



**EIA REFERENCE:** 16/3/3/5/B3/27/1078/22  
**NEAS REFERENCE:** WCP/EIA/AMEND/0000674/2022  
**DATE OF ISSUE:** 11 November 2022

The Board of Directors  
Paarl Valleij Developments (Pty) Ltd  
P. O. Box 6332  
**PAARL**  
7620

**Attention: Mr. Sarel Rossouw**

Cell: 082 806 0829  
Email: sarel.rossouw@valdevie.co.za

Dear Sir

**APPLICATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) AND PART 1 OF THE ENVIRONMENTAL IMPACT ASSESSMENT ("EIA") REGULATIONS, 2014 (AS AMENDED) FOR THE AMENDMENT OF THE AMENDED ENVIRONMENTAL AUTHORISATION ISSUED ON 18 OCTOBER 2021 (DEA&DP: 16/3/3/5/B3/27/1021/21): PROPOSED PAARL VALLEIJ DEVELOPMENT ON ERF 15219, NORTHERN PAARL**

1. With reference to the above application, the Department hereby notifies you of its decision to grant the amendment of the amended Environmental Authorisation issued on 18 October 2021 (DEA&DP Ref: 16/3/3/5/B3/27/1021/21) attached herewith, together with the reasons for the decision in terms of Part 1 of the Environmental Impact Assessment Regulations, 2014 (as amended).
2. Your attention is drawn to Chapter 2 of the Appeal Regulations, 2014, which prescribes the appeal procedure to be followed. This procedure is summarized in the attached Environmental Authorisation.

Yours faithfully

**MR. ZAAHIR TOEFY**  
**DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)**  
**DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING**

Cc: (1) Mr B Bosman (Guillaume Nel Environmental Consultants)  
(2) Ms E Visagie (Guillaume Nel Environmental Consultants)  
(3) Ms C Winter (Drakenstein Municipality)

Email: nardus@gnec.co.za  
Email: eg@gnec.co.za  
Email: Cindy.Winter@drakenstein.gov.za

## AMENDMENT ENVIRONMENTAL AUTHORISATION

### APPLICATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) AND PART 1 OF THE ENVIRONMENTAL IMPACT ASSESSMENT ("EIA") REGULATIONS, 2014 (AS AMENDED) FOR THE AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 18 OCTOBER 2021 (DEA&DP: 16/3/3/5/B3/27/1021/21): PROPOSED PAARL VALLEIJ DEVELOPMENT ON ERF 15219, NORTHERN PAARL

With reference to your application for the abovementioned, find below the outcome with respect to this application.

#### A. DECISION

By virtue of the powers conferred on it by the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA") and the Environmental Impact Assessment ("EIA") Regulations, 2014 (as amended), the Department herewith **grants** the amendment of the amended Environmental Authorisation issued on 18 October 2021 (DEA&DP Ref: 16/3/3/5/B3/27/1021/21) in terms of Part 1 of the EIA Regulations, 2014 (as amended).

The Environmental Authorisation is amended as set out below:

#### 1. The development description in Section B: LIST OF ACTIVITY AUTHORISED:

The proposal entails the Paarl Valleij residential development and associated infrastructure will have a development footprint of 54.30 ha across 18 erven in Northern Paarl. The 18 erven will be consolidated and subdivided into nine erven to accommodate the following development components:

- Erf 1 (20.89ha): 314 dwellings, 445 apartment units, a clubhouse, a crèche, open space and transport zones. The amendment includes adjusted internal roads, access gate and a gatehouse on Skool Street to accommodate the first phase of the development.
- Erf 2-4: (27.56ha): These erven will continue to accommodate the existing agricultural activities (vineyards). The portion of the site that is located below the 1:100-year floodline will be rezoned to Open Space and no hard infrastructure will be developed within this portion of the site.
- Erf 5-9: In order to accommodate the proposed number of units, the Berg River Boulevard and Van der Stel Road will be extended. The Van der Stel Road extension will be constructed from the corner of Berg River Boulevard and Van der Stel Road up to the access gate, approximately 250 metres from this intersection. Portions of these erven will be used for the alignment of the future Van der Stel Road and Bergriver Boulevard.

The proposal includes an interim access point at Skool Street, further south from the originally proposed access gate off Retief Street. The temporary access point to Paarl Valleij will consist of a gate house to regulate traffic in and out of the development. Once the Berg River Boulevard is constructed and

connected to the R45, the Skool Street access to the proposed development will be relocated to the originally proposed access point.

is amended to read:

The proposal entails the Paarl Valleij residential development and associated infrastructure, which will have a development footprint of 54.30 ha across 18 erven in Northern Paarl. The 18 erven will be consolidated and subdivided into nine erven to accommodate the following development components:

- Erf 1 (20.92ha): 328 dwellings, 320 apartment units, a clubhouse, a crèche, open space and transport zones. The amendment includes adjusted internal roads, access gate and a gatehouse on Skool Street to accommodate the first phase of the development.
- Erf 2-4: (27.56ha): These erven will continue to accommodate the existing agricultural activities (vineyards). The portion of the site that is located below the 1:100-year floodline will be rezoned to Open Space and no hard infrastructure will be developed within this portion of the site.
- Erf 5-9: In order to accommodate the proposed number of units, the Berg River Boulevard and Van der Stel Road will be extended. The Van der Stel Road extension will be constructed from the corner of Berg River Boulevard and Van der Stel Road up to the access gate, approximately 250 metres from this intersection. Portions of these erven will be used for the alignment of the future Van der Stel Road and Bergriver Boulevard.

The proposal includes an interim access point at Skool Street, further south from the originally proposed access gate off Retief Street. The temporary access point to Paarl Valleij will consist of a gate house to regulate traffic in and out of the development. Once the Berg River Boulevard is constructed and connected to the R45, the Skool Street access to the proposed development will be relocated to the originally proposed access point.

2. THE FOLLOWING FIGURE IN ANNEXURE 2: SITE PLAN

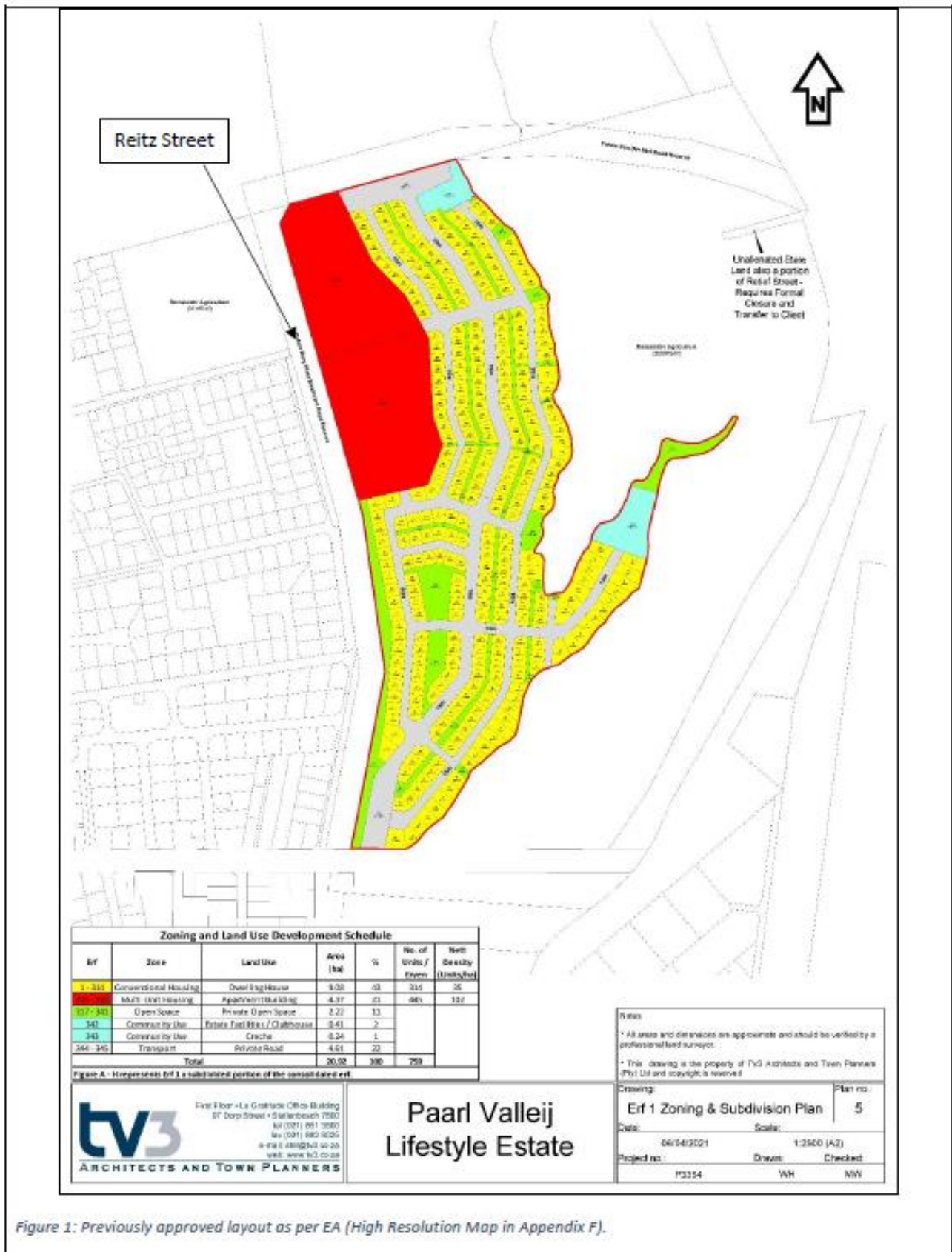


Figure 1: Previously approved layout as per EA (High Resolution Map in Appendix F).

is replaced with:

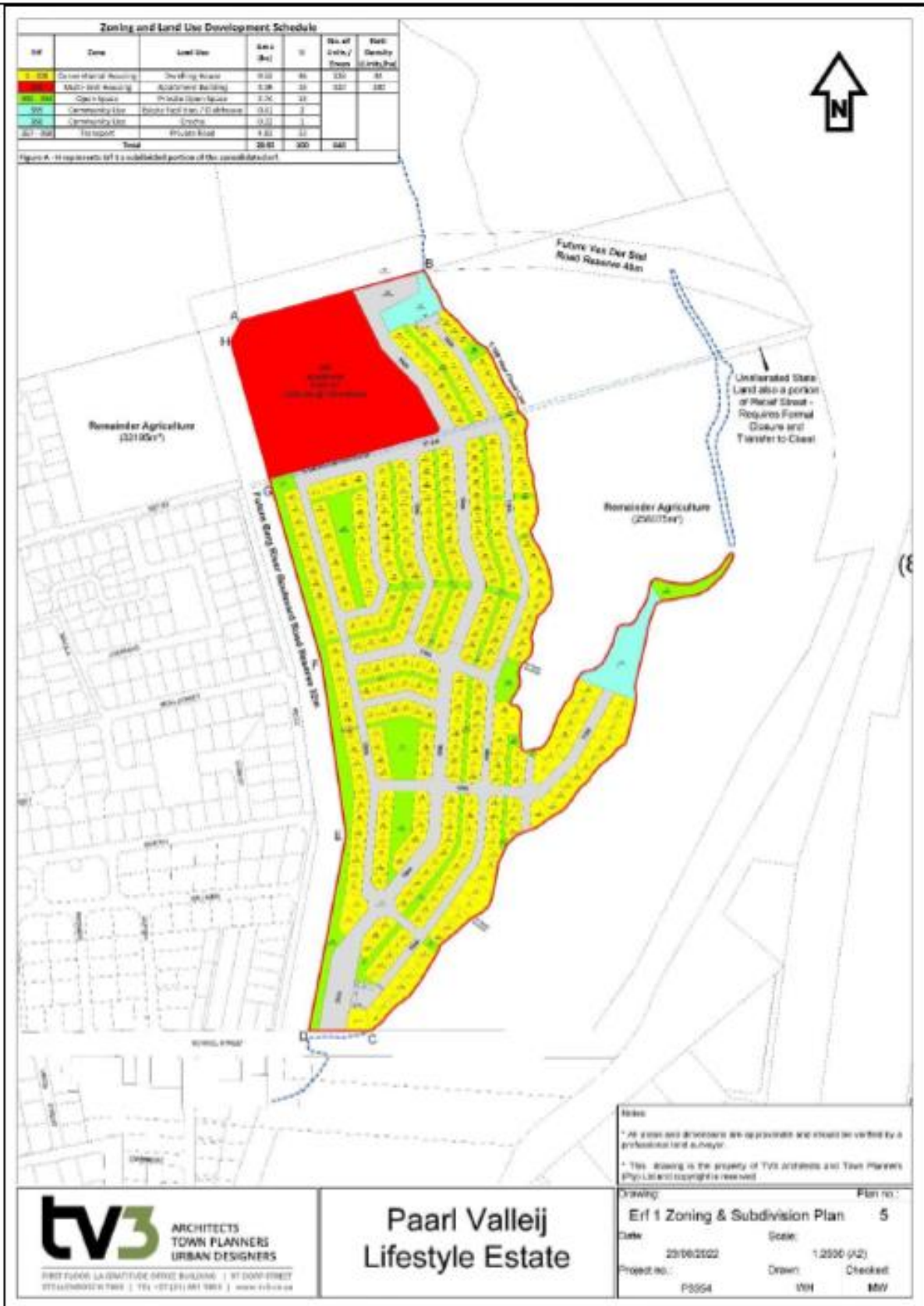


Figure 2: Amended layout to reflect the northward movement of the apartment blocks away from Reitz Street (High Resolution Map in Appendix F).

### 3. Alternatives

#### Preferred Alternative (Herewith authorised)

The proposal entails the Paarl Valleij residential development and associated infrastructure with a development footprint of 54.30 ha across 18 erven in Northern Paarl. The 18 erven will be consolidated and subdivided into nine erven to accommodate the following development components:

- Erf 1 (20.89ha): 314 dwellings, 445 apartments, a clubhouse, a crèche, open space and transport zones. The amendment includes adjusted internal roads, access gate and a gatehouse on Skool Street to accommodate the first phase of the development.
- Erf 2-4: (27.56ha): These erven will continue to accommodate the existing agricultural activities (vineyards). The portion of the site that is located below the 1:100-year floodline will be rezoned to Open Space and no hard infrastructure will be developed within this portion of the site.
- Erf 5-9: In order to accommodate the proposed number of units, the Berg River Boulevard and Van der Stel Road will be extended. The Van der Stel Road extension will be constructed from the corner of Berg River Boulevard and Van der Stel Road up to the access gate, approximately 250 metres from this intersection. Portions of these erven will be used for the alignment of the future Van der Stel Road and Bergriver Boulevard.

The proposal includes an interim access point at Skool Street, further south from the originally proposed access gate off Retief Street. The temporary access point to Paarl Valleij will consist of a gate house to regulate traffic in and out of the development. Once the Berg River Boulevard is constructed and connected to the R45, the Skool Street access to the proposed development will be relocated to the originally proposed access point.

Is amended to read:

#### Preferred Alternative (Herewith authorised)

The proposal entails the Paarl Valleij residential development and associated infrastructure, which will have a development footprint of 54.30 ha across 18 erven in Northern Paarl. The 18 erven will be consolidated and subdivided into nine erven to accommodate the following development components:

- Erf 1 (20.92ha): 328 dwellings, 320 apartment units, a clubhouse, a crèche, open space and transport zones. The amendment includes adjusted internal roads, access gate and a gatehouse on Skool Street to accommodate the first phase of the development.
- Erf 2-4: (27.56ha): These erven will continue to accommodate the existing agricultural activities (vineyards). The portion of the site that is located below the 1:100-year floodline will be rezoned to Open Space and no hard infrastructure will be developed within this portion of the site.
- Erf 5-9: In order to accommodate the proposed number of units, the Berg River Boulevard and Van der Stel Road will be extended. The Van der Stel Road extension will be constructed from the corner of Berg River Boulevard and Van der Stel Road up to the access gate, approximately 250 metres from this intersection. Portions of these erven will be used for the alignment of the future Van der Stel Road and Bergriver Boulevard.

The proposal includes an interim access point at Skool Street, further south from the originally proposed access gate off Retief Street. The temporary access point to Paarl Valleij will consist of a gate house to regulate traffic in and out of the development. Once the Berg River Boulevard is constructed and connected to the R45, the Skool Street access to the proposed development will be relocated to the originally proposed access point.

## **B. REASONS FOR THE DECISION**

In reaching its decision, the Department took, *inter alia*, the following into consideration:

1. The amendment applied for is in terms of Part 1 of the EIA Regulations, 2014 and will not change the scope of the Environmental Authorisation issued on 18 October 2021.
2. The amendment does not trigger any listed activities in terms of the EIA Regulations, 2014 (Listing Notices 1, 2 and 3 in Government Gazette No. 40772 of 7 April 2017) promulgated in terms of the NEMA.
3. The amendment will not result in an increased level or nature of the impacts that were considered and assessed during the initial application for environmental authorisation.
4. The environment and the rights and interests of interested and affected parties ("I&APs") will not be adversely affected by the decision to amend the amended Environmental Authorisation.
5. The change in the layout is a compromise reached between the applicant and the residents along the northern portion of Reitz Street following concerns raised regarding the visual impact of the apartment buildings in its authorised location. The amendment includes a reduction in the number of apartment units (125 less units), an increase in the number of houses (14 units more) and adjusting the location of the apartment building northward within the authorised development footprint. This will result in a reduction of the total number of residential units from 759 to 648 units.

#### **C. CONDITIONS**

1. All other conditions contained in the amended Environmental Authorisation issued on 18 October 2021 (Attached as Annexure A), remain unchanged and in force.

#### **D. APPEALS**

Appeals must comply with the provisions contained in the National Appeal Regulations 2014 (as amended).

1. An appellant (if the holder of the decision) must, within 20 (twenty) calendar days from the date on which notification of the decision was sent to the holder by the Competent Authority –
  - 1.1. submit an appeal in accordance with Regulation 4 of the National Appeal Regulations 2014 (as amended) to the Appeal Administrator; and
  - 1.2. submit a copy of the appeal to any registered I&APs, any Organ of State with interest in the matter and the decision-maker i.e. the Competent Authority that issued the decision.
2. An appellant (if NOT the holder of the decision) must, within 20 (twenty) calendar days from the date on which the holder of the decision sent notification of the decision to the registered I&APs–
  - 2.1 submit an appeal in accordance with Regulation 4 of the National Appeal Regulations 2014 (as amended) to the Appeal Administrator; and
  - 2.2 submit a copy of the appeal to the holder of the decision, any registered I&AP, any Organs of State with interest in the matter and the decision-maker i.e. the Competent Authority that issued the decision.
3. The holder of the decision (if not the appellant), the decision-maker that issued the decision, the registered I&AP and the Organs of State must submit their responding statements, if any, to the

appeal authority and the appellant within 20 (twenty) calendar days from the date of receipt of the appeal submission.

4. The appeal and the responding statement must be submitted to the address listed below:

By post: Western Cape Ministry of Local Government, Environmental Affairs and  
Development Planning  
Private Bag X9186  
CAPE TOWN  
8000

By facsimile: (021) 483 4174; or

By hand: Attention: Mr Marius Venter (Tel: 021 483 2659)  
Room 809  
8<sup>th</sup> Floor Utilitas Building, 1 Dorp Street, Cape Town, 8001

**Note:** For purposes of electronic database management, you are also requested to submit electronic copies (Microsoft Word format) of the appeal, responding statement and any supporting documents to the Appeal Authority to the address listed above and/ or via e-mail to DEADP.Appeals@westerncape.gov.za

5. A prescribed appeal form as well as assistance regarding the appeal processes is obtainable from Appeal Authority at: Tel. (021) 483 2659, E-mail DEADP.Appeals@westerncape.gov.za or URL <http://www.westerncape.gov.za/eadp>.



## **E. DISCLAIMER**

The Western Cape Government, the Local Authority, committees or any other public authority or organisation appointed in terms of the conditions of this EA shall not be responsible for any damages or losses suffered by the holder, developer or his/her successor in any instance where construction or operation subsequent to construction is temporarily or permanently stopped for reasons of non-compliance with the conditions as set out herein or any other subsequent document or legal action emanating from this decision.

Your interest in the future of our environment is appreciated.

Yours faithfully

---

**MR. ZAAHIR TOEFY**  
**DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)**  
**DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING**

**DATE OF DECISION: 11 NOVEMBER 2022**

Cc: (1) Mr B Bosman (Guillaume Nel Environmental Consultants)  
(2) Ms E Visagie (Guillaume Nel Environmental Consultants)  
(3) Ms C Winter (Drakenstein Municipality)

Email: nardus@gnec.co.za  
Email: eg@gnec.co.za  
Email: Cindy.Winter@drakenstein.gov.za

## **Annexure A**



**REFERENCE:** 16/3/3/5/B3/27/1021/21  
**NEAS REFERENCE:** WCP/EIA/AMEND/0000522/2021  
**DATE OF ISSUE:** 18 October 2021

The Board of Directors  
Paarl Valleij Developments (Pty) Ltd  
PO Box 6332  
PAARL  
7620

**Attention: Mr Morne Bosch**

Cell: 082 806 0829  
Email: [Morne.Bosch@valdevie.co.za](mailto:Morne.Bosch@valdevie.co.za)

Dear Sir

**APPLICATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) AND PART 2 OF THE ENVIRONMENTAL IMPACT ASSESSMENT ("EIA") REGULATIONS, 2014 (AS AMENDED) FOR THE AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 18 SEPTEMBER 2020 (DEA&DP: 16/3/3/1/B3/27/1084/19): PROPOSED PAARL VALLEIJ DEVELOPMENT ON ERF 15219, NORTHERN PAARL**

1. With reference to the above application, the Department hereby notifies you of its decision to **grant** the amendment of the Environmental Authorisation issued on 18 September 2020 [Reference No.: 16/3/3/1/B3/27/1084/19], attached herewith, together with the reasons for the decision.
2. In terms of Regulation 4 of the Environmental Impact Assessment Regulations, 2014 (as amended), you are instructed to ensure, within 14 days of the date of the amended Environmental Authorisation, that all registered interested and affected parties ("I&APs") are provided with access to and reasons for the decision, and that all registered I&APs are notified of their right to appeal.
3. Your attention is drawn to Chapter 2 of the Appeal Regulations, 2014, which prescribes the appeal procedure to be followed. This procedure is summarized in the attached Environmental Authorisation.

Yours faithfully

Zaahir  
Toefy

Digitally signed by  
Zaahir Toefy  
Date: 2021.10.18  
15:29:56 +02'00'

**MR. ZAAHIR TOEFY**

**DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)**

**DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING**

Cc: (1) N Bosman (GNEC)

(2) C Winter (Drakenstein Municipality)

Email: [eg@gnec.co.za](mailto:eg@gnec.co.za) / [intern1@gnec.co.za](mailto:intern1@gnec.co.za)

Email: [Cindy.Winter@drakenstein.gov.za](mailto:Cindy.Winter@drakenstein.gov.za)



[www.westerncape.gov.za](http://www.westerncape.gov.za)

Department of Environmental Affairs and Development Planning

**REFERENCE:** 16/3/3/5/B3/27/1021/21  
**NEAS REFERENCE:** WCP/EIA/AMEND/0000522/2021  
**DATE OF ISSUE:** 18 October 2021

## ENVIRONMENTAL AUTHORISATION

### APPLICATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) AND PART 2 OF THE ENVIRONMENTAL IMPACT ASSESSMENT ("EIA") REGULATIONS, 2014 (AS AMENDED) FOR THE AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 18 SEPTEMBER 2020 (DEA&DP: 16/3/3/1/B3/27/1084/19): PROPOSED PAARL VALLEIJ DEVELOPMENT ON ERF 15219, NORTHERN PAARL

With reference to your application for the abovementioned, find below the outcome with respect to this application.

#### A. DECISION

By virtue of the powers conferred on it by the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA") and the Environmental Impact Assessment ("EIA") Regulations, 2014 (as amended), the Department herewith **grants** the amendment of the Environmental Authorisation ("EA") issued on 18 September 2020 (DEA&DP Ref.: 16/3/3/1/B3/27/1084/19) in terms of Part 2 of the EIA Regulations, 2014 (as amended).

The EA is amended as set out below:

#### 1. The development description in Section B: LIST OF ACTIVITY AUTHORISED:

The proposal entails the Paarl Valleij residential development and associated infrastructure with a development footprint of 54.30 ha across 18 erven in Northern Paarl. The 18 erven will be consolidated and subdivided into nine erven to accommodate the following development components:

- Erf 1 (20.89ha): 330 dwellings, 445 apartments, a clubhouse, a crèche, open space and transport zones.
- Erf 2-4: (27.56ha): These erven will continue to accommodate the existing agricultural activities (vineyards). The portion of the site that is located below the 1:100-year floodline will be rezoned to Open Space and no hard infrastructure will be developed within this portion of the site.
- Erf 5-9: In order to accommodate the proposed number of units, the Berg River Boulevard and Van der Stel Road will be extended. The Van der Stel Road extension will be constructed from the corner of Berg River Boulevard and Van der Stel Road up to the access gate, approximately 250 metres from this intersection.

is amended to read:

The proposal entails the Paarl Valleij residential development and associated infrastructure will have a development footprint of 54.30 ha across 18 erven in Northern Paarl. The 18 erven will be consolidated and subdivided into nine erven to accommodate the following development components:

- Erf 1 (20.89ha): 314 dwellings, 445 apartment units, a clubhouse, a crèche, open space and transport zones. The amendment includes adjusted internal roads, access gate and a gatehouse on Skool Street to accommodate the first phase of the development.
- Erf 2-4: (27.56ha): These erven will continue to accommodate the existing agricultural activities (vineyards). The portion of the site that is located below the 1:100-year floodline will be rezoned to Open Space and no hard infrastructure will be developed within this portion of the site.
- Erf 5-9: In order to accommodate the proposed number of units, the Berg River Boulevard and Van der Stel Road will be extended. The Van der Stel Road extension will be constructed from the corner of Berg River Boulevard and Van der Stel Road up to the access gate, approximately 250 metres from this intersection. Portions of these erven will be used for the alignment of the future Van der Stel Road and Bergriver Boulevard.

The proposal includes an interim access point at Skool Street, further south from the originally proposed access gate off Relief Street. The temporary access point to Paarl Valleij will consist of a gate house to regulate traffic in and out of the development. Once the Berg River Boulevard is constructed and connected to the R45, the Skool Street access to the proposed development will be relocated to the originally proposed access point.

## **2. Condition 9 in Section E: CONDITIONS OF AUTHORISATION:**

The draft Environmental Management Programme ("EMPr") submitted as part of the application for Environmental Authorisation must be amended to include the recommendations made by Heritage Western Cape ("HWC") in their comment dated 10 September 2020 within the relevant sections of the EMPr. The amended EMPr must be submitted to the Department for approval prior to commencement of construction.

is amended to read:

The amended Environmental Management Programme ("EMPr") submitted as part of this amendment application is hereby approved and must be implemented.

### 3. ANNEXURE 2: SITE PLAN

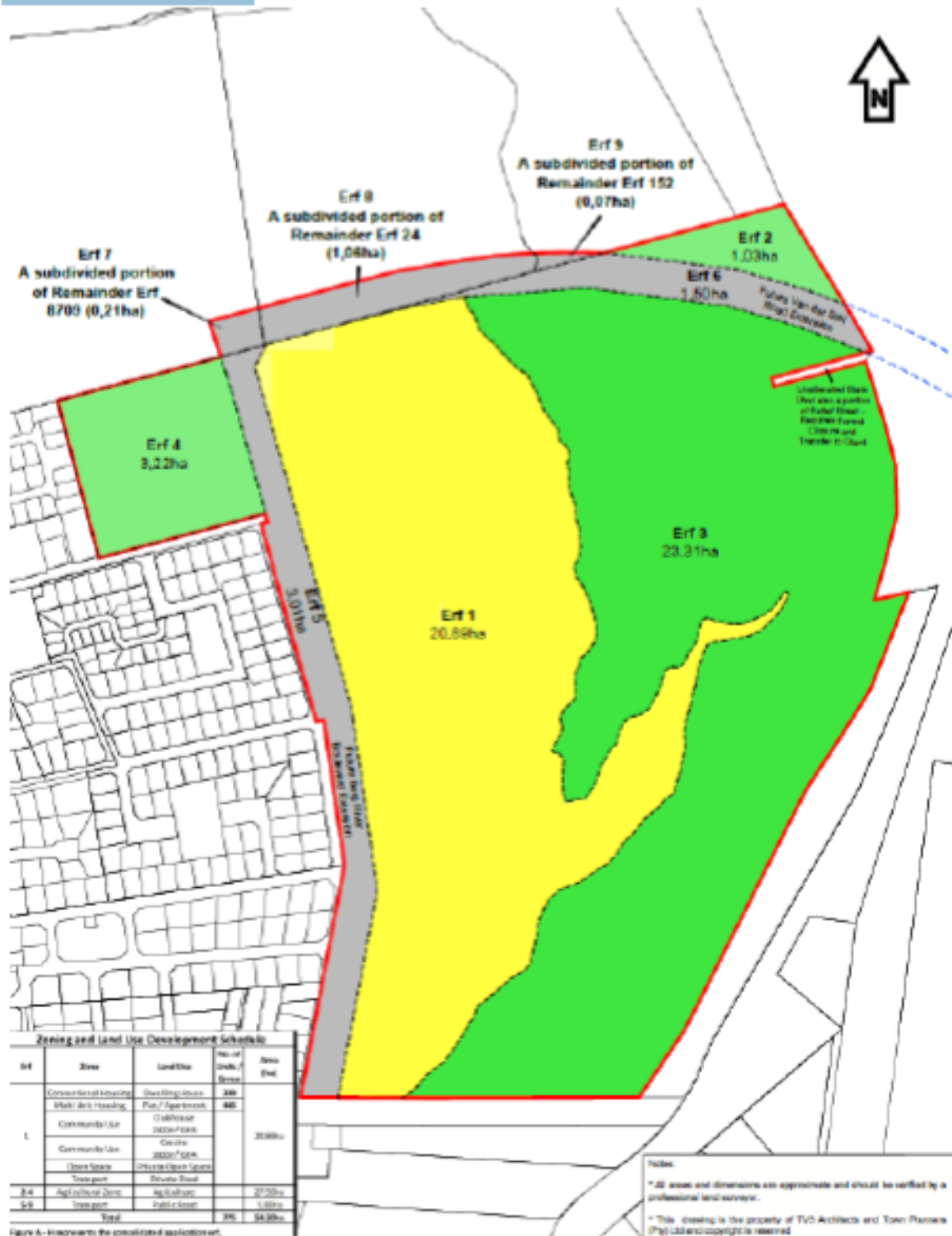


Figure A-4: Homeowners consolidated association erf.

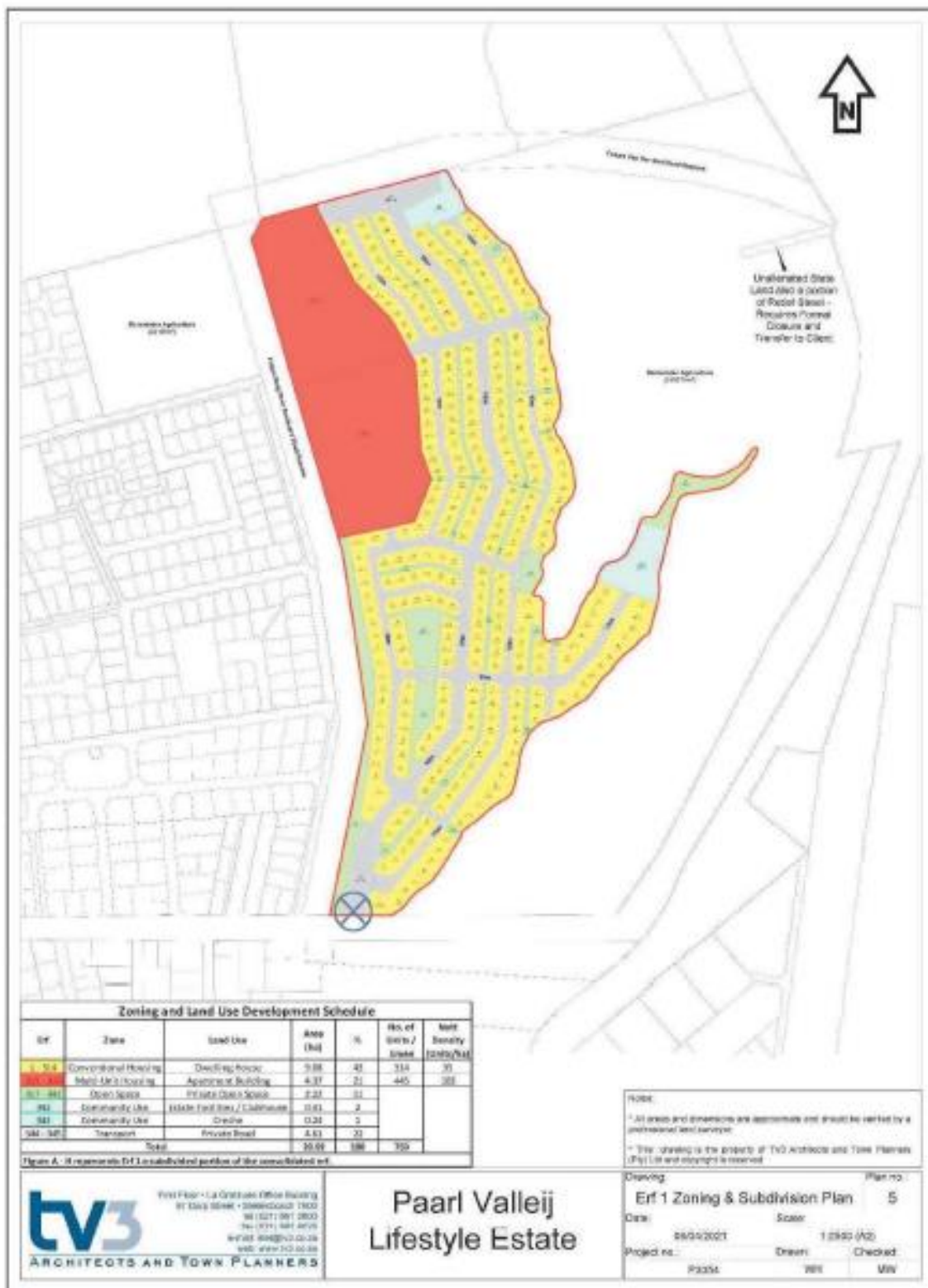


is amended to include:

**NEW INTERIM ACCESS POINT OFF SKOOL STREET MARKED WITH A CROSS.**



[www.westerncape.gov.za](http://www.westerncape.gov.za)  
 Department of Environmental Affairs and Development Planning





**PROPOSED EXTENSION OF THE BERGRIVER BOULEVARD (NEW ACCESS POINT OF SKOOL STREET MARKED WITH A CROSS)**



#### 4. ALTERNATIVES

Preferred Alternative (Herewith authorised)

The proposal entails the Paarl Valleij residential development and associated infrastructure with a development footprint of 54.30 ha across 18 erven in Northern Paarl. The 18 erven will be consolidated and subdivided into nine erven to accommodate the following development components:

- Erf 1 (20.89ha): 330 dwellings, 445 apartments, a clubhouse, a crèche, open space and transport zones.
- Erf 2-4: (27.56ha): These erven will continue to accommodate the existing agricultural activities (vineyards). The portion of the site that is located below the 1:100-year floodline will be rezoned to Open Space and no hard infrastructure will be developed within this portion of the site.
- Erf 5-9: In order to accommodate the proposed number of units, the Berg River Boulevard and Van der Stel Road will be extended. The Van der Stel Road extension will be constructed from the corner of Berg River Boulevard and Van der Stel Road up to the access gate, approximately 250 metres from this intersection.

is amended to read:



The proposal entails the Paarl Valleij residential development and associated infrastructure will have a development footprint of 54.30 ha across 18 erven in Northern Paarl. The 18 erven will be consolidated and subdivided into nine erven to accommodate the following development components:

- Erf 1 (20.89ha): 314 dwellings, 445 apartment units, a clubhouse, a crèche, open space and transport zones. The amendment includes adjusted internal roads, access gate and a gatehouse on Skool Street to accommodate the first phase of the development.
- Erf 2-4: (27.56ha): These erven will continue to accommodate the existing agricultural activities (vineyards). The portion of the site that is located below the 1:100-year floodline will be rezoned to Open Space and no hard infrastructure will be developed within this portion of the site.
- Erf 5-9: In order to accommodate the proposed number of units, the Berg River Boulevard and Van der Stel Road will be extended. The Van der Stel Road extension will be constructed from the corner of Berg River Boulevard and Van der Stel Road up to the access gate, approximately 250 metres from this intersection. Portions of these erven will be used for the alignment of the future Van der Stel Road and Bergriver Boulevard.

The proposal includes an interim access point at Skool Street, further south from the originally proposed access gate off Relief Street. The temporary access point to Paarl Valleij will consist of a gate house to regulate traffic in and out of the development. Once the Berg River Boulevard is constructed and connected to the R45, the Skool Street access to the proposed development will be relocated to the originally proposed access point.

## B. REASONS FOR THE DECISION

In reaching its decision, the Department took, inter alia, the following into consideration:

1. The Environmental Authorisation, issued on 18 September 2020 (attached as Appendix A) included the original plans which stated that access would be gained from Relief and Reitz streets, along with the future Van der Stel Road. Since the Environmental Authorisation has been granted, the option to utilise this access point presented potential delays, due to challenges in obtaining a portion of land required for the intersection of the Berg River Boulevard & Van der Stel Road. This necessitated the investigation into an alternative access proposal for an interim access point to the approved development.
2. The updated Traffic Impact Assessment dated April 2021, compiled by Innovative Transport Solutions, confirmed that the available road infrastructure will be sufficient to accommodate the first phase of the development and that the extension of Berg River Boulevard will be required to accommodate the remaining phases.
3. The amended development layout is confined to the same boundaries as the approved layout, with a reduction in the number of dwelling units to accommodate the new access point and adjusted internal road, consequently no change is expected to the assessed impacts and mitigation measures identified during the first impact assessment.
4. The need and desirability of the proposed development is rooted in the fact that the development would contribute towards the growing demand for housing in Paarl. It is located in an area demarcated for urban development and small-scale peri-urban farming. The proposal is in line with the Drakenstein SDF, as well as the municipality's forward planning in terms of road infrastructure.
5. The environment and the rights and interests of interested and affected parties ("I&APs") will not be adversely affected by the decision to amend the Environmental Authorisation.

6. A public participation process was conducted for the amendment application. The following State Departments were consulted and did not object against the proposed amendments:
- Department of Transport and Public Works;
  - CapeNature; and
  - Drakenstein Municipality

At the end of the commenting period, a number of comments and objections were received. The majority of the objections related to the existing development that already received Environmental Authorisation and was not related to the amendment being applied for. Concerns raised by I&APs were responded to during the public participation process. This Department is satisfied that the public participation process that was followed met the minimum legal requirements and the comments raised and responses thereto were included in the comments and response report.

### C. CONDITIONS

1. The temporary Skool Street access to the proposed development must be closed and relocated to the original proposed access point, once the Berg River Boulevard is constructed and connected to the R45.
2. The holder must in writing, within 14 (fourteen) calendar days of the date of this decision–
  - 1.1. notify all registered I&APs of –
    - 1.1.1. the outcome of the application;
    - 1.1.2. the reasons for the decision as included in Section B;
    - 1.1.3. the date of the decision; and
    - 1.1.4. the date when the decision was issued.
  - 1.2. draw the attention of all registered I&APs to the fact that an appeal may be lodged against the decision in terms of National Appeals Regulations, 2014 detailed in Section D below;
  - 1.3. draw the attention of all registered I&APs to the manner in which they may access the decision; and
  - 1.4. provide the registered I&APs with:
    - 1.4.1. the name of the holder (entity) of this Environmental Authorisation;
    - 1.4.2. name of the responsible person for this Environmental Authorisation;
    - 1.4.3. postal address of the holder;
    - 1.4.4. telephonic and fax details of the holder;
    - 1.4.5. e-mail address, if any, of the holder; and
    - 1.4.6. the contact details (postal and/or physical address, contact number, facsimile and e-mail address) of the decision-maker and all registered I&APs in the event that an appeal is lodged in terms of the 2014 National Appeals Regulations.
3. All conditions contained in the Environmental Authorisation issued on 18 September 2020 (attached as Appendix A) still remain in force as it relates to this amended application.



#### D. APPEALS

Appeals must comply with the provisions contained in the National Appeal Regulations 2014 (as amended).

1. An appellant (if the holder of the decision) must, within 20 (twenty) calendar days from the date the notification of the decision was sent to the holder by the Competent Authority –
  - 1.1. Submit an appeal in accordance with Regulation 4 of the National Appeal Regulations 2014 (as amended) to the Appeal Administrator; and
  - 1.2. Submit a copy of the appeal to any registered I&APs, any Organ of State with interest in the matter and the decision-maker i.e. the Competent Authority that issued the decision.
2. An appellant (if NOT the holder of the decision) must, within 20 (twenty) calendar days from the date the holder of the decision sent notification of the decision to the registered I&APs –
  - 2.1. Submit an appeal in accordance with Regulation 4 of the National Appeal Regulations 2014 (as amended) to the Appeal Administrator; and
  - 2.2. Submit a copy of the appeal to the holder of the decision, any registered I&AP, any Organ of State with interest in the matter and the decision-maker i.e. the Competent Authority that issued the decision.
3. The holder of the decision (if not the appellant), the decision-maker that issued the decision, the registered I&AP and the Organ of State must submit their responding statements, if any, to the appeal authority and the appellant within 20 (twenty) calendar days from the date of receipt of the appeal submission.
4. The appeal and the responding statement must be submitted to the address listed below:

By post: Western Cape Ministry of Local Government, Environmental Affairs and Development Planning  
Private Bag X9186  
CAPE TOWN  
8000; or

By facsimile: (021) 483 4174; or

By hand: Attention: Mr Marius Venter (Tel: 021 483 2659)  
Room 809  
8<sup>th</sup> Floor Utilitas Building, 1 Dorp Street, Cape Town, 8001

**Note:** For purposes of electronic database management, you are also requested to submit electronic copies (Microsoft Word format) of the appeal, responding statement and any supporting documents to the Appeal Authority to the address listed above and/ or via DEADP.Appeals@westerncape.gov.za.

5. A prescribed appeal form as well as assistance regarding the appeal processes is obtainable from Appeal Authority at: Tel. (021) 483 2659, E-mail DEADP.Appeals@westerncape.gov.za or URL <http://www.westerncape.gov.za/eadp>.



**E. DISCLAIMER**

The Western Cape Government, the Local Authority, committees or any other public authority or organisation appointed in terms of the conditions of this EA shall not be responsible for any damages or losses suffered by the holder, developer or his/her successor in any instance where construction or operation subsequent to construction is temporarily or permanently stopped for reasons of non-compliance with the conditions as set out herein or any other subsequent document or legal action emanating from this decision.

Your interest in the future of our environment is appreciated.

Yours faithfully

**Zaahir Toefy**

Digitally signed by Zaahir  
Toefy  
Date: 2021.10.18 15:30:57  
+0200

**MR. ZAAHIR TOEFY**

**DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)**

**DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING**

**DATE OF DECISION: 18 OCTOBER 2021**

Cc: (1) N Bosman (GNEC)  
(2) C Winter (Drakenstein Municipality)

Email: [eg@gnec.co.za](mailto:eg@gnec.co.za) / [intem1@gnec.co.za](mailto:intem1@gnec.co.za)  
Email: [Cindy.Winter@drakenstein.gov.za](mailto:Cindy.Winter@drakenstein.gov.za)

**APPENDIX A**  
**ENVIRONMENTAL AUTHORISATION ISSUED ON 18 SEPTEMBER 2020**



REFERENCE: 16/3/3/1/83/27/1084/19  
NEAS REFERENCE: WCP/EIA/0000712/2019  
ENQUIRIES: Samonay Smidt  
DATE OF ISSUE: 18 SEPTEMBER 2020

### ENVIRONMENTAL AUTHORISATION

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 (AS AMENDED); PROPOSED PAARL VALLEIJ DEVELOPMENT AND ASSOCIATED INFRASTRUCTURE ACROSS 18 ERVEN IN NORTHERN PAARL

With reference to your application for the abovementioned, find below the outcome with respect to this application.

### DECISION

By virtue of the powers conferred on it by the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA") and the Environmental Impact Assessment ("EIA") Regulations, 2014 (as amended), the Competent Authority herewith **grants Environmental Authorisation** to the applicant to undertake the listed activity specified in section B below with respect to the Preferred Alternative, as described in the Basic Assessment Report ("BAR"), dated February 2020.

The applicant for this Environmental Authorisation is required to comply with the conditions set out in section E below.

### A. DETAILS OF THE APPLICANT FOR THIS ENVIRONMENTAL AUTHORISATION

The Board of Directors  
Paarl Valleij Developments (Pty) Ltd  
c/o Mr. Morne Bosch  
PO Box 6332  
PAARL  
7620

Tel: (082) 806 0829  
Email: [Morne.Bosch@valdeve.co.za](mailto:Morne.Bosch@valdeve.co.za)

The abovementioned applicant is the holder of this Environmental Authorisation and is hereinafter referred to as "the holder".

## B. LIST OF ACTIVITY AUTHORISED

Listed Activity	Activity/Project Description
<p><b>Licensing Notice 1-</b></p> <p><b>Activity Number: 28</b>  <i>Residential, mixed, retail, commercial, industrial or institutional developments where such land was used for agriculture, game farming, equestrian purposes or afforestation on or after 01 April 1998 and where such development -</i></p> <p><i>(i) will occur inside an urban area, where the total land to be developed is bigger than 5 hectares; or</i></p> <p><i>(ii) will occur outside an urban area, where the total land to be developed is bigger than 1 hectare;</i></p> <p><i>excluding where such land has already been developed for residential, mixed, retail, commercial, industrial or institutional purposes.</i></p>	<p>The proposed residential development is located inside of the urban area of Paarl and is bigger than 5 hectares.</p>

The abovementioned list is hereinafter referred to as "the listed activity".

The holder is herein authorised to undertake the following alternative that includes the listed activity as it relates to the development:

The proposal entails the Paarl Valleij residential development and associated infrastructure with a development footprint of 54.30 ha across 18 erven in Northern Paarl. The 18 erven will be consolidated and subdivided into nine erven to accommodate the following development components:

- Erf 1 (20.89ha): 330 dwellings, 446 apartments, a clubhouse, a orbeche, open space and transport zones.
- Erf 2-4: (27.54ha): These erven will continue to accommodate the existing agricultural activities (vineyards). The portion of the site that is located below the 1:100-year floodline will be rezoned to Open Space and no hard infrastructure will be developed within this portion of the site.
- Erf 5-9: In order to accommodate the proposed number of units, the Berg River Boulevard and Van der Stel Road will be extended. The Van der Stel Road extension will be constructed from the corner of Berg River Boulevard and Van der Stel Road up to the access gate, approximately 250 metres from this intersection.

## C. SITE DESCRIPTION AND LOCATION

The listed activity will be undertaken on the following erven in Northern Paarl:

Remainder of Erf No. 80  
 Erf No. 81  
 Remainder of Erf No. 103  
 Erf No. 106  
 Erf No. 123  
 Erf No. 139  
 Erven 154 – 159  
 Erf No. 7167  
 Erf No. 14747  
 Erf No. 16219



Remainder of Erf No. 8709  
Remainder of Erf No. 24  
Remainder of Erf No. 162

The S/G21 digit codes are: 1. C05500080000008000000  
2. C05500080000009100000  
3. C05500080000010300000  
4. C05500080000010500000  
5. C05500080000012300000  
6. C05500080000013900000  
7. C05500080000015400000  
8. C05500080000015500000  
9. C05500080000015600000  
10. C05500080000015700000  
11. C05500080000015800000  
12. C05500080000015900000  
13. C055000800000716700000  
14. C05500080001474700000  
15. C05500080001621900000  
16. C05500080000870900000  
17. C05500080000002400000  
18. C05500080000015200000

Co-ordinates of the properties:

Latitude	Longitude
33° 41' 51.29"	18° 58' 13.14"
33° 41' 56.53"	18° 58' 14.73"
33° 41' 55.05"	18° 58' 21.76"
33° 41' 16.04"	18° 58' 22.92"
33° 41' 15.99"	18° 58' 36.19"
33° 41' 44.46"	18° 58' 42.99"

Refer to Annexure 1: Locality Map and Annexure 2: Site Plan.

The above is hereinafter referred to as "the site".

#### D. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER

Terramanzi Group (Pty) Ltd  
o/o Mr Ryan Jonas  
Private Bag x26  
**TOKAI**  
7966

Tel: (021) 701 5228

Email: ryan@terramanzi.co.za / environmental@terramanzi.co.za

## E. CONDITIONS OF AUTHORISATION

### Scope of authorisation

1. The holder is authorised to undertake the listed activity specified in Section B above in accordance with and restricted to the Preferred Alternative, as described in the BAR dated February 2020 on the site as described in Section C above.
2. The Environmental Authorisation is valid for a period of **five years** from the date of issue, within which commencement must occur.
3. The development must be concluded within **ten years** from the date of commencement of the listed activity.
4. The holder shall be responsible for ensuring compliance with the conditions by any person acting on his/her behalf, including an agent, sub-contractor, employee or any person rendering a service to the holder.
5. Any changes to, or deviations from the scope of the alternative described in section B above must be accepted or approved, in writing, by the Competent Authority before such changes or deviations may be implemented. In assessing whether to grant such acceptance/approval or not, the Competent Authority may request information in order to evaluate the significance and impacts of such changes or deviations, and it may be necessary for the holder to apply for further authorisation in terms of the applicable legislation.

### Written notice to the Competent Authority

6. Seven calendar days' notice, in writing, must be given to the Competent Authority before commencement of construction activity.
  - 6.1 The notice must make clear reference to the site details and EA Reference number given above.
  - 6.2 The notice must also include proof of compliance with the following conditions described herein:

Conditions: 7, 8, 9 and 10.

### Notification and administration of appeal

7. The holder must in writing, within 14 (fourteen) calendar days of the date of this decision–
  - 7.1 notify all registered Interested and Affected Parties ("I&APs") of –
    - 7.1.1 the outcome of the application;
    - 7.1.2 the reasons for the decision as included in Annexure 3;
    - 7.1.3 the date of the decision; and
    - 7.1.4 the date when the decision was issued.

- 7.2 draw the attention of all registered I&APs to the fact that an appeal may be lodged against the decision in terms of the National Appeals Regulations, 2014 (as amended) detailed in Section G below;
- 7.3 draw the attention of all registered I&APs to the manner in which they may access the decision;
- 7.4 provide the registered I&APs with:
  - 7.4.1 the name of the holder (entity) of this Environmental Authorisation,
  - 7.4.2 name of the responsible person for this Environmental Authorisation,
  - 7.4.3 postal address of the holder,
  - 7.4.4 telephonic and fax details of the holder,
  - 7.4.5 e-mail address, if any, of the holder, and
  - 7.4.6 contact details (postal and/or physical address, contact number, facsimile and e-mail address) of the decision-maker and all registered I&APs in the event that an appeal is lodged in terms of the 2014 National Appeals Regulations (as amended).
- 8. The listed activity, including site preparation, must not commence within 20 (twenty) calendar days from the date the applicant notified the registered I&APs of this decision. In the event that an appeal is lodged with the Appeal Authority, the effect of this Environmental Authorisation is suspended until the appeal is decided i.e. the listed activity, including site preparation, must not commence until the appeal is decided.

#### **Management of activity**

- 9. The draft Environmental Management Programme ("EMPr") submitted as part of the application for Environmental Authorisation must be amended to include the recommendations made by the Heritage Western Cape ("HWC") in their comment dated 10 September 2020 within the relevant sections of the EMPr. The amended EMPr must be submitted to the Department for approval prior to commencement of construction.

#### **Monitoring**

- 10. The holder must appoint a suitably experienced environmental control officer ("ECO") before commencement of any land clearing or construction activity to ensure compliance with the EMPr and the conditions contained herein.
- 11. A copy of the Environmental Authorisation, EMPr, audit reports and compliance monitoring reports must be kept at the site of the authorised activity, and must be made available to anyone on request, including a publicly accessible website.
- 12. Access to the site referred to in Section C must be granted, and the environmental reports mentioned above must be produced, to any authorised official representing the Competent Authority who requests to see it for the purposes of assessing and/or monitoring compliance with the conditions contained herein.

#### **Auditing**

- 13. In terms of Regulation 34 of the NEMA EIA Regulations, 2014 (as amended), the holder must conduct environmental audits to determine compliance with the conditions of the Environmental

Authorisation, the EMPr and submit Environmental Audit Reports to the Competent Authority. The Environmental Audit Report must be prepared by an **Independent person** (not the ECO appointed in terms of condition 12 above) and must contain all the information required in Appendix 7 of the NEMA EIA Regulations, 2014 (as amended).

The holder must undertake an environmental audit every year for the duration of the construction phase and submit Environmental Audit Reports annually to the Competent Authority during the construction phase. The final Environmental Audit Report must be submitted to the Competent Authority within three months after completion of the construction phase of the development.

The holder must, within 7 days of the submission of each of the above-mentioned reports to the Competent Authority, notify all potential and registered I&APs of the submission and make the report available to anyone on request and on a publicly accessible website (if applicable).

#### **Specific Conditions**

14. Should any heritage remains be exposed during excavations or any other actions on the site, these must immediately be reported to the Provincial Heritage Resources Authority of the Western Cape, Heritage Western Cape. Heritage remains uncovered or disturbed during earthworks must not be further disturbed until the necessary approval has been obtained from Heritage Western Cape.

Heritage remains include: meteorites, archaeological and/or palaeontological remains (including fossil shells and trace fossils); coins; indigenous and/or colonial ceramics; any articles of value or antiquity; marine shell heaps; stone artifacts and bone remains; structures and other built features with heritage significance; rock art and rock engravings; and/or graves or unmarked human burials including grave goods and/or associated burial material.

15. A qualified archaeologist and/or palaeontologist must be contracted where necessary (at the expense of the holder) to remove any heritage remains. Heritage remains can only be disturbed by a suitably qualified heritage specialist working under a directive from the relevant heritage resources authority.
16. The relevant requirements with respect to occupational health and safety must be adhered to at all times.
17. The Paarl Valleij Housing Development-Berg River Riparian Zone Management Plan dated September 2018 and compiled by BlueScience must be implemented and complied with.

#### **F. GENERAL MATTERS**

1. Notwithstanding this Environmental Authorisation, the holder must comply with any other statutory requirements that may be applicable when undertaking the listed activity.
2. Non-compliance with a condition of this Environmental Authorisation or EMPr may render the holder liable to criminal prosecution.
3. If the holder does not commence with the listed activity within the period referred to in Condition 2, this Environmental Authorisation shall lapse for that activity, and a new application for Environmental Authorisation must be submitted to the Competent Authority. If the holder wishes to extend the validity period of the Environmental Authorisation, an application for amendment in this

regard must be made to the Competent Authority prior to the expiry date of the Environmental Authorisation.

4. The holder must submit an application for amendment of the Environmental Authorisation to the Competent Authority where any detail with respect to the Environmental Authorisation must be amended, added, substituted, corrected, removed or updated. If a new holder is proposed, an application for Amendment in terms of Part 1 of the EIA Regulations, 2014 (as amended) must be submitted.

Please note that an amendment is not required if there is a change in the contact details of the holder. In this case, the Competent Authority must only be notified of such changes.

5. The manner and frequency for updating the EMP is as follows:

Amendments to the EMP must be done in accordance with Regulations 35 to 37 of the EIA Regulations 2014, (as amended) or any relevant legislation that may be applicable at the time.

## G. APPEALS

Appeals must comply with the provisions contained in the National Appeal Regulations 2014 (as amended).

1. An appellant (if the holder of the decision) must, within 20 (twenty) calendar days from the date on which notification of the decision was sent to the holder by the Competent Authority–
  - 1.1. Submit an appeal in accordance with Regulation 4 of the National Appeal Regulations 2014 (as amended) to the Appeal Administrator; and
  - 1.2. Submit a copy of the appeal to any registered I&APs, any Organ of State with interest in the matter and the decision-maker i.e. the Competent Authority that issued the decision.
2. An appellant (if NOT the holder of the decision) must, within 20 (twenty) calendar days from the date on which the holder of the decision sent notification of the decision to the registered I&APs–
  - 2.1. Submit an appeal in accordance with Regulation 4 of the National Appeal Regulations 2014 (as amended) to the Appeal Administrator; and
  - 2.2. Submit a copy of the appeal to the holder of the decision, any registered I&AP, any Organs of State with interest in the matter and the decision-maker i.e. the Competent Authority that issued the decision.
3. The holder of the decision (if not the appellant), the decision-maker that issued the decision, the registered I&AP and the Organs of State must submit their responding statements, if any, to the appeal authority and the appellant within 20 (twenty) calendar days from the date of receipt of the appeal submission.
4. The appeal and the responding statement must be submitted to the address listed below:

By post:                      Western Cape Ministry of Local Government, Environmental Affairs and  
Development Planning  
Private Bag X9186  
CAPE TOWN  
8000

By facsimile: (021) 483 4174; or

By hand: Attention: Mr Marius Venter (Tel: 021 483 2659)  
Room 809  
8<sup>th</sup> Floor Utilitas Building, 1 Dorp Street, Cape Town, 8001

**Note:** For purposes of electronic database management, you are also requested to submit electronic copies (Microsoft Word format) of the appeal, responding statement and any supporting documents to the Appeal Authority to the address listed above and/ or via e-mail to [DEADP.Appeals@westerncape.gov.za](mailto:DEADP.Appeals@westerncape.gov.za).

5. A prescribed appeal form as well as assistance regarding the appeal processes is obtainable from Appeal Authority at: Tel. (021) 483 3721, E-mail [DEADP.Appeals@westerncape.gov.za](mailto:DEADP.Appeals@westerncape.gov.za) or URL <http://www.westerncape.gov.za/eadp>.

## H. DISCLAIMER

The Western Cape Government, the Local Authority, committees or any other public authority or organisation appointed in terms of the conditions of this Environmental Authorisation shall not be responsible for any damages or losses suffered by the holder, developer or his/her successor in any instance where construction or operation subsequent to construction is temporarily or permanently stopped for reasons of non-compliance with the conditions as set out herein or any other subsequent document or legal action emanating from this decision.

Your interest in the future of our environment is appreciated.

Yours faithfully



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

**DATE OF DECISION: 18 SEPTEMBER 2020**

Co: (1) R Jonas (Teramanzil Group (Pty) Ltd)  
(2) C Winter (Drakenstein Municipality)  
(3) S Barnardt (Heritage Western Cape)  
(4) P Huntly (CapeNature)

Email: [ryan@teramanzil.co.za](mailto:ryan@teramanzil.co.za)  
Email: [Cindy.Winter@drakenstein.gov.za](mailto:Cindy.Winter@drakenstein.gov.za)  
Email: [Stephanie.Barnardt@westerncape.gov.za](mailto:Stephanie.Barnardt@westerncape.gov.za)  
Email: [phuntly@capenature.co.za](mailto:phuntly@capenature.co.za)

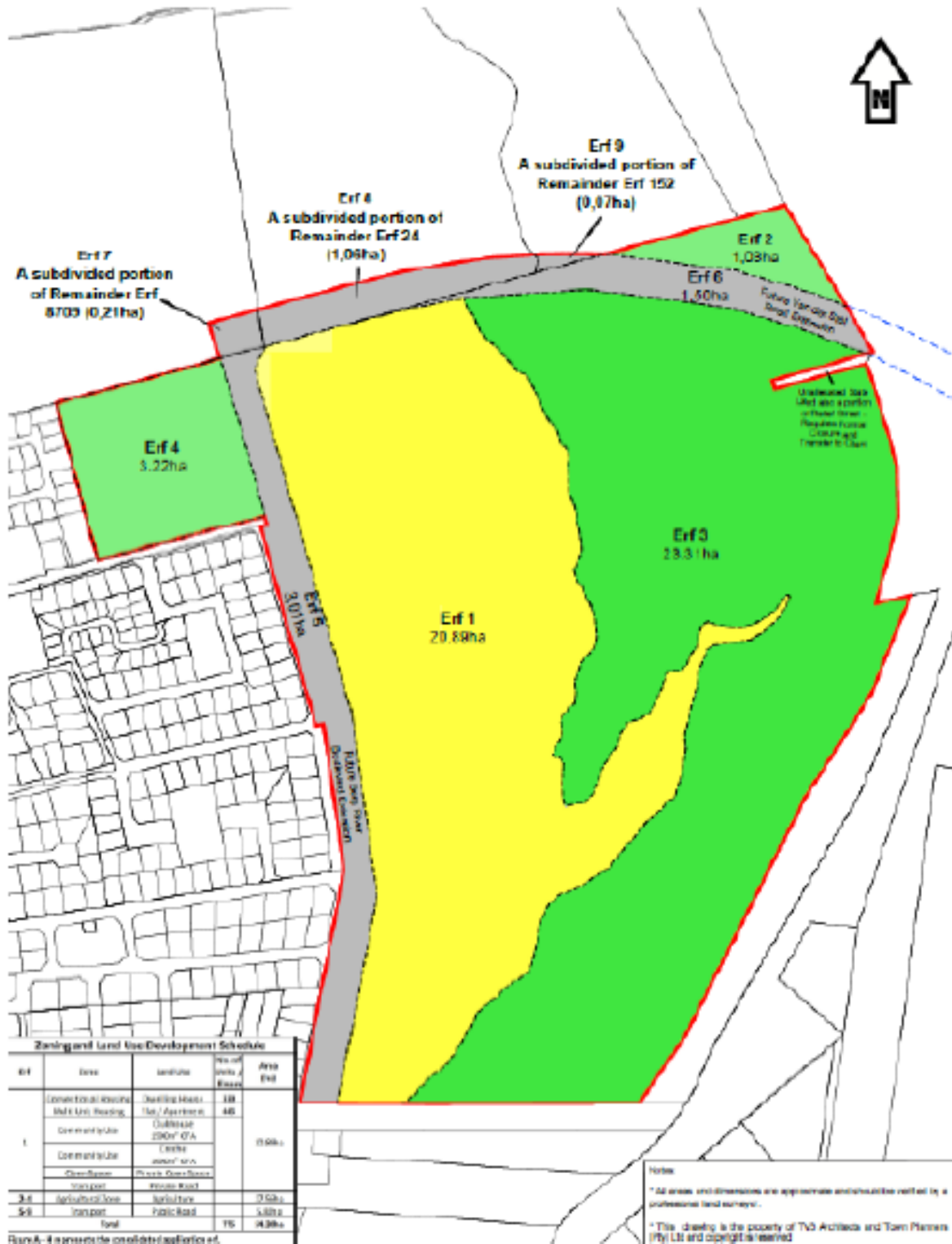
ANNEXURE 1: LOCALITY MAP

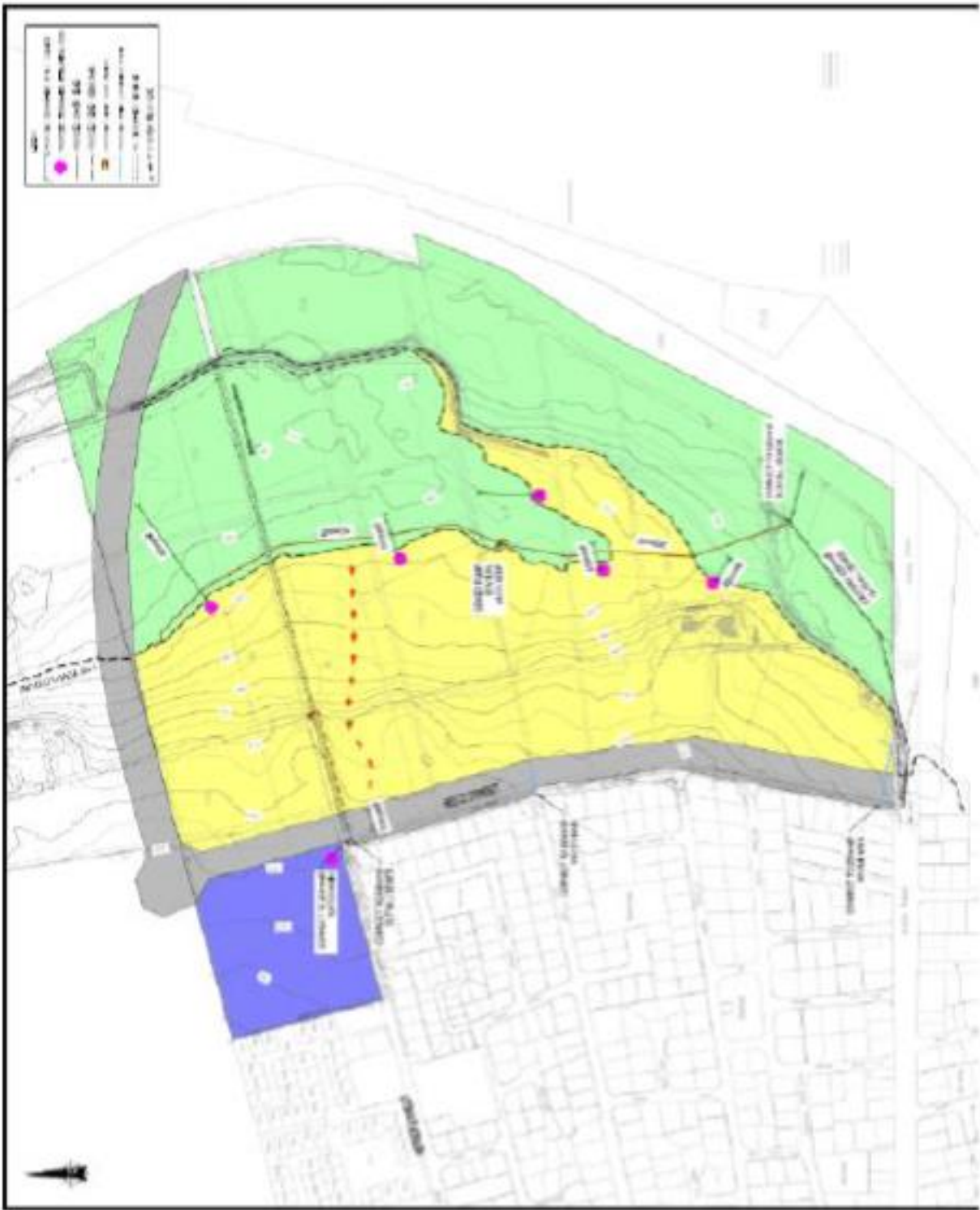






**ANNEXURE 2: SITE PLAN**





## ANNEXURE 3: REASONS FOR THE DECISION

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

- a) The information contained in the Application Form dated November 2019, the EMPr submitted together with final BAR on 2 March 2020 and the additional information received on 11 September 2020;
- b) Relevant information contained in the Departmental information base, including the Guidelines on Public Participation and Alternatives (dated March 2013);
- c) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the National Environmental Management Act, 1998 (Act No. 107 of 1998);
- d) The comments received from I&APs and responses to these, included in the BAR dated February 2020 and the additional information received on 11 September 2020; and
- e) The balancing of negative and positive impacts and proposed mitigation measures.

No site visits were conducted. The competent authority had sufficient information before it to make an informed decision without conducting a site visit.

All information presented to the Competent Authority was taken into account in the consideration of the application for Environmental Authorisation. A summary of the issues that were considered to be the most significant for the decision is set out below.

### 1. Public Participation

The public participation process included:

- identification of and engagement with I&APs;
- fixing notice boards at the site where the listed activity is to be undertaken on 14 May 2019;
- giving written notice to the owners and occupiers of land adjacent to the site where the listed activity is to be undertaken, the municipality and ward councillor, and the various Organs of State having jurisdiction in respect of any aspect of the listed activity on 16 May 2019;
- the placing of a newspaper advertisement in the 'Paarl Post' on 16 May 2019;
- circulating the pre-application draft BAR to I&APs from 21 May 2019; and
- circulating the in-process draft BAR to I&APs from 15 November 2019.

The Department is satisfied that the Public Participation Process that was followed met the minimum legal requirements and the comments raised and responses thereto were included in the comments and response report.

Specific alternatives, management and mitigation measures have been considered in this Environmental Authorisation and EMPr to adequately address the concerns raised.

## 2. Alternatives

The site was selected for the development of the Paarl Valleij residential development due to the locality of the site, which is within an area under rapid urban development. An opportunities and constraints analysis was done, resulting in maps that were used to inform the proposed Paarl Valleij residential development design. The preferred alternative incorporates the stakeholder and specialist input received and was therefore considered as the most viable option for implementation.

### Preferred Alternative (Herewith authorised)

This alternative entails the following:

The proposal entails the Paarl Valleij residential development and associated infrastructure with a development footprint of 54.30 ha across 18 erven in Northern Paarl. The 18 erven will be consolidated and subdivided into nine erven to accommodate the following development components:

- Erf 1 (20.89ha): 330 dwellings, 445 apartments, a clubhouse, a crèche, open space and transport zones.
- Erf 2-4: (27.56ha): These erven will continue to accommodate the existing agricultural activities (vineyards). The portion of the site that is located below the 1:100-year floodline will be rezoned to Open Space and no hard infrastructure will be developed within this portion of the site.
- Erf 5-9: In order to accommodate the proposed number of units, the Berg River Boulevard and Van der Stel Road will be extended. The Van der Stel Road extension will be constructed from the corner of Berg River Boulevard and Van der Stel Road up to the access gate, approximately 260 metres from this intersection.

### Layout Alternative:

The layout alternative described below received significant opposition during the pre-application public participation process, which highlighted numerous potential negative impacts, especially related to the business component contained therein. The input received was taken into consideration, resulting in the exclusion of the business component from the layout, giving rise to the preferred layout as discussed above.

Erf	Land Use Zoning	Area
Erf 1	<ul style="list-style-type: none"> <li>• Conventional housing</li> <li>• Multi-Use Housing</li> <li>• Community Use (Crèche and Clubhouse)</li> <li>• Open Space</li> <li>• Transport</li> </ul>	44.21 ha
Erf 2	<ul style="list-style-type: none"> <li>• Neighbourhood business</li> <li>• Open space</li> <li>• Transport</li> </ul>	3.19 ha
Erf 3	<ul style="list-style-type: none"> <li>• Open space</li> </ul>	1.03 ha
Erf 4-5	<ul style="list-style-type: none"> <li>• Transport</li> </ul>	4.62 ha
<b>Total</b>		<b>62.95 ha</b>

### "No-Go" Alternative

The no-go alternative was considered. However, it was not preferred since it would result in the proposed activity not being implemented on a site included within the municipal urban edge that is earmarked for urban development and small-scale peri-urban farming.

### 3. Impact Assessment and Mitigation measures

#### 3.1 Activity need and desirability

The proposed Paarl Vallei development is situated within the urban edge designated for Paarl and is a direct extension of the existing Northern Paarl suburb beyond its eastern border. The proposed development would contribute towards the growing demand for housing in Paarl. It is located within an area partially demarcated for urban development and small-scale peri-urban farming. This is addressed by retaining the cultivated agricultural area located within the 1:100-year floodline along the eastern boundary of the site as part of the proposed development. The Drakenstein Municipal Spatial Development Framework encourages the proposed mixture of erf sizes and the proposal is therefore in line with the objectives of this forward planning document. Vacant land within the urban edge is becoming increasingly scarce. The optimal development of available land is thus crucial to prevent large scale development and extensions outside urban areas, resulting in urban sprawl. The proposed development is consistent with the planning policy and principles on a municipal and national level.

#### 3.2 Biophysical Impacts

The collective Paarl Vallei Farms unit falls within the urban area of Paarl. The Berg River forms the eastern boundary and vineyards of adjacent farms are situated around its northern, north-western and southern edge. The mapped natural vegetation for the area is Swartland Shale Renosterveld, which is classified as critically endangered. However, the Botanical Assessment dated 23 August 2018 (revised on 11 March 2019), compiled by Dr Boucher concluded that the site has been transformed by current and historic agricultural activities and that the only indigenous vegetation left on the site occur along the Berg River on the eastern boundary of the site. The continued use of the area below the 1:100-year floodline for agricultural purposes is supported by the botanical specialist. The recommendation to extend, manage and revegetate the riparian buffer area in accordance with the Paarl Vallei Housing Development-Berg River Riparian Zone Management Plan, dated September 2018 and compiled by BlueScience has been included as a condition of this EA and is included in the EMPr.

An artificial seep wetland is present within the area investigated as part of the Freshwater Resource Assessment. The proposed development is not anticipated to have a significant impact on this system, as the stormwater driving the system enters from Skool Street, which is located to the south of the proposed site. Based on the findings of the Freshwater Resource Assessment, dated March 2019, compiled by Scientific Aquatic Services, the proposed development poses a low risk to the integrity of the Berg River, provided adherence to ecologically sensitive construction plans and the mitigation measures recommended in Freshwater Resource Assessment. The recommended mitigation measures have been supported by CapeNature, and have been included within the EMPr.

In addition, a Water Use Licence Application ("WULA") in terms of the National Water Act, 1998 (Act 38 of 1998) has been submitted to the Department of Water and Sanitation, who will further investigate the watercourse related impacts.

#### 3.3 Heritage Impact Assessment and Visual Impact Assessment

Visual, scenic and aesthetic components of the environment are valuable resources which contribute to the cultural landscape heritage of an environment.

The proposed development is located within the designated urban edge of Paarl, an area of scenic, cultural and historical significance. Although the site itself is highly transformed from its natural state through agricultural use, it is located within the broader agricultural pattern of the winelands region and its nature contributes to the rural character of the local area.

Although fairly large in extent, the site is not particularly visible from the broader context, due to its low-lying position, and is partially screened by landform and existing vegetation. However, the site is extremely visible to immediate neighbours along Reitz Road and when approaching Relief, Moll, Martin, Williams and Skool Streets. This area is therefore considered to have a medium or moderate visual sensitivity. Considering the existing vegetation and subtle landform, the Visual Absorption Capacity of the site is considered to be moderate, with partial screening afforded and noting that some vegetation will be cleared. The VIA prepared by David Gibbs (2019) concludes that the development is acceptable from a visual impact perspective, particularly given that the site itself is not particularly visually sensitive and that the mitigation measures for visual impacts are regarded as adequate.

The HWC has no objections to the proposed development, subject to the implementation of the recommended mitigation measures as stipulated in the comment from HWC dated 10 September 2020. Condition 9 of this EA, requires that the EMP be amended to include these recommendations within the relevant section of the EMP.

In summary, the proposed development will result in both negative and positive impacts.

#### **Negative Impacts:**

- The proposed construction works will result in elevated noise and dust levels and increased traffic volumes during the construction phase.
- There will be visual, noise and traffic impacts during the operational phase.

#### **Positive impacts:**

- The proposed development will assist in addressing the growing housing demand in Paarl and contribute to the local economy.
- The development will create employment opportunities during the construction and operational phase.
- It will provide an opportunity to improve the riparian area along the Berg River, that borders the eastern boundary of site.

#### **4. National Environmental Management Act Principles**

The National Environmental Management Principles (set out in section 2 of the NEMA, which apply to the actions of all organs of state, serve as guidelines by reference to which any organ of state must exercise any function when taking any decision, and which must guide the interpretation, administration and implementation of any other law concerned with the protection or management of the environment), *inter alia*, provides for:

- the effects of decisions on all aspects of the environment to be taken into account;
- the consideration, assessment and evaluation of the social, economic and environmental impacts of activity (disadvantages and benefits), and for decisions to be appropriate in the light of such consideration and assessment;
- the co-ordination and harmonisation of policies, legislation and actions relating to the environment;
- the resolving of actual or potential conflicts of interest between organs of state through conflict resolution procedures; and
- the selection of the best practicable environmental option.

## 5. Conclusion

In view of the above, the NEMA principles, compliance with the conditions stipulated in this Environmental Authorisation, and compliance with the EMPs, the Competent Authority is satisfied that the proposed listed activity will not conflict with the general objectives of integrated environmental management stipulated in Chapter 5 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) and that any potentially detrimental environmental impacts resulting from the listed activity can be mitigated to acceptable levels.

-----END-----