground of appeal is baseless and should be dismissed.

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		CONCLUSION 79. Based on the identified non-compliances, the appeal concludes that the Final EIAR is legally insufficient for the following reasons: 79.1. Materially and procedurally flawed; 79.2. Not compliant with the NEMA principles; 79.3. Not compliant with the 2014 EIA Regulations; 79.4. Not aligned with the applicable planning frameworks; 79.5. Not based on accurate or reliable information; 79.6. Not suitable for informed environmental decision-making; and 79.7. In its current form, the Final EIAR is “fatally flawed” and cannot support authorisation.	EAP Response: The alleged non-compliances are rejected, the EIA is not flawed. CWA response The sweeping conclusions presented in the appeal are not supported by the evidence and rely heavily on broad assertions rather than demonstrable non-compliances. Throughout the EIAR process, all statutory requirements were met in full, specialist inputs were accurately incorporated, and the methodology adhered strictly to the 2014 EIA Regulations and NEMA’s principles of transparency, scientific integrity, and informed decision-making. Each of the appellant’s claims—whether alleging procedural flaws, mischaracterisation of specialist studies, or misalignment with planning frameworks—has been shown to be either factually incorrect, based on misunderstandings of the specialist methodologies, or unsupported by any substantive evidence. The EIAR includes extensive, peer-reviewed technical studies, all undertaken by appropriately qualified, experienced and independent specialists. Their findings are presented faithfully, without selective use or distortion. The final EIAR is therefore legally compliant, procedurally sound, and based on accurate and reliable information. It provides a robust platform for informed environmental decision-making as intended under NEMA. The appellant’s characterisation of the EIAR as “fatally flawed” is unsubstantiated rhetoric rather than a reflection of the record. Accordingly, the conclusions drawn in the appeal have no merit and should be dismissed.

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		80. The Final EIAR exhibits multiple material deficiencies, including incomplete information, factual inaccuracies, methodological flaws and demonstrable bias. Collectively, these shortcomings result in an assessment that is neither scientifically rigorous nor sufficiently reliable to support informed environmental decision-making. The EIAR fails to fulfil the statutory purpose of an Environmental Impact Assessment, namely, to provide a comprehensive, sustainability-oriented basis for authorisation.	EAP response: The statement is broad and does not provide detail the “multiple material deficiencies”, including incomplete information, factual inaccuracies, methodological flaws and demonstrable bias. The EAP rejects this statement. CWA response: CWA respectfully submits that the appellant’s claims of “material deficiencies” and “methodological flaws” are unfounded. The Final EIAR is comprehensive, scientifically robust, and fully compliant with NEMA and the 2014 EIA Regulations. All specialist inputs were accurately reflected, independently prepared, and transparently integrated. The issues raised in the appeal stem from misinterpretations of the specialist work, not deficiencies in the EIAR itself. CWA remains confident that the Final EIAR provided a sound, reliable and sustainable basis for authorisation and for a decision on appeal.
		81. For the reasons provided in this Appeal, the granting of this EA is fatally flawed and would not withstand judicial scrutiny.	CWA response This closing statement is rhetorical rather than substantive and is unsupported by any evidence in the appeal. As demonstrated in the responses above, the appellant has not identified a single material regulatory breach, procedural defect, or misrepresentation capable of rendering the EA “fatally flawed.” On the contrary, the Final EIAR is fully compliant with NEMA, the 2014 EIA Regulations, and accepted scientific and procedural standards.

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			Nothing in the appeal presents a basis upon which a court would find the authorisation irrational or unlawful. The assertion that the EA would not withstand judicial scrutiny is therefore speculative and unfounded. EAP response: The EAP is of the opinion the reasons provided by the Appellant in this appeal do not render the granting of the EA fatally flawed, and the statement is rejected.
		82. The Appeal accordingly should be upheld and the decision to grant the EA set aside.	CWA response This conclusion is not supported by the substance of the appeal. No material procedural or substantive defect has been demonstrated, and the grounds relied upon consist largely of broad assertions, misinterpretations, and incorrect assumptions. The Final EIAR is compliant, comprehensive, and methodologically sound. Accordingly, there is no basis for upholding the appeal or setting aside the Environmental Authorisation.

ANNEX 6

RESPONSE TO THE DARSON TRUST

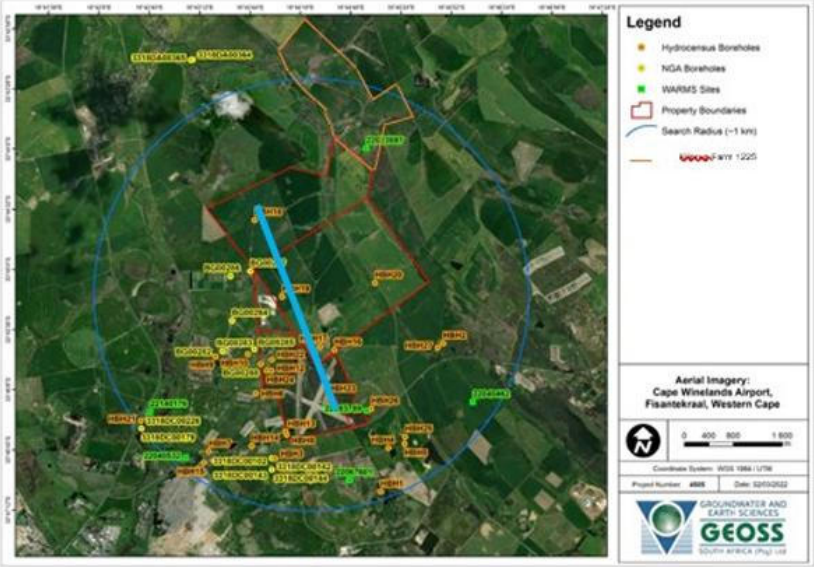
PROPOSED EXPANSION OF THE CAPE WINELANDS AIRPORT – RESPONDING STATEMENTS TO APPEALS RECEIVED AGAINST THE EA GRANTED

Registered IAPs Notified of EA: 30 October 2025

Appeal Period Closure: 19 November 2025

Responding Statements to Late Appeals Received			
No.	Name & Presenting unit	Appeal	Responding Statement
Late Appeals received after 20 calendar days from the date this decision was sent to the registered I&AP's by the holder (applicant) of the decision [i.e. Appeals received after 19 November 2025]			
Appellant 6 The appeal submission consists of the following: - A completed appeal application form (Responded to below) - An appeal response report (This form is disregarded as it is the DFFE form and not applicable to this appeal) - A request for condonation Please refer to Appendix 1 of this appeal response for the record of PPP with the appellant as well as Appendix 2, Appendix 3 and Appendix 4 for further communication with the appellant.			
1	Allison Muller on behalf of the Darson Trust	<u>Appeal Form received via email dated 24 November 2025:</u>	
		<u>Grounds of Appeal:</u>	

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		 Map 3: The study site with the property boundary, hydrocensus, NGA and WARMS boreholes superimposed on an aerial photograph. The blue line is the runway.	
		1. APPROVED EIA FOR CHICKEN HOUSES FOR OUR FARM	CWA Response: “Approved EIA for Chicken Houses” This is a false assertion of having an “approved EIA”. The appeal repeatedly states: “We have <u>had</u> an EIA approved for new poultry houses...” However, the Appellant’s own Motivation Report makes it clear that: The previous Environmental Authorisation (2012) lapsed in 2017.

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		 We have had an EIA approved for new poultry houses for our Kliprug Farm 1225 as we are investing in expanding our farming operations. A poultry farm should not be next to an airport due to potential biosecurity risks, disease transmission from wildlife, and noise pollution that could stress the birds. It is best to choose a location away from areas with high-traffic vehicles, such as airports, industrial zones, and main roads.	• A new EIA process is still underway (DEADP Ref. 16/3/3/1/A5/88/2038/24). Therefore, the Appellant does not have an approved EA, he previously HAD an approval, but it lapsed. This core factual error undermines the entire appeal. To the extent that the Appellant is investing in expanding its farming operations, it does so at risk; the application for its EA may not be approved. Further, it persists with its application knowing that the CWA has applied for (and has now been granted) an EA. It is therefore also assuming the risk that it will have to co-exist with an expanded airport. “BIOSECURITY / “POULTRY FARM SHOULD NOT BE NEXT TO AIRPORT” CLAIM Contradiction with the Appellant's own planning report In its Motivation Report, the Appellant never once suggests: • any incompatibility between poultry farming and the existing airport AND in fact in the site evaluation on number 6 in fact refers to the fact that the <u>“Cape Winelands Airport is 5km to the South”</u> • any biosecurity risk relating to aviation activity • any sensitivity of their operations to noise or aircraft movements Despite this, the appeal asserts: “A poultry farm should not be next to an airport...” This is new, speculative, unscientific, and conflicts with its own EIA documentation. Misunderstanding of avian disease vectors The appellant’s own motivation report indicates:

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			“The site is sufficiently isolated from other chicken batteries to prevent spreading of avian flu...” Biosecurity risks in poultry operations arise primarily from other poultry operations, not airports. There is no avifaunal or epidemiological evidence suggesting aircraft increase avian flu risk. EAP response: The concerns regarding potential biosecurity risks, disease transmission from wildlife, and noise pollution that could stress the birds are noted. Similar impacts were identified for the County Fair poultry farm which is located adjacent to CWA and thus closer than the Appellant to the proposed expanded CWA. A poultry specialist conducted a biosecurity study and found that the chicken farm and CWA could co-exist based on the implementation of certain mitigation measures (Appendix 35 to the final EIAR). The same would apply in this case. Since the appellant’s farm is even further from the CWA than County Fair is, the impacts considered likely to be experienced by County Fair would be even less significant for the appellant’s operation, if its application is granted. The Noise specialist assessed the potential noise impacts in a NIA, which was attached as Appendix 5 to the final EIAR. The modelled noise impacts are predicted to be very low, even under Scenario 3 (full capacity operation of the new runway) as the farm falls outside the N70 and N60 noise contours, meaning there are no predicted single-event noise exceedances over 70 dB(A) during the day or 60 dB(A) at night. Poultry specialist response:

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			Agreed with statement by EAP. Biosecurity concerns about broilers are less than they are for long lived birds. A 1.8km distance from the CWA is more than enough to mitigate environmental concerns. Note that there is a greater biosecurity risk with the proximity of this farm to the County Fair Breeder farm. This has been dealt with in detail in the Poultry specialist report (refer Appendix 35 to final EIAR). Noise Specialist response: The statement that “a poultry farm should not be next to an airport” because of biosecurity and noise-related stress is a generic guideline that does not reflect the actual spatial relationship, noise exposure levels, or operational characteristics of Cape Winelands Airport (CWA). The site in question is located on the north-eastern side of the airport and the poultry houses themselves are positioned to the eastern side on Kliprug Farm 1225. This places them at a considerable distance from the runway end, with terrain and land-use patterns providing further separation. The relevant comparison for noise exposure is Receptor 24 in the CWA Noise Impact Assessment. Receptor 24 is located at approximately the same distance and direction from the northern runway end as the poultry houses. According to Table 4-18 in the NIA, Receptor 24 has predicted LRdn values well below 45 dB(A) across all modelling scenarios, and these values that fall within the “little to no impact” or “acceptable” categories of SANS 10103 for residential and agricultural land uses. These levels are far below any threshold associated with physiological stress responses in poultry, and significantly lower than noise levels found along typical rural roads or farm-operation environments.

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			In addition, the CWA NIA also shows that aircraft do not overfly this area at low altitude. The published flight paths for Runway 01/19 indicate that the primary departure and arrival tracks run south-east and south-west, not north-east over the poultry farm. Even in the full-capacity future scenario, the northern end of the runway does not generate concentrated flight traffic toward the farm. The poultry houses are therefore outside the dominant noise corridor of the airport. Regarding night-time disturbance, the NIA indicates that only three night-time flights occur at CWA, and have already been penalised in the LRdn modelling by the required +10 dB night penalty. Even with this conservative inclusion, the predicted LRdn at the location of the poultry houses would remain below 50 dB(A), which is significantly lower than typical indoor poultry-house noise levels produced by mechanical ventilation systems, feeding machinery, or standard farm operations. With respect to individual noise events, the NIA calculated both the day–night N70 and night-time N60 event contours, which indicate the number of single aircraft overflights exceeding L_{Amax}=70 dB(A) during the day or L_{Amax}=60 dB(A) at night. The poultry farm lies well outside both of these contours, demonstrating that it will not be exposed to sudden, high-intensity noise events associated with close aircraft overflights. As a result, the predicted peak noise exposure at the farm remains far below thresholds known to cause disturbance or stress in poultry, confirming that airport operations will not adversely affect the proposed poultry facilities. The airport therefore does not represent a meaningful noise stressor for poultry at the said location.

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No.	Name & Presenting unit	Appeal	Responding Statement
		2. DECREASE IN USE OF LAND FOR AGRICULTURE: These land-use changes cause a large amount of agricultural land in the surrounding area to turn into impervious surfaces, which sparks a series of ecological and environmental problems that are referred to as the spillover effects of airports. One of side effects to our land will be that the surrounding land will become hard surface that does not let water soak into the ground or greatly reduces the amount of water that soaks into the ground.	EAP response: The comment is noted. The development should not result in unacceptable reduction of water infiltrating the ground. Various assessments that relate to geo-hydro, agro-ecological, freshwater informed the stormwater management plan which was developed during the Impact Assessment Phase of the EIA, and it considered runoff, hard surfaces, flow volumes and velocity according to industry best practice and CoCT standards. All registered IAPs were given the opportunity during the impact Assessment Phase to consider and comment on the proposed stormwater management plan. CWA Response: “DECREASE IN AGRICULTURAL VIABILITY” The appellant’s motivation report states the opposite (section 11): “The proposed intensive animal farming will improve the agricultural viability of the property...” The appeal claims the airport will destroy agricultural viability, while it proposes: • 12 massive poultry structures (up to 123m long) • 480,000 birds • evaporation ponds • increased traffic, service vehicles and manure removal • year-round industrial-scale agricultural activity It is irrational to claim that the airport “destroys agricultural viability” while their own far more intensive land use “improves viability.”

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No.	Name & Presenting unit	Appeal	Responding Statement
		DECREASE IN AVERAGE FARMING INCOME: Studies show that farming income reduces by 45%. While it may be viewed that the average non farming income rises, it does not mean that the farmer who owning the agricultural land will have the benefit of the average non-farming income due to the farmers having farming expertise and not airport expertise. https://www.researchgate.net/publication/352537120_The_Impact_of_Airport_Construction_on_Farm_Households'_Income	“DECREASE IN FARM INCOME / ACADEMIC STUDY” The cited academic paper: • relates to airports expropriating farmland, • in rural Asia, • where farmers lose access to land, • and where the socio-economic context is entirely different. CWA does not expropriate or intend to occupy the appellant’s land. Quoting something that happens in rural Asia is irrelevant to this appeal. The study is therefore irrelevant, misguided, and cannot support an appeal under Regulation 4(1)(b). EAP response: The Appellant relies on unverified studies not applicable to the specific site and project. An Agro-ecosystem assessment was conducted as part of the proposed project (Appendix 27 to the final EIAR), and the findings were: • the proposed airport facilities and infrastructure will occupy approximately 275ha of land currently zoned for Agriculture. • The loss of cultivated fields amounts to 168ha, of which only ±60% (100ha) are being cultivated per year, due to the crop rotation system followed. • At an average wheat yield of 4.0t/ha, that loss of productive land relates to a reduction of 400tons in production or ±0.03%

PROPOSED EXPANSION OF THE CAPE WINELANDS AIRPORT – RESPONDING STATEMENTS TO APPEALS RECEIVED AGAINST THE EA GRANTED

No.	Name & Presenting unit	Appeal	Responding Statement
			of the wheat production of the Western Cape, which was 1 260 000 tons in 2021/22.
		3. TRAFFIC: Surface transportation traffic patterns may be altered during construction. The R312, R304 and R302 are already high volume traffic roads and construction vehicles travelling from the quarry to the airport will affect the flow of traffic.	EAP response: This concern was previously raised (p23 of Appendix 29D) and responded to by the specialist as below. The EMPr incorporated this recommendation: <i>As per Section 8 of the TIA, we recommended that construction vehicles use the surfaced road network (via Vissershok Road) instead of the gravel road network (via Malanshoogte Road) due to the poor condition of the gravel roads. This recommendation is based on the fact that both travel time and distance via the gravel road network are greater than via the surfaced road network.</i> <i>Therefore, a construction management plan must be developed to ensure that haulage routes make use of the surfaced road network. In addition, trips between the quarries and the airport should be scheduled outside of peak periods to avoid congestion along the surfaced roads.</i>
		4. LIGHT POLLUTION: Light pollution will affect how plants grow and reproduce. It disrupts their seasonal rhythms, their ability to sense and react to natural light, and their fragile relationship with pollinators. Light pollution affects plants by interfering with photoperiodism. Based on their sensitivity to light, plants are classified as long-day plants, short-day plants and day-neutral plants. The presence of artificial light, beyond natural light hours, can disturb the photoperiods of these plants.	CWA Response: LIGHT POLLUTION CLAIMS The Appellant provides no botanical or ecological specialist study to support claims that airport lighting will damage crops. Its own Motivation Report states: The site is “disturbed cultivated land... not ecologically sensitive or conservation worthy.”

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No.	Name & Presenting unit	Appeal	Responding Statement
			They cannot simultaneously claim: - the land is not environmentally sensitive for their own development, but - is environmentally fragile only when opposing the airport. EAP Response: Light pollution was identified by the Visual Impact Assessment (Appendix 14 to the final EIAR) and mitigation developed with sensitive receptors in mind and acknowledging that in some cases, lighting for safety purposes will necessarily take priority, and lighting impacts may therefore be unavoidable. The specific impact on plants is acknowledged, but the EAP contends that the affected vegetation will be what is within the expanded CWA development area. No evidence exists that agricultural areas outside of this area will be affected and the appellant has not advanced any scientific support for this allegation.
		5. WATER POLLUTION: One of the boreholes stated in one of their reports and situated at - 33,7334000, 18,7494000 is a registered borehole on our farm and the fuel and oil emissions will seep into the aquafer and affection our water that feeds animals and waters crops.	EAP response: The comment is noted. The borehole quoted was identified during the hydrocensus of all the registered boreholes in the area and formed part of the Geohydrological Impact Assessment during the Impact Assessment phase of the proposed project (Appendix 3 to the final EIAR). The WARMS database number of the borehole is 22023597. The potential impact of groundwater contamination as a result of fuel on site (both from surface runoff and leaks from fuel storage and distribution) were assessed. Mitigation on potential surface contamination and fuel storage and distribution was developed and incorporated into the EMPr and EA. Groundwater flow generally follows surface topography, flowing from areas of high elevation to

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			areas of lower elevation (refer Map 8 in Appendix 3). The groundwater locally flows northwest (perpendicular to the contour lines, from higher elevation to lower elevation). The borehole lies to the northeast of the site and not within the direction of flow from the airport. See figure below. The impacts mentioned by the Appellant are therefore not likely.  CWA Response:

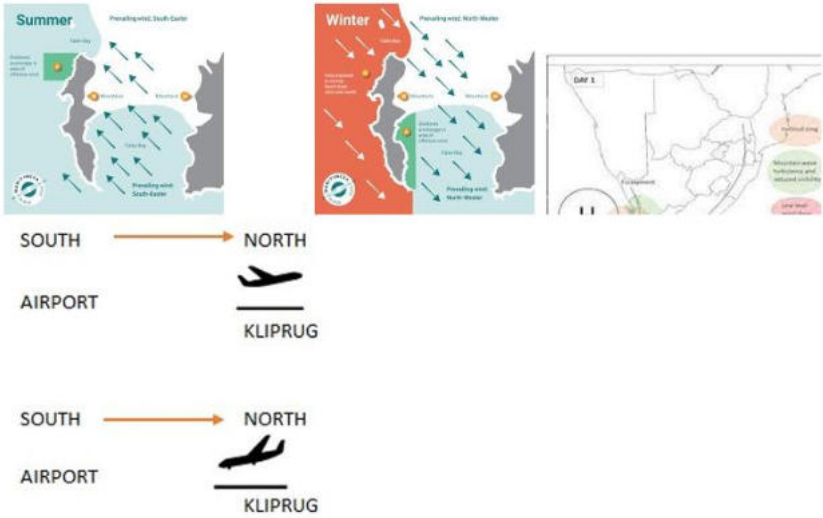
PROPOSED EXPANSION OF THE CAPE WINELANDS AIRPORT – RESPONDING STATEMENTS TO APPEALS RECEIVED AGAINST THE EA GRANTED

No.	Name & Presenting unit	Appeal	Responding Statement
			WATER POLLUTION CLAIMS Their appeal asserts: “Fuel and oil emissions will seep into the aquifer.” Yet its own EIA describes: • Its own waste water discharged into evaporation ponds • Manure only removed weekly • High water abstraction (61,320m³/year) • No hydrological sensitivity flagged It is respectfully submitted that its own agricultural operation carries a far higher risk of aquifer contamination (due to nitrates, ammonia, and organic pollutants) than a sealed, regulated aviation fuel system.
		6. AIR POLLUTION: Irrelevant of the direction of the wind, the air pollution will affect us, as the planes will land against the wind and take off with the wind. This means that there will always be planes passing behind our residential homes and animal sheds, albeit they are landing or taking off. Airports and aviation generate air pollution through a range of sources: Combustion of aviation fuel – which is mostly composed of kerosene - produces nitrogen oxides (NOx), carbon monoxide (CO), sulphur oxides (SOx), hydrocarbons and particulates.	EAP response: An Air Quality IA (inclusive of local meteorology) formed part of the EIA (Appendix 4 to the final EIAR). The AQIA assessed 3 scenarios and the findings during the operational phase for both Scenario 2 and 3 rated as very low to low. Mitigation for Scenario 3 was developed and forms part of the EMPr and EA. The mentioned impact is therefore not likely. Specialist response: The CWA AQIA shows that aircraft emissions disperse almost immediately after take-off due to rapid climb, elevated exhaust release height, and strong atmospheric dilution. The proposed farm and poultry houses are located north-east of the runway, well outside the primary takeoff and landing paths for Runway 01/19. Aircraft will not

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			routinely “pass behind” the farm, and the AQIA study demonstrate that neither approach nor departure tracks take aircraft low over this area. The AQIA predicts very low ground-level concentrations of pollutants in the direction of the farm, including nitrogen oxides (NO_x), carbon monoxide (CO), sulphur oxides (SO₂), hydrocarbons and particulates (PM₁₀/PM_{2.5}). Under both the operational and full-capacity scenarios, the modelled concentrations at this distance remain well below the National Ambient Air Quality Standards (NAAQS), with levels at the farm falling far below any thresholds associated with human or animal health concerns. CWA Response: AIR POLLUTION CLAIMS The Appellant asserts aircraft emissions will harm its farm regardless of wind direction. This demonstrates a misunderstanding of aviation operations, and ignores the fact that: • Airports are strictly regulated for emissions • Poultry farms generate substantially more ammonia, PM, and odorous emissions • There is no scientific evidence that aircraft emissions harm poultry or crops at distances of several kilometres Its application for an intensive poultry operation does not raise air quality concerns despite being more emission-intensive.

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		7. NOISE POLLUTION: Irrelevant of the direction of the wind, the sound pollution will affect us, as the planes will land against the wind and take off with the wind. This mean the planes will be at a level close to the ground behind our residential homes and animal sheds. The wind blows predominantly south to north. 	EAP response: A Noise IA formed part of the EIA (Appendix 5 to the final EIAR). It incorporated all 3 scenarios. For Scenario 2, the expected busy day aircraft operations per day with the new runway 01/19 will be reduced to 29. When the new airport operates at capacity (Scenario 3) the busy day operations will reach 208. For scenario 2 the area with LRdn 55dB(A) during the operational year will only be 1.44km² and will be contained within the development area of the airport site. The aircraft operations that will cause 5-10 events per day exceeding the 70dB(A) L_Amax, will extend outside air airport's site boundary towards the south. However, this zone is very small, and the number of events is considered of low significance. Based on the above, the overall impact rating for Scenario 2 was found to be of LOW significance without mitigation. For Scenario 3 the length of the LRdn 55dB(A) impact zone will reach 4km north of its northern site boundary. With the implementation of appropriate land use planning for the proposed adjacent residential areas, the overall impact rating for Scenario 3 was found to be of MEDIUM significance. Specialist response: The statement that aircraft “will be at a level close to the ground behind residential homes and animal sheds irrespective of wind direction” does not reflect the actual runway orientation, operational procedures, or noise modelling results contained in the CWA Noise Impact Assessment (NIA). The new runway is aligned 01–19, running north–south, meaning that aircraft will take off and land along this

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			axis, not behind the residential homes or animal sheds located east or west of the runway. Even when aircraft operate into the wind, as required by aviation safety, the flight paths remain along the runway direction, not over surrounding properties at low altitude. The NIA models aircraft operations under conservative, worst-case acoustic propagation conditions, which already account for variations in wind and atmospheric conditions. Despite this, the predicted LRdn at the said farm will remain below 45 dB(A), which is well within the “acceptable” or “little to no impact” categories under SANS 10103. These values do not change substantially with wind direction because the dominant factor governing noise exposure is the aircraft’s position and altitude, not wind alone. It is clear from the NIA that aircraft will not be flying low over areas north or south of the runway except during the short, tightly confined phases of initial climb or final approach, both of which remain strictly aligned with the runway centreline. Properties situated laterally to the runway, such as those to the east and west, experience substantially lower noise exposure because aircraft altitude increases rapidly once off the centreline. The farm in question lies outside the takeoff and landing paths and therefore does not experience low-altitude overflights. This is reflected in the NIA results, where the said farm and comparable locations, such as Receptor R24 on the north-western side of the runway, show low LRdn values. The same conclusion applies to the associated farm structures and animal sheds positioned away from the runway axis. The NIA also evaluates LMax and N70/N60 event contours to capture worst-case peak noise from individual flyovers. The areas referenced in the comment fall outside these contours, meaning they will not experience the sudden, high-intensity noise events that occur only beneath the main flight paths. This confirms that aircraft will not be

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			“close to the ground” over the farm house or animal shelters in question, and that the noise climate there will be far milder than suggested. CWA Response: NOISE POLLUTION CLAIMS The Appellant claims that aircraft will “always pass behind our houses.” This is factually incorrect. The runway orientation and flight paths do not route aircraft over the Appellant’s home which the maps in its own appeal demonstrate. Noise modelling in the CWA EIAR shows: • Their property lies well outside the significant noise contours • Their farming activities are not noise-sensitive land uses • Noise exposure remains within acceptable regulatory thresholds
		8. DEVALUATION OF AGRICULTURAL FARM: The impact of the value of the farm is material as who is going to buy an agricultural property when planes are landing and taking so close to the residential buildings AND affecting farmlands which are not necessarily seen to the man in the street's naked eye until he is unsuccessful in his agricultural endeavors.	CWA Response: CLAIM OF DEVALUATION OF THE FARM The Appellant provides no market valuation, no professional evidence, and no property economics analysis. Further, the Appellant’s own Motivation Report states: • Its proposed farming expansion increases economic potential

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			• The site is ideally located for farming supply into the Cape Town food market • The agricultural character is retained • Airports in other locations commonly coexist with agricultural operations The Appellant's proposed 480,000-chicken development is far more likely to affect agricultural land value than a distant airport with no direct spatial intrusion. This claim is therefore unsubstantiated and speculative.
		Is your appeal based on factors associated with the process that was followed by the applicant/Environmental Assessment Practitioner/Competent Authority in reaching the decision? Yes, the water tests were allegedly conducted on our property without our knowledge or permission. Noise test do not appear to have been conducted on our property, and if they were, they did not do so with our knowledge or permission.	EAP response: no water tests were conducted on the farm. The information on the borehole was drawn from the DWS WARMS database. No noise tests were conducted on the farm, nor were required to be conducted on the farm, as the NIA did not identify it as a sensitive receptor. CWA Response: CLAIM OF "IMPROPER PROCESS" The Appellant alleges: "Water tests were conducted on our property without permission." However: • Noise and water tests do not require landowner consent when performed from public roads or permissible boundaries. • The Appellant provides no date, location, correspondence, or proof. • No such issue was raised previously, despite the Appellant conceding they participated in public participation. The allegation is vague, unsubstantiated, and appears for the first time only at appeal stage—contrary to Regulation 4(1)(c).

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		Is your appeal based on factors associated with matters of unacceptable environmental impacts/extenuating circumstances not taken into account by the Competent Authority? Yes, please refer attachment (Point 1 – Point 8 above)	EAP response: items listed in 1 to 8 above have been addressed and are not repeated here.
		Have your appeal issues been raised previously in the public participation process? Yes, Our objection dated 27 November 2023 is included in Appendix 29A page 60 of 360 and was responded to. Documents can be downloaded from the following link - https://phsconsulting.co.za/proposed-expansion-of-cape-winelands-airport/	EAP response: The objection raised during the pre-application Scoping phase was responded to in full on page 60 of Appendix 29A of the final EIAR. CWA Response: On page 7 of their appeal, the Appellant states: “Our objection... was included and responded to.” The Appellant has had numerous opportunities to comment on documents generated during the EIA process. Attached, marked “B” is a table prepared by PHS Consulting. It sets out what opportunities the Appellant had to comment, and what the Appellant did in response to those opportunities. It also provides proof that the Appellant was notified of all of the steps in the PPP. As is evident from Appendix 1 to this appeal response, although the Appellant was invited to attend the public meetings and two open days held as part of the process, the Appellant did not attend any of them. The Appellant provided comment during the pre-application scoping

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			stage, but did not provide any comment after that, until after the final submission of the EIAR to the Department of Environmental Affairs and Development Planning (“DEA&DP”). As is evident from Appendix 1, comments from the Appellant were included in Appendix 29 A to the Final EIA Report (pages 57 to 60). Also relevant is the interaction which Mr Cloete, the Applicant’s representative, had with the Appellant. Mr Cloete had a meeting with Mr and Mrs Muller on 31 May 2024 to discuss their concerns (proof of which is contained in a series of emails contained in Appendix 2 to this appeal response). Mr Cloete recorded the outcome of that meeting in an email dated 9 June 2024, contained in the second email in the string which is attached, marked “D”. Significantly, it is evident that the Mullers’ primary concern was noise at that time. No other issues were raised or ventilated at that stage. On the 10 December 2024, Mr Cloete sent an email to the Mullers, confirming that the noise specialist report was finalised and circulated by the EAP, and that their farm is outside the noise cones. He also reminded them that the comment period was closing three days later, on 13 December 2024. A copy of that email is the first one in Appendix 3 to this appeal response. On the same day, he sent a similarly worded WhatsApp message to Mr Muller, a copy of which is attached as Appendix 4 to this appeal response. Notwithstanding their stated concern about noise, the Mullers did not submit any comment regarding the noise specialist’s report.

PROPOSED EXPANSION OF THE CAPE WINELANDS AIRPORT – RESPONDING STATEMENTS TO APPEALS RECEIVED AGAINST THE EA GRANTED

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			Noting the above it will be fair to state that the Appellant's participation during the PPP was limited, erratic, selective and often late, this regardless of full and complete communication by the EAP throughout the EIA process as well as the active engagement of the Applicant with the Appellant on a one-to-one basis, informing, reminding and encouraging the Appellant to submit input and comments during the PPP.
		Are you fundamentally opposed to the decision (e.g. to any development activity on the site)? Yes, for the same reasons that are included in my attachment (Point 1 – Point 8 above). The most important are the increased traffic and damage to our road infrastructure, the decrease in use of land for agriculture and farming income, the water pollution, the noise pollution, the light pollution and the decrease in valuation of our farm as it will no longer be conducive to anyone who wishes to purchase for agriculture and residential use.	EAP response: these concerns were responded to above.
		Are you in favour of the decision if your concerns can be remedied by rectifying the process or by mitigating or eliminating an impact/s of the activity/ies? Yes	Noted
		Please indicate what measures you propose to have your concerns remedied. To be reimbursed for any loss of revenue that may be incurred, to be reimbursed for loss in market value.	Noted.

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No.	Name & Presenting unit	Appeal	Responding Statement
		Does your appeal contain any new information that was not submitted to the Environmental Assessment Practitioner (EAP) / or registered I&APs/ or the competent authority prior to the decision? No	Noted
		<u>Appeal Response From received via email dated 24 November 2025</u> (Incorrect form – disregarded)	
		Please note: The appeal response form is a duplicate of the information outlined in Point 1 – Point 8 above with the exception of Point 3 which is slightly amended and reads as follows: 3. TRAFFIC Surface transportation traffic patterns may be altered during construction. The R312, R304 and R302 are already high volume traffic roads and construction vehicles travelling from the quarry to the airport will affect the flow of traffic. <i>Furthermore the intersection at R312 and R304 has an extremely high fatal collision/accident rate.</i>	EAP response: The concern on surface traffic patterns was responded to above. According to the Transport Impact Assessment (Appendix 24 to the final EIAR) the four-way stop between the R312 and R304 are to be upgraded with dedicated turning lanes from the R304 onto the R312. While the need for traffic signalisation has not been found to be warranted at this stage, the possibility exists for further engagement with road authorities should additional safety interventions be justified through formal assessment.

PROOF OF PUBLIC PARTICIPATION OPPORTUNITIES AND CORRESPONDENCE RECEIVED FROM MS MULLER

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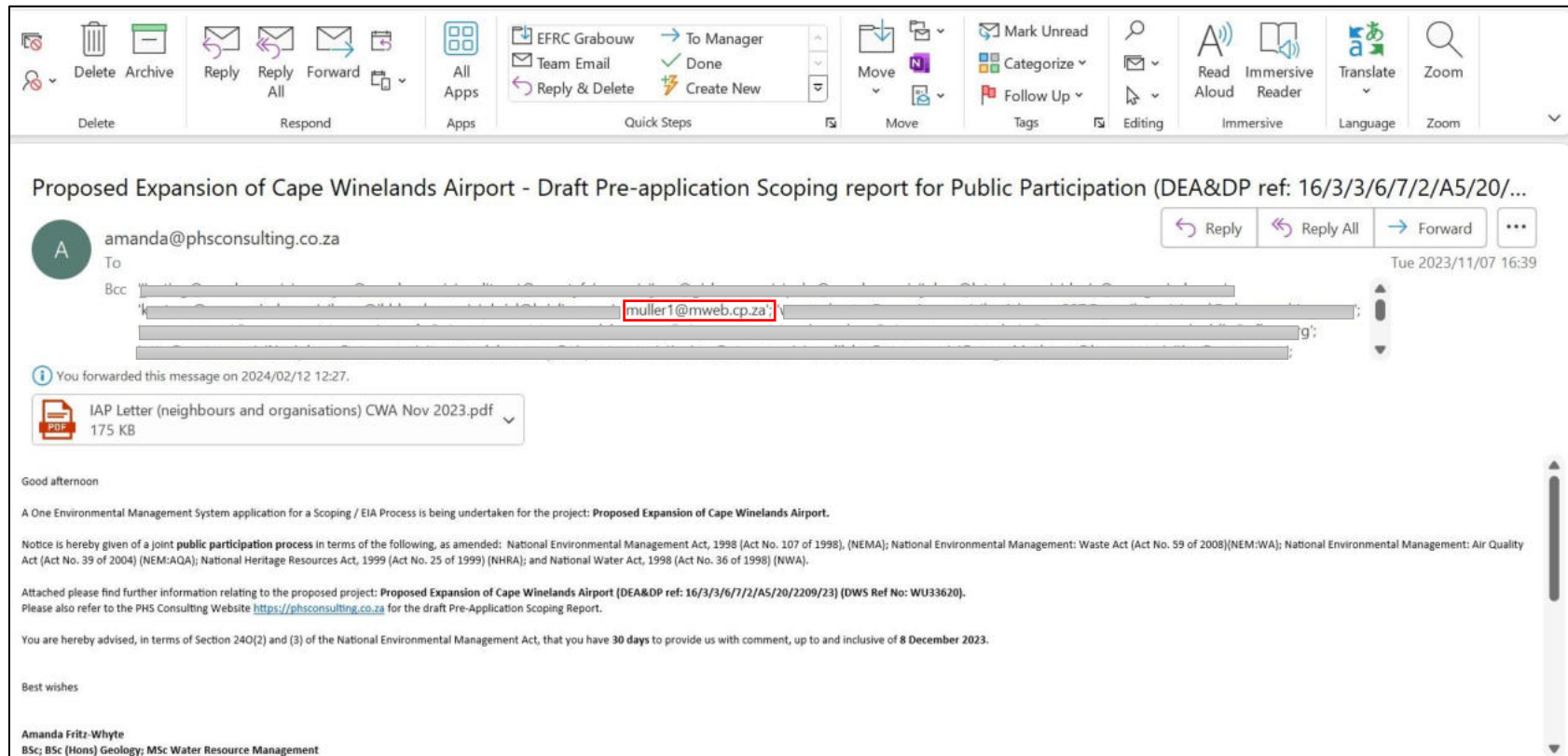
SUMMARY OF MS MULLER'S PARTICIPATION IN THE S&EIA PROCESS

S&EIA Phase	Notified	Comment Provided / Attended	Date of Comment
Pre-Application Scoping	Yes	Yes	8 Nov 2023, 27 Nov 2023, 5 Feb 2024, 7 March 2024
Public Meeting (8 May 2024)	Yes	No	n/a
In-Process Scoping	Yes	No	n/a
EIA Phase – Round 1	Yes	No	n/a
Public Open Day (20 November 2024)	Yes	No	n/a
EIA Phase – Round 2	Yes	No	n/a
Public Open Day (15 April 2025)	Yes	No	n/a
Additional Notes: - Ms Muller phoned on 22 November 2023 requesting clarity on the process. - Ms Muller submitted late comment on 18 July 2025, after the final submission of the EIAR to DEADP.			

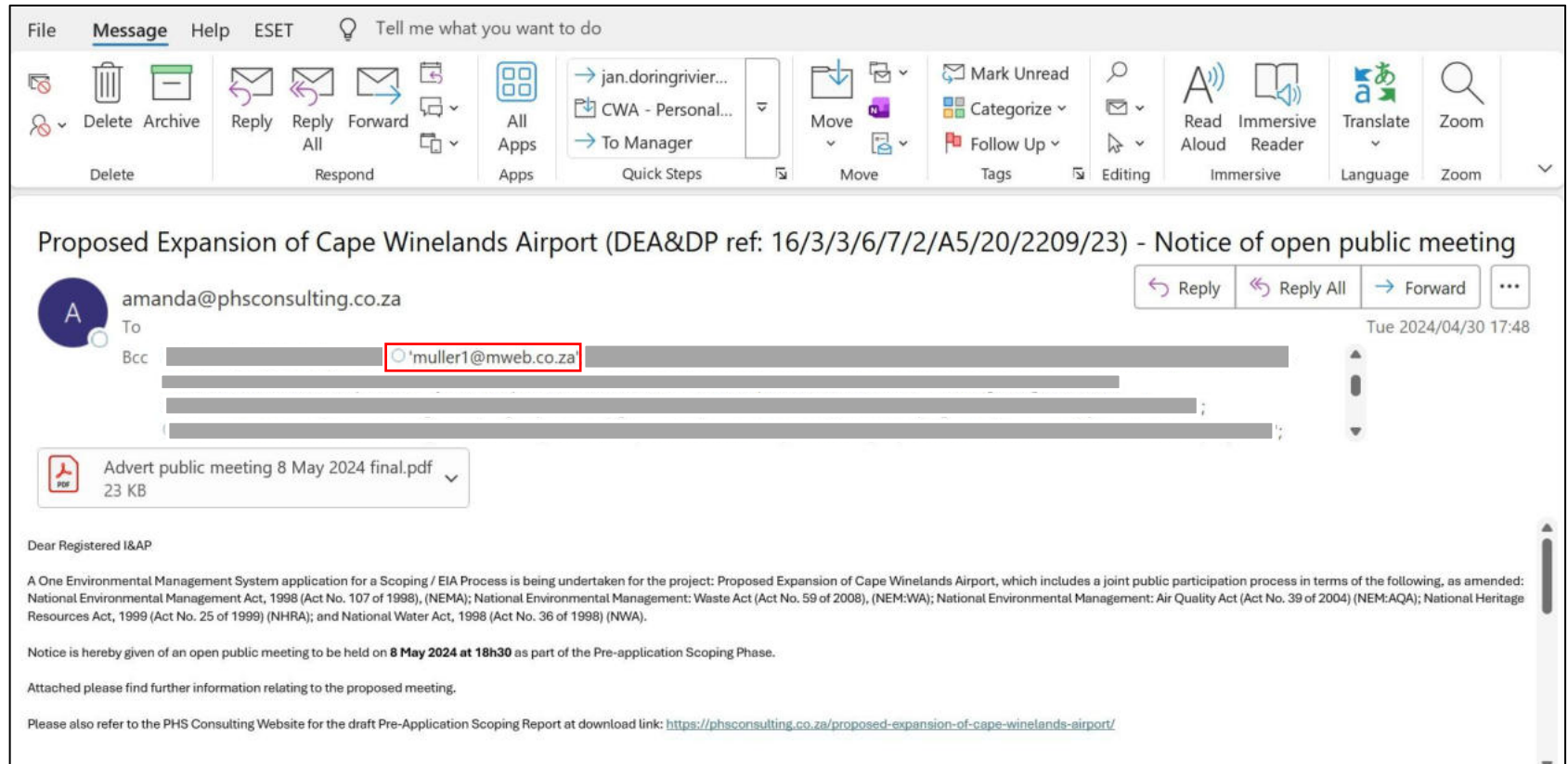
PROOF OF PUBLIC PARTICIPATION OPPORTUNITIES OF WHICH MS MULLER WAS NOTIFIED

1. Pre-Application Scoping Phase

1.1. Proof that notification of the pre-application public participation process was sent to Ms Muller on 7 November 2023

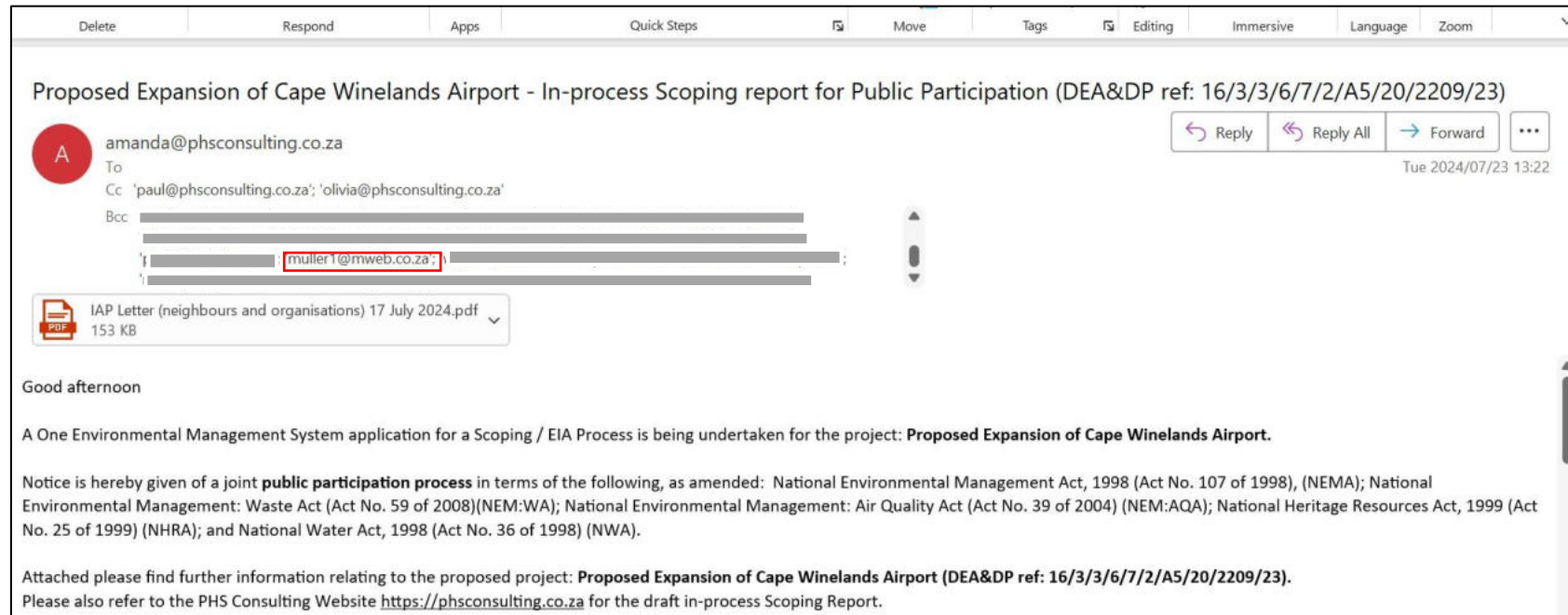


1.2. Proof that an invitation to the public meeting held on the 8th of May was sent to Ms Muller on 30 April 2024



2. In-Process Scoping Phase

Proof that notification of the in-process scoping phase public participation process was sent to Ms Muller on 23 December 2024



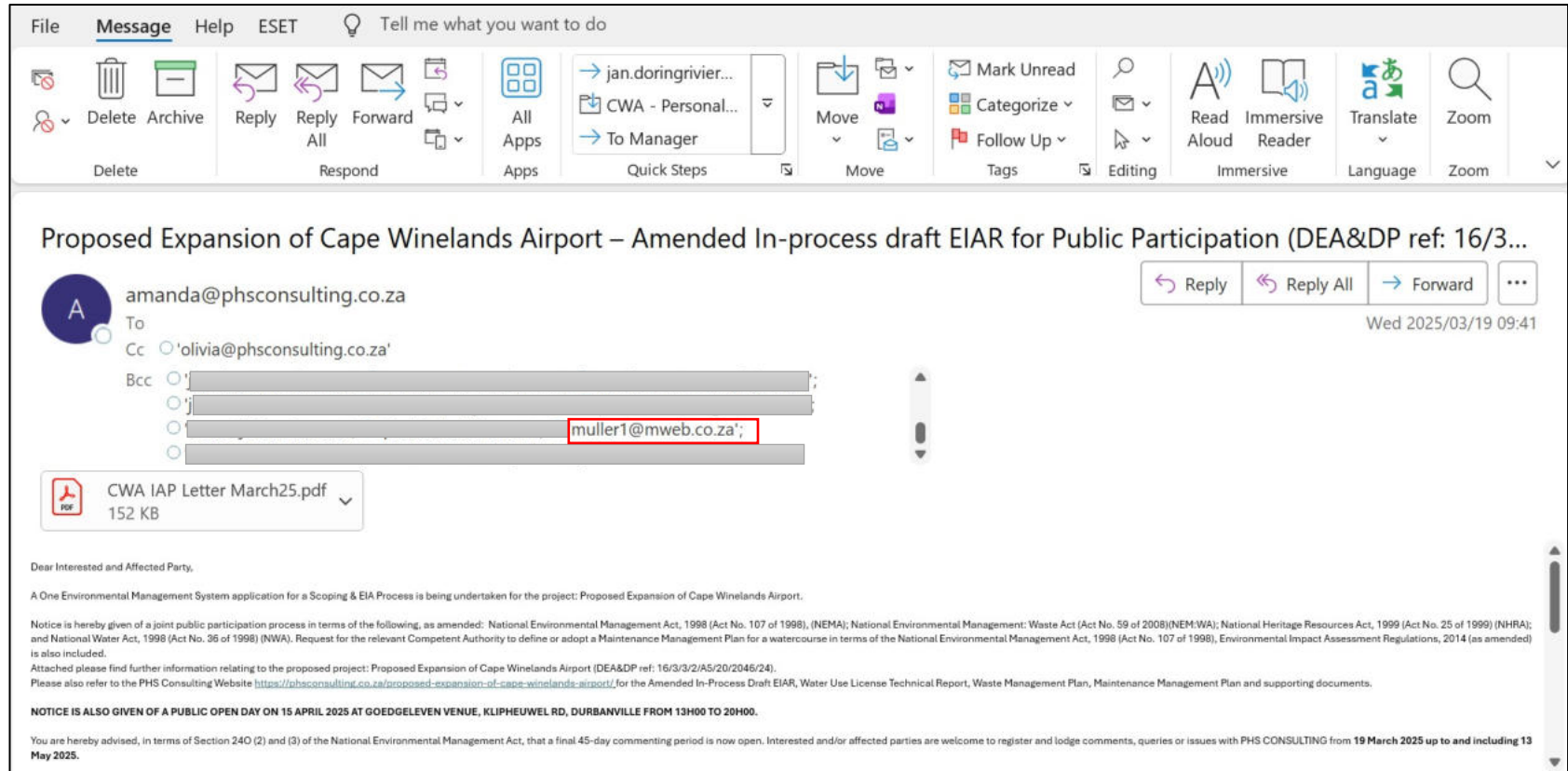
3. First EIA Phase PPP

Proof that notification of the first EIA phase public participation process and public open day scheduled for 20 November 2024 was sent to Ms Muller on 13 November 2024



4. Second EIA Phase PPP

4.1. Proof that notification of the first EIA phase public participation process and public open day scheduled for 15 April 2025 was sent to Ms Muller on 19 March 2025



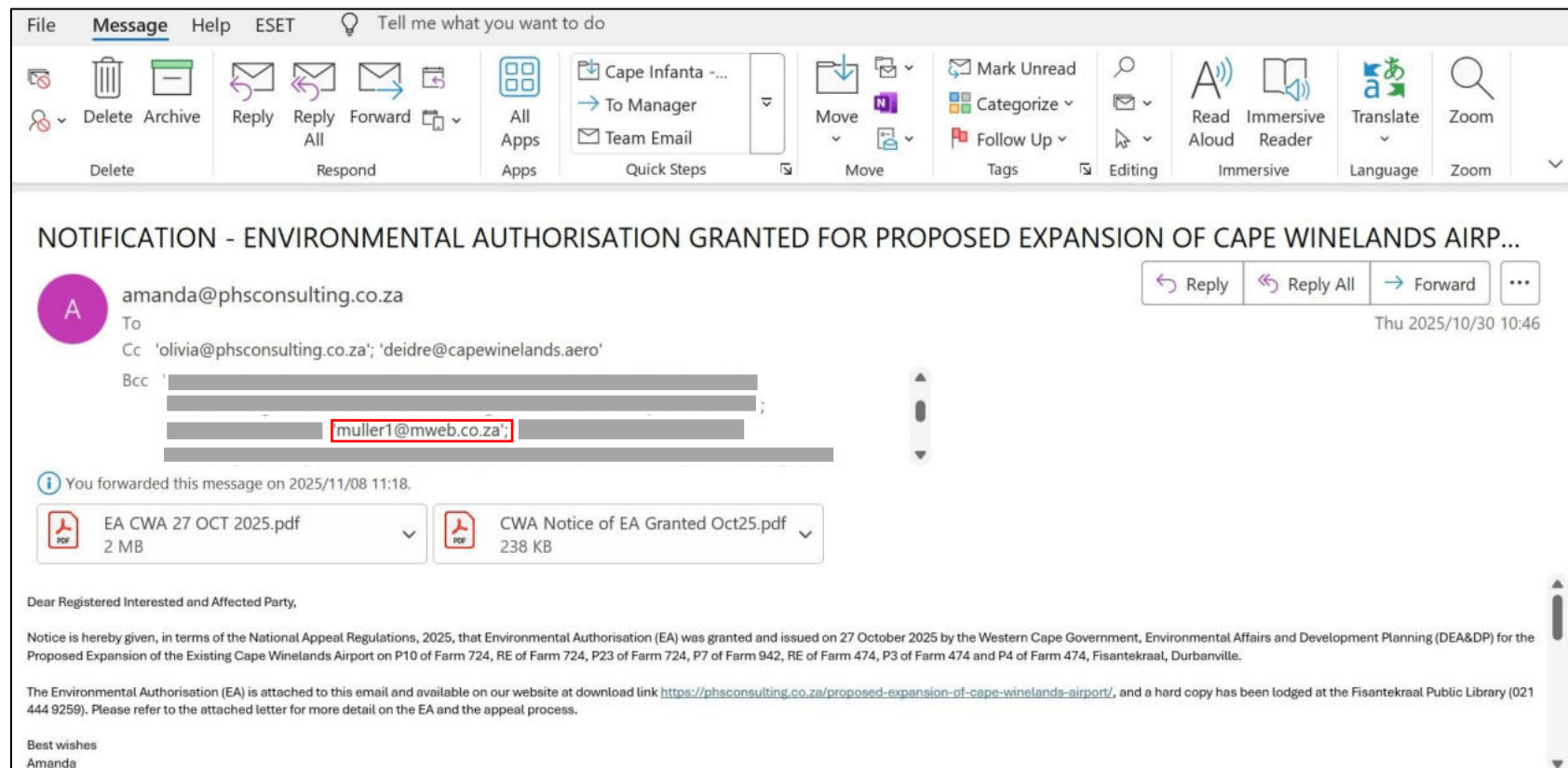
5. Final EIA Submission

5.1. Proof that notification of the final EIA submission to DEADP was sent to Ms Muller on 16 July 2025



6. Notice of EA and Appeal Opportunity

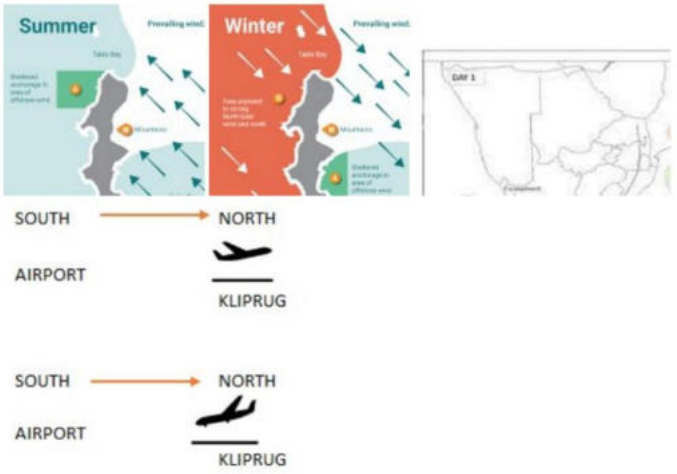
6.1. Proof that notification of the Environmental Authorisation granted and appeal opportunity was sent to Ms Muller on 30 October 2025



COMMENTS PROVIDED BY MS MULLER AND RESPONSES THERETO

No.	Name & Presenting Unit	Issue/ Concern	Response
10, 151 & 159	Alison Muller	<u>Email dated 8 November 2023:</u> 1. Received. <u>Email dated 27 November 2023:</u> 1. There are a few more farmers that are wanting more information and wanting to be contacted. Please include them on all correspondence. 2. Below is my initial response but our own Environmental Consultant may be assisting us in the objections. Basis Of Objection: 2.1. Decrease in use of land for agriculture: These land-use changes cause a large amount of agricultural land in the surrounding area to turn into impervious surfaces, which sparks a series of ecological and environmental problems that are referred to as the spillover effects of airports. One of side effects to our land will be that the <u>surrounding land will become hard surface that does not let water soak into the ground or greatly reduces the amount of water that soaks into the ground.</u> 2.2. Decrease in average farming income: Studies show that farming income reduces by 45%. While it may be viewed that the average nonfarming income rises, it does not mean that the farmer who owning the agricultural land will have the benefit of the average non-farming income due to the farmers having farming expertise and not airport expertise.	1. Noted. 1. This comment is noted. The contact details of the additional farmers are noted and will be included in all future correspondence. All the information is and will be displayed on the website www.phsconsulting.co.za. 2. Basis of Objection 2.1. The comment is noted. The development should not result in unacceptable reduction of water infiltrating the ground. Various assessments that relate to geo-hydro, agro-ecological, freshwater will inform the stormwater management plan will be developed during the Impact Assessment Phase of the EIA, and will consider runoff, hard surfaces, flow volumes and velocity according to industry best practice and CoCT standards. All registered IAPs will be given the opportunity during the impact Assessment Phase to consider and comment on the proposed stormwater management plan. 2.2. The comment is noted. The Socio-economic Impact Assessment and the Agro-ecological Impact Assessment studies will assess the impacts of the proposed project on the surrounding farming activities during the Impact Assessment Phase of the proposed project.

	https://www.researchgate.net/publication/352537120_The_Impact_of_Airport_Construction_on_Farm_Households'_Income 2.3. Traffic: Surface transportation traffic patterns may be altered during construction. The R312, R304 and R302 are already high volume traffic roads and construction vehicles travelling from the quarry to the airport will affect the flow of traffic. 2.4. Light pollution: Light pollution will affect how plants grow and reproduce. It disrupts their seasonal rhythms, their ability to sense and react to natural light, and their fragile relationship with pollinators. Light pollution affects plants by interfering with photoperiodism. Based on their sensitivity to light, plants are classified as long-day plants, short-day plants and day-neutral plants. The presence of artificial light, beyond natural light hours, can disturb the photoperiods of these plants. 2.5. Water pollution: One of the boreholes stated in one of their reports and situated at - 33,7334000, 18,7494000 is a registered borehole on our farm and the fuel and oil emissions will seep into the aquafer and affection our water that feeds animals and waters crops. 2.6. Air pollution: Irrelevant of the direction of the wind, the air pollution will affect us, as the planes will land against the wind and take off with the wind. This means that there will always be planes passing behind our residential homes and animal sheds, albeit they are landing or taking off. Airports and aviation generate air pollution through a range of sources: Combustion of aviation fuel – which is mostly composed of kerosene - produces nitrogen oxides (NOx), carbon monoxide (CO), sulphur oxides (SOx), hydrocarbons and particulates.	All registered IAPs will be given the opportunity during the impact Assessment Phase to consider and comment on the reports. 2.3. The comment is noted. The Traffic Impact Assessment will the impacts of the proposed project on the traffic during the construction and operational phase of the project. The TIA will be developed during the Impact Assessment Phase of the proposed project. All registered IAPs will be given the opportunity during the impact Assessment Phase to consider and comment on the report. 2.4. The comment is noted. The VIA will consider the visual impacts of light pollution during the Impact Assessment Phase. The Botanical Impact Assessment and Faunal Impact Assessment reports will assess the impacts on vegetation during the Impact Assessment Phase of the project. All registered IAPs will be given the opportunity during the impact Assessment Phase to consider and comment on the reports. 2.5. The comment is noted. The borehole quoted was picked up during the hydro census of all the registered boreholes in the area and will form part of the Geohydrological Impact Assessment during the Impact Assessment phase of the proposed project. All registered IAPs will be given the opportunity during the impact Assessment Phase to consider and comment on the reports. 2.6. The comment is noted. The impacts associated with air pollution will be assessed in the Air Quality Impact Assessment during the Impact Assessment Phase of the proposed project. All registered IAPs will be given the opportunity during the impact Assessment Phase to consider and comment on the report.

		2.7. Noise pollution: Irrelevant of the direction of the wind, the sound pollution will affect us, as the planes will land against the wind and take off with the wind. This mean the planes will be at a level close to the ground behind our residential homes and animal sheds. The wind blows predominantly south to north.  2.8. Devaluation of agricultural farm: The impact of the value of the farm is material as who is going to buy an agricultural property when planes are landing and taking so close to the residential buildings AND affecting farmlands which are not necessarily seen to the man in the street's naked eye until he is unsuccessful in his agricultural endeavours. 3. The link: https://phsconsulting.co.za/proposed-expansion-of-cape-winelands-airport/ has the following documents:	2.7. The comment is noted. The impacts associated with noise will be assessed in the Noise Impact Assessment during the Impact Assessment Phase of the proposed project. All registered IAPs will be given the opportunity during the impact Assessment Phase to consider and comment on the report. 2.8. The comment is noted. The Socio-economic Impact Assessment will assess the effect of property value during the Impact Assessment Phase of the proposed project. All registered IAPs will be given the opportunity during the impact Assessment Phase to consider and comment on the report. 3. The comment is noted.

		PROPOSED EXPANSION OF CAPE WINELANDS AIRPORT Proposed Expansion of existing Cape Winelands Airport P10/724, RE/724, P23/724, P7/942; RE/474, P3/474 P4/474 DEA&DP Ref No. (Pre-Application): 16/3/3/6/7/2/A5/20/2209/23; DWS Ref No : WU33620 Closing date for comment 8 December 2023 Please select below which document your wish to download: • CWA Draft Preapp Scoping report 7 Nov 2023 • App 1 EAP CV and Declaration of Independance CWA • App 2 CWA Geohydrological Scoping • App 3 CWA Geotechnical • App 4 CWA Baseline Air Quality • App 5 CWA Baseline Noise • App 6 CWA Botanical Baseline • App 7 CWA Botanical Scoping • App 8 FEN CWA Freshwater Scoping • App 9 STS PHS Cape Winelands Airport Part A • App 10 STS PHS Cape Winelands Airport Part B • App 11 STS PHS Cape Winelands Airport Part C • App 12 CWA Socio-economic Scoping • App 13 Heritage Baseline and Scoping • App 14 CWA Archaeological Scoping • App 15 VIA Scoping Report • App 16 CWA Agro-Ecological Scoping • App 17 Civil Aviation Baseline and Scoping • App 18 CWA OLS Report • App 19 CONOPS CWA 3 Nov 2023 • App 20 CWA Transport Scoping • App 21 CWA Bulk Engineering services compressed • App 22 CWA Bulk Electrical Services • App 23 CWA Spatial Planning and land use status • App 24 CWA Fuel Master Plan • App 25 Architectural Design Guidelines CWA • App 26 CWA EIA SDP and linear coordinates • App 27 CWA Screening and SSV • App 28 CWA Diversion Airport Analysis Excerpt	<u>Email received on 5 February 2024:</u> Please can you give us an update?
			<u>Email response provided on 6 February 2024:</u>

			Hope you are well. We are currently compiling all the comments and responses received during the public participation process. As a registered IAP you will be formally notified of the next public participation phase.
		<u>Email received on 7 March 2024:</u> Please update us. When is the next meeting?	<u>Email response provided on 8 March 2024:</u> Thank you for the email. All registered IAPs will be notified of the next round of public participation in due course. Thank you for your patience and understanding in this regard.
427	Alison Muller - Darson Trust	Comment received via email dated 18 July 2025 Where and when can we see that our objections sent on Monday, 27 November, 2023 18:25:18 have been included in the consolidated compilation of all the comments and responses received ?	Response provided via email dated 21 July 2025 Your objection dated 27 November 2023 is included in Appendix 29A from page 57 to page 60. Documents can be downloaded from the following link - https://phsconsulting.co.za/proposed-expansion-of-cape-winelandsairport/

Friday, November 28, 2025 at 8:53:48 AM South Africa Standard Time

Subject: Fwd: MEETING REQUEST WITH OWNERS OF ABERFELDY FARM
Date: Monday, 24 November 2025 at 18:00:41 South Africa Standard Time
From: Deon Cloete
To: Amanda Fritz-Whyte, Paul Slabbert, Terry Winstanley, Adele Klingenberg, Gustav Griessel, Nick Ferguson

FYI, the meeting with the Mullers happened on the 31st of May 2024.

----- Forwarded message -----

From: <muller1@mweb.co.za>
Date: Tue, 28 May 2024 at 12:13
Subject: RE: MEETING REQUEST WITH OWNERS OF ABERFELDY FARM
To: Nick Ferguson <nick@capewinelands.aero>, Darryl Muller <darrylm@mullersteel.co.za>, Deon Cloete <deon@capewinelands.aero>, Gustav Griessel <gustav@capewinelands.aero>
Cc: <nick@rsa.aero>

Dear Nick

We confirm we can meet at 10am on Friday 31st May 2024 at Aberfeldy Farm, R304 Malmesbury Farms.

Kind regards

Alison Muller

From: Nick Ferguson <nick@capewinelands.aero>
Sent: Friday, May 24, 2024 11:52 AM
To: Darryl Muller <darrylm@mullersteel.co.za>; Deon Cloete <deon@capewinelands.aero>; Gustav Griessel <gustav@capewinelands.aero>
Cc: nick@rsa.aero; Alison Muller <muller1@mweb.co.za>
Subject: Re: MEETING REQUEST WITH OWNERS OF ABERFELDY FARM

I can't do either of those times. I can do Friday the 31st at 10am if that works

Friday, November 28, 2025 at 8:53:28 AM South Africa Standard Time

Subject: Fwd: MEETING REQUEST WITH OWNERS OF ABERFELDY FARM
Date: Tuesday, 10 December 2024 at 07:46:47 South Africa Standard Time
From: Deon Cloete
To: Darryl Muller, Alison Muller
CC: Amanda Fritz-Whyte, Nick Ferguson

Good Morning Darryl and Alison;

I trust that you are keeping well. Following our previous conversation we thought it appropriate to check in with you now that the outcome of the noise specialist report has been shared as part of the EIA process. From the report you will note that your farm and place of residence is outside of the noise zones deemed not conducive for residential use.

In copy is Amanda, the independent Environmental Practitioner overseeing the EIA process should you have any questions or require further clarity, the current public comment period will close this coming Friday, the 13th of December.

I also remain available to engage further on any matter should you wish to do so.

Regards;
Deon

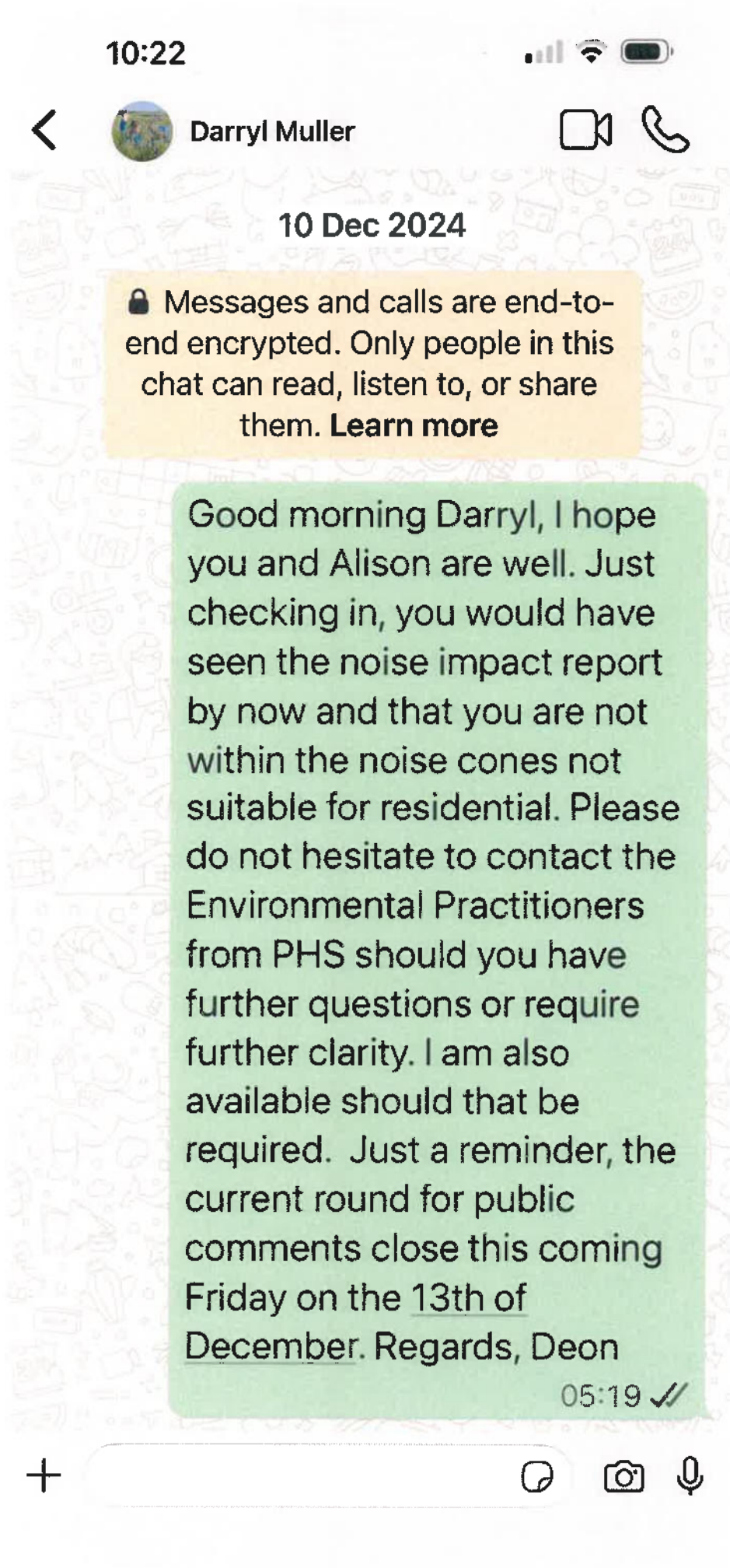
----- Forwarded message -----

From: Deon Cloete <d.cloete@capewineland.aero>
Date: Sun, 9 Jun 2024 at 12:26
Subject: Re: MEETING REQUEST WITH OWNERS OF ABERFELDY FARM
To: Nick Ferguson <nick@capewineland.aero>
Cc: <muller1@mweb.co.za>, Darryl Muller <darrylm@mullersteel.co.za>, Gustav Griessel <gustav@capewineland.aero>

Nick as mentioned, our meeting went ahead where Darryl again expressed concern as to the possible impact that the airport development might have on their farm Aberfeldy where they also reside. Noise is the main concern and as to how aircraft noise potentially could impact on the value of their farm as an investment property. In our discussions we agreed that we will await the outcome of the noise specialists report currently underway, once the report and its findings are available we will be able to engage further on a more informed basis as to the potential impact, if any. In the meantime we will make time for each other and meet as and when required, as a potential future developer but also as a current neighbour.

Darryl and Alison, thank you again for the opportunity to meet, I trust that I have captured the main essence of the meeting, please feel free to add anything I missed. If anything comes up and you need to talk to us I am available, you can reach me on 0823392807.

Amanda FYI, as the Environmental Practitioner overseeing the EIA process I am keeping you updated.



ANNEX 7

DEREK LORD AFFIDAVIT

AFFIDAVIT

I, the undersigned DEREK JOHAN LORD state under oath that:

1. I am an adult male, identity number 590327 5036 085.
2. I deposed to an affidavit which was submitted in support of an appeal lodged by Morningstar Flying Club against the granting of an environmental authorisation to Capewinlands Aero (Pty) Ltd, (CWA) authorising the expansion of the airport at Fisantekraal (EA).
3. I confirm that I represented the Stellenbosch Flying School during the public participation process that led to the granting of the EA (PPP).
4. I also confirm that I authorised the submission of my affidavit in support of the Morningstar Flying Club's appeal against the EA (appeal). However, I do not feel that the Appeal correctly reflected my view on the consultation process in which I and other members of the flying community participated as part of the PPP. I further record that I was not afforded sight of, nor was I consulted on, the Morningstar Flying Club's Appeal prior to its submission, and that I would have objected to the paraphrasing and characterisation of my affidavit therein had I been given the opportunity to do so.

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5. I do not believe that the process was defective or inadequate.
6. I acknowledge that the EA cannot regulate airspace safety that is the mandate of the South African Civil Aviation Authority. However, I was not entirely comfortable with the condition of the EA (condition 48) that regulates air safety (to the extent that that is within the competence of the environmental authorities).
7. Following the submission of the appeal, I have been in consultation with representatives of CWA regarding an amendment to condition 48.
8. The amended version of condition 48 on which we have agreed, and which CWA has agreed to ask the Minister to change on appeal, is set out below. The new sections of it are in italics.

"48 The following measures adapted from the recommendations of the consultative task group established by CWA to ensure full stakeholder engagement, subject to final consideration and approval by the relevant competent authorities, are to be implemented. Copies of these instruments, as agreed to and approved by the relevant Competent Authorities, must be submitted to this Directorate for record purposes.

1. *Description and extent of the FAWN controlled airspace;*
2. *RNP approach procedures;*
3. *Instrument Landing System approach procedures;*
4. *RNAV Standard Instrument Departures; and*
5. *RNAV Standard Instrument Arrivals (standard terminal arrival routes)*
6. *VFR corridors and their associated special rules."*

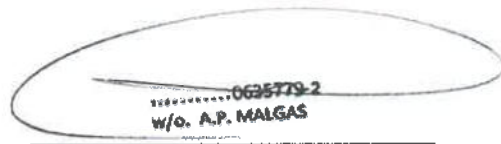
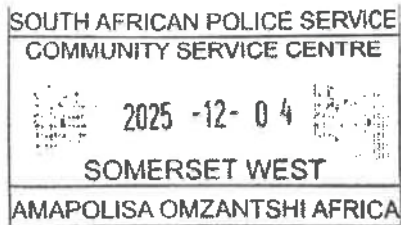
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9. I confirm that I do not wish to be associated with the Morning Star Flying Club's Appeal.



DEREK JOHAN LORD

Signed and sworn to before me at 4 on December 2024 by the deponent, having acknowledged that he knows and understands the contents of this affidavit, and that he considers the oath to be binding on his conscience.



0635779-2
w/o. A.P. MALGAS

COMMISSIONER OF OATHS

A.P. MALGAS