

**REFERENCE:** 16/3/3/5/B3/28/1009/22  
**DATE:** 06 May 2022

The Board of Directors  
Safariland Devco (Pty) Ltd  
Private Bag 6223  
**PAARL**  
7646

**Attention: Mr JD Labuschagne**

Cell: 082 806 0827  
E-mail: jd.labuschagne@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 FOR THE AMENDMENT OF THE AMENDED ENVIRONMENTAL AUTHORISATION ISSUED ON 19 SEPTEMBER 2018: THE RESIDENTIAL DEVELOPMENT ON FARM NO. 1265, PAARL (THE ACRES).**

1. With reference to the above application, the Department hereby notifies you of its decision to **grant** the amendment of the Amended Environmental Authorisation ("EA") issued on 19 September 2018 (DEA&DP Ref.: 16/3/3/5/B3/28/1022/18) attached herewith, together with the reasons for the decision.
2. Your attention is drawn to Chapter 2 of the National Appeal Regulations, 2014 (as amended), which prescribes the appeal procedure to be followed. This procedure is summarised in the attached amended EA.

Yours faithfully

**Zaahir Toefy** Digitally signed by Zaahir Toefy  
Date: 2022.05.06 08:45:57 +02'00'

**DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)  
DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING**

Cc: (1) Mr Divan Opperman (Guillaume Nel Environmental Consultants)  
(2) Ms Cindy Winter (Drakenstein Municipality)

E-mail: divan@gnec.co.za  
E-mail: Cindy.Winter@drakenstein.gov.za

**EIA REFERENCE:** 16/3/3/5/B3/28/1009/22  
**NEAS REFERENCE:** WCP/EIA/AMEND/0000595/2022  
**DATE:** 06 May 2022

## ENVIRONMENTAL AUTHORISATION

### APPLICATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) AND PART 1 OF THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 FOR THE AMENDMENT OF THE AMENDED ENVIRONMENTAL AUTHORISATION ISSUED ON 19 SEPTEMBER 2018: THE RESIDENTIAL DEVELOPMENT ON FARM NO. 1265, PAARL (THE ACRES).

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, the Department herewith **grants** the amendment of the Amended Environmental Authorisation ("EA") issued on 19 September 2018 (DEA&DP Ref.: 16/3/3/5/B3/28/1022/18) in terms of Part 1 of the EIA Regulations, 2014.

The Amended EA is amended as set out below:

##### 1. Condition 8 in Section E: Conditions of Authorisation:

The Environmental Management Programme ("EMPr") submitted as part of the application for the amendment of the Environmental Authorisation is herewith accepted.

Is amended to read:

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

#### 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 Amended EA issued on 19 September 2018.
2. The amendment does not trigger any new listed activities in terms of the EIA Regulations, 2014 as defined in Listing Notices 1, 2 and 3 published in Government Gazette No. 40772.

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.

### **C. CONDITIONS**

1. All other conditions contained in the Amended EA issued on 19 September 2018 (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 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

By facsimile: (021) 483 4174; or  
By hand: Attention: Mr Marius Venter (Tel: 021 483 3721)  
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 the 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>.

## 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: 2022.05.06  
08:46:44 +02'00'

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**MR. ZAAHIR TOEFY**  
**DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)**  
**DATE OF DECISION: 06 MAY 2022**

Cc: (1) Mr Divan Opperman (Guillaume Nel Environmental Consultants)  
(2) Ms Cindy Winter (Drakenstein Municipality)

E-mail: [divan@gnec.co.za](mailto:divan@gnec.co.za)  
E-mail: [Cindy.Winter@drakenstein.gov.za](mailto:Cindy.Winter@drakenstein.gov.za)

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**ANNEXURE A: AMENDED ENVIRONMENTAL AUTHORISATION ISSUED ON 19 SEPTEMBER 2018**



**Western Cape  
Government**

Environmental Affairs and  
Development Planning

Directorate: Development Management  
(Region 1)

**REFERENCE:** 16/3/3/5/B3/28/1022/18  
**NEAS REFERENCE:** WCP/EIA/0000273/2018  
**ENQUIRIES:** Bernadette Osborne  
**DATE OF ISSUE:** 2018-09-19

The Board of Directors  
Safariland Devco (Pty) Ltd  
PO Box 6223  
**PAARL**  
7646

**Attention: Mr Sarel Rossouw**

Cell: (082) 806 0829  
Fax: (021) 863 2741

Dear Sir

**APPLICATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) AND PART 2 OF THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 FOR THE AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 29 MARCH 2017: THE RESIDENTIAL DEVELOPMENT ON FARM NO. 1265, PAARL (THE ACRES).**

1. With reference to the above application, the Department hereby notifies you of its decision to **grant** the amendment of the Environmental Authorisation, attached herewith, together with the reasons for the decision.
2. In terms of Regulation 4 of the Environmental Impact Assessment Regulations, 2014, you are instructed to ensure, within 14 days of the date of the 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

**DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)  
DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING**

Copied to: (1) Fabio Venturi (Terramanzi Group (Pty) Ltd)  
(2) Gert Combrink / Reinhardt Niewenhuyzen (Drakenstein Municipality)  
(3) Cindy Winter (Drakenstein Municipality)

Fax: (086) 558 1213  
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6th Floor, 1 Dorp Street, Cape Town, 8001  
Tel: +27 21 483 3679/4349 Fax: +27 21 483 3098  
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Private Bag X9086, Cape Town, 8000  
www.westerncape.gov.za/eadp



**Western Cape  
Government**

Environmental Affairs and  
Development Planning

Directorate: Development Management (Region 1)

**REFERENCE:** 16/3/3/5/B3/28/1022/18  
**NEAS REFERENCE:** WCP/EIA/0000273/2018  
**ENQUIRIES:** Bernadette Osborne  
**DATE OF ISSUE:** 2018 -09- 19

## ENVIRONMENTAL AUTHORISATION

### APPLICATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) AND PART 2 OF THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 FOR THE AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 27 MARCH 2017: THE RESIDENTIAL DEVELOPMENT ON FARM NO. 1265, PAARL (THE ACRES)

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, the Department herewith **grants** the amendment of the Environmental Authorisation issued on 29 March 2017 (DEA&DP Ref: 16/3/3/1/B3/28/1026/18) (hereinafter referred to as the Environmental Authorisation), in terms of Part 2 of the EIA Regulations, 2014.

The Environmental Authorisation is amended as set out below:

#### 1. The description of the project,

*The residential development on Farm No. 1265, Paarl (Safariland).*

is amended to read:

The residential development on Farm No. 1265, Paarl (The Acres).

#### 2. The development description under Section B: List of Activities authorised,

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

➤ *The subdivision of the site into the following four development zones:*

- *Zone 1: Retirement Development*

*A village consisting of 220 units, a club house and a home care component (±13.1 ha).*

- Zone 2: General Residential  
Housing comprising of a mixture of apartment clusters of two or three storey buildings as well as single dwelling units totaling 367 units ( $\pm 15$  ha).
  - Zone 3: Medical tourism and an integrative health care facility  
Consisting of 50 visitor's recovery units, a component for consultation and therapy treatment rooms as well as communal facilities consisting of a lounge, dining area and spa facilities ( $\pm 2.8$  ha).
  - Zone 4: Lodge and Guest house  
Tourist facilities consisting of 50 self-catering cottages, a conference facility and a central hub of 250m<sup>2</sup> ( $\pm 2.2$  ha).
- Joint access will be obtained off Schuurmansfontein Road for all four zones.
  - The installation of a bulk water supply pipeline from the Pearl Valley Gate House up to the Schuurmansfontein Road, approximately 900m long.
  - The installation of a temporary package sewage treatment plant (300 kl/day capacity) on the boundary between Zones 3 and 4 until the planned municipal bulk infrastructure is in place.

is amended to read:

- The holder is herein authorised to undertake the following development that includes the listed activities as it relates to the development:
  - 4 residential erven of approximately 10000m<sup>2</sup> each.
  - 12 residential erven of approximately 4000m<sup>2</sup> each.
  - 8 residential erven of approximately 1500m<sup>2</sup> each.
  - 27 residential erven of approximately 1000m<sup>2</sup> each.
  - 114 residential erven of approximately 700m<sup>2</sup> each.
  - Open Space, Private and Public Roads.
  - Access to the site will be predominantly via the main service gate of the Pearl Valley Golf and Spa Estate, although access via the main resident's gate will also be available.
  - The installation of a bulk water supply pipeline from the Pearl Valley Gate House up to the Schuurmansfontein Road, approximately 900m long.

#### 4. The following conditions as included in Section E: Conditions of Authorisation:

##### Condition 1:

*The holder is authorised to undertake the listed activities specified in Section B above in accordance with and restricted to Layout Alternative 3 described in the BAR dated November 2016 on the site as described in Section C above.*

is amended to read:

The holder is authorised to undertake the listed activities specified in Section B above in accordance with and restricted to the preferred Layout Alternative 3 as described in the application for the amendment of Environmental Authorisation.

##### Condition 8

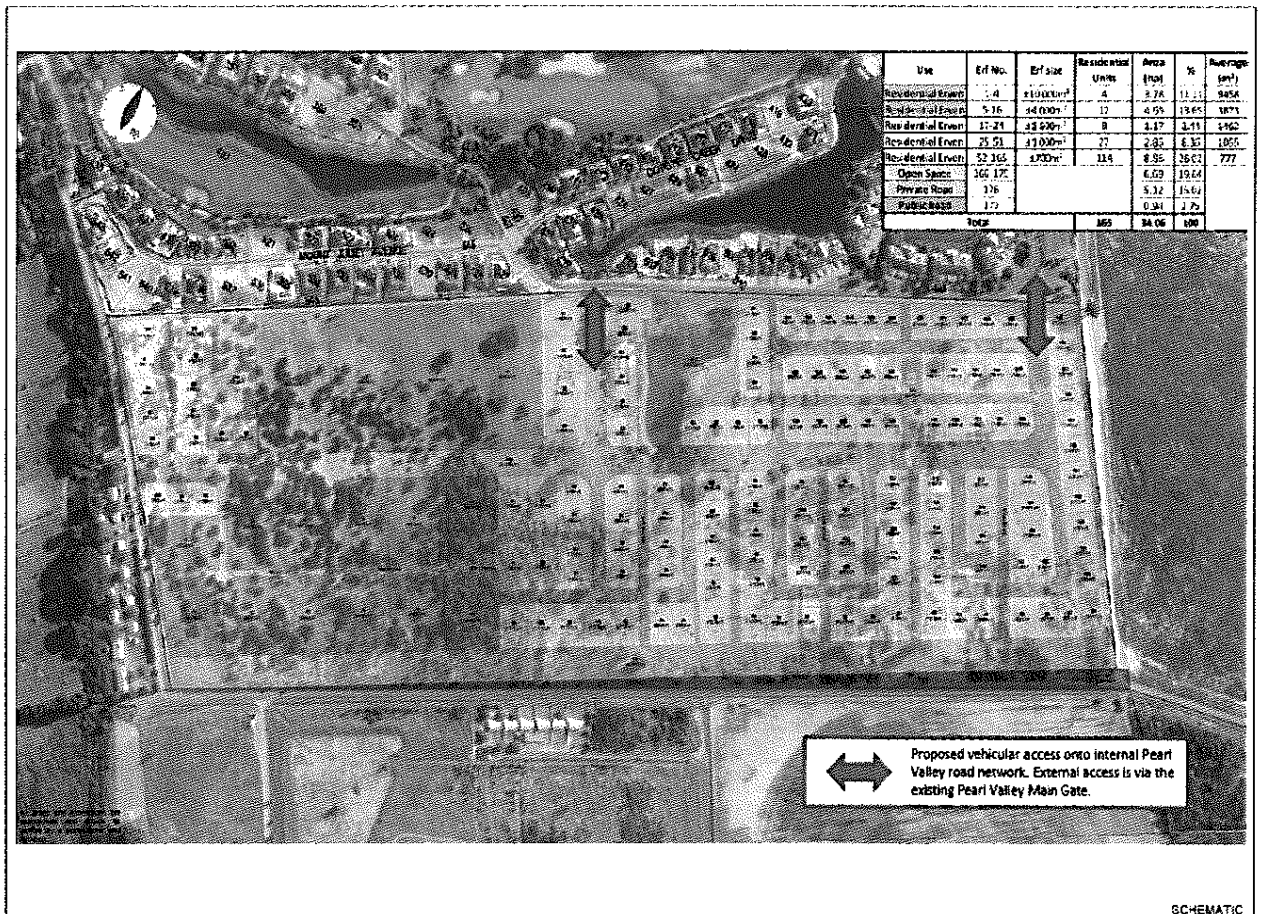
*The draft Environmental Management Programme ("EMPr") submitted as part of the application for Environmental Authorisation is herewith accepted and must be implemented.*

is amended to read:

The Environmental Management Programme ("EMPr") submitted as part of the application for the amendment of Environmental Authorisation is herewith accepted and must be implemented.







## 6. Alternatives: Layout Alternative 3 (Preferred Alternative),

- Zone 1: Retirement Development  
A village consisting of 220 units, a club house and a home care component ( $\pm 13.1$  ha).
- Zone 2: General Residential  
Housing comprising of a mixture of apartment clusters of two or three storey buildings as well as single dwelling units totaling 367 units ( $\pm 15$  ha).
- Zone 3: Medical tourism and an intergrative health care facility  
Consisting of 50 visitor's recovery units, a component for consultation and therapy treatment rooms as well as communal facilities consisting of a lounge, dining area and spa facilities ( $\pm 2.8$  ha).
- Zone 4: Lodge and Guest house  
Tourist facilities consisting of 50 self-catering cottages, a conference facility, and a central hub of 250m<sup>2</sup> ( $\pm 2.2$  ha).

This alternative was preferred for the following reasons:

1. It includes a 30m buffer area as recommended in the Botanical Assessment and Heritage Impact Assessment.
2. It includes the following changes:
  - The organic garden depicted in the south eastern corner of Zone 3 will be replaced with a dam for the storage of treated effluent (particularly for storage during winter months).
  - The layout plan has been amended to include a 10m landscaped buffer running parallel between the development and the Pearl Valley Estate along Zone 2 in order to reduce/soften the visual impact of these neighbours.
  - In addition, the size of the erven along the boundary of Zone 2 have been increased to be at the approximate size of the erven found in Pearl Valley, thereby reducing the number of erven along this boundary from 23 to 14 units.

The total amount of units in Zone 2 have therefore been reduced by 9 units overall.

- Joint access will be obtained off Schuurmansfontein Road for all four zones.

is amended to read:

- This alternative entails the development of the following:
  - 4 residential erven of approximately 10000m<sup>2</sup> each.
  - 12 residential erven of approximately 4000m<sup>2</sup> each.
  - 8 residential erven of approximately 1500m<sup>2</sup> each.
  - 27 residential erven of approximately 1000m<sup>2</sup> each.
  - 114 residential erven of approximately 700m<sup>2</sup> each.
  - Open Space, Private and Public Roads.
  - Access to the site will be predominantly via the main service gate of the Pearl Valley Golf and Spa Estate, although access via the main resident's gate will also be available.
  - The installation of a bulk water supply pipeline from the Pearl Valley Gate House up to the Schuurmansfontein Road, approximately 900m long.

This alternative was preferred for the following reasons:

1. The amendment retains the 30m buffer area recommended by the original Botanical Assessment and Heritage Impact Assessment conducted for the mixed use development.
2. The reduced scale of building structures is more in keeping with the surrounding rural context of the site.
3. The amended layout will form part of the broader Val De Vie Pearl Valley Estate.

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

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

- (a) The amendment from a mixed use development to a residential development will be on the existing approved footprint and will not require any additional service infrastructure.
- (b) The amended development is of a smaller scale than the previous mixed use development.
- (c) As required in terms of Regulation 41 of the NEMA EIA Regulations 2014 a public participation process was conducted for the amendment application which comprised of the following:
  - All previous registered Interested and Affected Parties, including Organs of State, which have jurisdiction in respect of any aspect of the relevant activity, were notified of the amendment application on 19 April 2018;
  - Advertisements were placed in the local newspaper, the Paarl Post, on 19 and 26 April 2018;
  - Site notices were placed on site; and
  - A commenting period was allowed from 19 April 2018 until 29 May 2018.

At the end of the commenting period comments were received, none of which was objections.

### **Authority Consultation:**

The following authorities were consulted but had no objection to the amendment application.

- Western Cape Department of Agriculture;

- National Department of Agriculture, Forestry and Fisheries;
- Western Cape Government: Transport and Public Works;
- National Department of Public Works;
- Heritage Western Cape;
- Department of Water and Sanitation;
- CapeNature;
- Cape Winelands District Municipality; and
- Drakenstein Municipality.

### **C. CONDITIONS**

1. 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;
  - 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.
2. One week's notice must be given to the Directorate: Development Management (Region 1) before commencement of construction activities. The said notice must also include proof of compliance with Condition 1 described in Section C of this Environmental Authorisation.
3. All other conditions contained in the Environmental Authorisation issued on 29 March 2017, hereto 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 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

By facsimile: (021) 483 4174; or

By hand: Attention: Mr Jaap de Villiers (Tel: 021 483 3721)  
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 [Jaap.DeVilliers@westerncape.gov.za](mailto:Jaap.DeVilliers@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 [Jaap.DeVilliers@westerncape.gov.za](mailto:Jaap.DeVilliers@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 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. ZAHIR TOEFY

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

DATE OF DECISION: 19/09/2018

Copied to: (1) Fabio Venturi (Terramanzi Group (Pty) Ltd)  
(2) Gert Combrink / Reinhardt Niewenhuyzen (Drakenstein Municipality)  
(3) Cindy Winter (Drakenstein Municipality)

Fax: (086) 558 1213  
Fax: (021) 872 8054  
Fax: (021) 807 4724

**FOR OFFICIAL USE ONLY:****EIA REFERENCE NUMBER:****16/3/3/5/B3/28/1022/18****NEAS REFERENCE NUMBER:****WCP/EIA/AMEND/0000273/2018**

END

**ANNEXURE A**  
**ENVIRONMENTAL AUTHORISATION ISSUED ON 29 MARCH 2017**



**Western Cape  
Government**

Environmental Affairs and  
Development Planning

Directorate: Development Management (Region 2)

**REFERENCE:** 16/3/3/1/B3/28/1026/16  
**ENQUIRIES:** BERNADETTE OSBORNE  
**DATE OF ISSUE:** 2017-03-29

The Board of Directors  
Safariland Devco (Pty) Ltd  
PO Box 1596  
**SOMERSET WEST**  
7129

**Attention: Marthia Roos**

Cell: (082) 337 7271  
Fax: (086) 684 4346

Dear Sir

**APPLICATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT,  
1998 (ACT 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT ("EIA")  
REGULATIONS, 2014: THE MIXED USE DEVELOPMENT ON FARM NO. 1265, PAARL  
(SAFARILAND).**

1. With reference to the above application, the Department hereby notifies you of its decision to **grant** Environmental Authorisation, attached herewith, together with the reasons for the decision.
2. In terms of Regulation 4 of the Environmental Impact Assessment Regulations, 2014, you are instructed to ensure, within 14 days of the date of the 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 (as amended), which prescribes the appeal procedure to be followed. This procedure is summarised in the attached Environmental Authorisation.

Yours faithfully

**DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 2)**  
**DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING**

CC: (1) A Groenewald (Doug Jeffery Environmental Consultants (Pty) Ltd)  
(2) H Strydom (Drakenstein Municipality)

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Fax: (021) 872 8054

2nd Floor, 1 Dorp Street, Cape Town, 8001  
Tel: +27 21 483 3679/4349 Fax: +27 21 483 3633  
E-mail: Bernadette.Osborne@westerncape.gov.za

Private Bag X9086, Cape Town, 8000  
www.westerncape.gov.za/eadp





**Western Cape  
Government**

Environmental Affairs and  
Development Planning

Directorate: Development Management  
(Region 2)

**REFERENCE:** 16/3/3/1/B3/28/1026/16  
**NEAS REFERENCE:** WCP/EIA/0000172/2016  
**ENQUIRIES:** BERNADETTE OSBORNE  
**DATE OF ISSUE:** 2017 -03- 2 9

## 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: THE MIXED USE DEVELOPMENT ON FARM NO. 1265, PAARL (SAFARILAND).**

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, the Competent Authority herewith **grants Environmental Authorisation** to the applicant to undertake the listed activities specified in section B below with respect to the preferred Layout Alternative 3, described in the Basic Assessment Report ("BAR"), dated November 2016.

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

Safariland Devco (Pty) Ltd  
% Marthia Roos  
PO Box 1596  
**SOMERSET WEST**  
7129

Cell: (082) 337 7271  
Fax: (086) 684 4346

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

2nd Floor, 1 Dorp Street, Cape Town, 8001  
Tel: +27 21 483 3679 Fax: +27 21 483 3633  
E-mail: Bernadette.Osborne@westerncape.gov.za

Private Bag X9086, Cape Town, 8000  
[www.westerncape.gov.za/eadp](http://www.westerncape.gov.za/eadp)

## B. LIST OF ACTIVITIES AUTHORISED

Listed Activities	Activity/Project Description
<p><b>Activity 24 of Government Notice No. R. 983</b></p> <p><b>The development of—</b></p> <p>(i) a road for which an environmental authorisation was obtained for the route determination in terms of activity 5 in Government Notice 387 of 2006 or activity 18 in Government Notice 545 of 2010; or</p> <p><b>(ii) a road with a reserve wider than 13,5 meters, or where no reserve exists where the road is wider than 8 metres;</b></p> <p>but excluding—</p> <p>(a) roads which are identified and included in activity 27 in Listing Notice 2 of 2014; or</p> <p>(b) roads where the entire road falls within an urban area.</p>	<p>The development includes the construction of internal roads which would exceed the threshold.</p>
<p><b>Activity 26 of Government Notice No. R. 983</b></p> <p><b>Residential, retail, recreational, tourism, commercial or institutional developments of 1000 square metres or more, on land previously used for mining or heavy industrial purposes; —</b></p> <p>But excluding —</p> <p>(i) where such land has been remediated in terms of part 8 of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008) in which case the National Environmental Management: Waste Act, 2008 applies; or</p> <p>(ii) where an environmental authorisation has been obtained for the decommissioning of such a mine or industry in terms of this Notice or any previous NEMA notice; or</p> <p>(iii) where a closure certificate has been issued in terms of section 43 of the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002) for such land.</p>	<p>Portions of the development footprint was previously mined.</p>
<p><b>Activity 27 of Government Notice No. R. 983</b></p> <p><b>The clearance of an area of 1 hectares or more, but less than 20 hectares of indigenous vegetation, except where such clearance of indigenous vegetation is required for—</b></p> <p>(i) the undertaking of a linear activity; or</p>	<p>The development involves the clearance of indigenous vegetation of more than 1 hectare.</p>

<p>(ii) maintenance purposes undertaken in accordance with a maintenance management plan.</p>	
<p><b>Activity 28 of Government Notice No. R. 983</b></p> <p><b>Residential, mixed, retail, commercial, industrial or institutional developments where such land was used for agriculture or afforestation on or after 01 April 1998 and where such development:</b></p> <p>(i) will occur inside an urban area, where the total land to be developed is bigger than 5 hectares; or</p> <p>(ii) will occur outside an urban area, where the total land to be developed is bigger than 1 hectare;</p> <p>excluding where such land has already been developed for residential, mixed, retail, commercial, industrial or institutional purposes.</p>	<p>The site is just over 34ha in extent and portions of the site have been used for agriculture.</p>
<p><b>Activity 56 of Government Notice No. R. 983</b></p> <p><b>The widening of a road by more than 6 metres, or the lengthening of a road by more than 1 kilometre—</b></p> <p>(i) where the existing reserve is wider than 13,5 metres; or</p> <p>(ii) where no reserve exists, where the existing road is wider than 8 metres;</p> <p>excluding where widening or lengthening occur inside urban areas.</p>	<p>The development includes the construction of a dedicated southbound right turn lane from the R301 road into Schuurmansfontein road.</p>
<p><b>Activity 4 of Government Notice No. R. 985</b></p> <p><b>The development of a road wider than 4 metres with a reserve less than 13,5 metres.</b></p> <p><b>Geographical Areas in the Western Cape:</b></p> <p>(i) Areas outside urban areas;</p> <p>(aa) Areas containing indigenous vegetation;</p> <p>(bb) Areas on the estuary side of the development setback line or in an estuarine functional zone where no such setback line has been determined; or</p> <p>(ii) In urban areas:</p> <p>(cc) Areas zoned for conservation use; or</p>	<p>The development includes the construction of internal roads which would exceed the threshold.</p>

<p>(dd) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority.</p>	
<p><b>Activity 6 of Government Notice No. R. 985</b></p> <p><b>The development of resorts, lodges, hotels and tourism or hospitality facilities that sleeps 15 people or more.</b></p> <p><b>Geographical Areas in the Western Cape:</b></p> <p>(i) <b>All areas outside urban areas; or</b></p> <p>(ii) <i>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans.</i></p>	<p>Zone 4 of the development will be dedicated to tourist facilities that sleeps more than 15 people.</p>
<p><b>Activity 12 of Government Notice No. R. 985</b></p> <p><b>The clearance of an area of 300 square metres or more of indigenous vegetation</b> except where such clearance of indigenous vegetation is required for maintenance purposes undertaken in accordance with a maintenance management plan.</p> <p><b>Geographical Areas in the Western Cape:</b></p> <p>(i) <i>Within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA or prior to the publication of such a list, within an area that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004;</i></p> <p>(ii) <i>Within critical biodiversity areas identified in bioregional plans;</i></p> <p>(iii) <i>Within the littoral active zone or 100 metres inland from high water mark of the sea or an estuarine functional zone, whichever distance is the greater, excluding where such removal will occur behind the development setback line on erven in urban areas; or</i></p>	<p>The clearance of indigenous vegetation on a site zoned Public Open Space.</p>

<p><b>(iv) On land, where, at the time of the coming into effect of this Notice or thereafter such land was zoned open space, conservation or had an equivalent zoning.</b></p>	
<p><b>Activity 15 of Government Notice No. R. 985</b></p> <p><b>The transformation of land bigger than 1000 square metres in size, to residential, retail, commercial, industrial or institutional use, where, such land was zoned open space, conservation or had an equivalent zoning, on or after 02 August 2010.</b></p> <p><b>Geographical Areas in the Western Cape:</b></p> <p>(i) <b>Outside urban areas, or</b></p> <p>(ii) <b>Inside urban areas in:</b></p> <p>(aa) <b>Areas zoned for conservation use or equivalent zoning, on or after 02 August 2010;</b></p> <p>(bb) <b>A protected area identified in terms of NEMPAA, excluding conservancies; or</b></p> <p>(cc) <b>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act as adopted by the competent authority.</b></p>	<p>The site is just over 34ha in extent with approximately 32.6ha of this being zoned Open Space II.</p>
<p><b>Activity 18 of Government Notice No. R. 985</b></p> <p><b>The widening of a road by more than 4 metres, or the lengthening of a road by more than 1 kilometre.</b></p> <p><b>Geographical Areas in the Western Cape:</b></p> <p><b>(i) All areas outside urban areas:</b></p> <p>(aa) <b>Areas containing indigenous vegetation;</b></p> <p>(bb) <b>Areas on the estuary side of the development setback line or in an estuarine functional zone where no such setback line has been determined.; or</b></p> <p><b>(ii) In urban areas:</b></p> <p>(aa) <b>Areas zoned for conservation use; or</b></p> <p>(bb) <b>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority.</b></p>	<p>The development includes the construction of a dedicated southbound right turn lane from the R301 road into Schuurmansfontein road.</p>

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

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

- The subdivision of the site into the following four development zones:
  - Zone 1: Retirement Development  
A village consisting of 220 units, a club house and a home care component (±13.1 ha).
  - Zone 2: General Residential  
Housing comprising of a mixture of apartment clusters of two or three storey buildings as well as single dwelling units totaling 367 units (±15 ha).
  - Zone 3: Medical tourism and an integrative health care facility  
Consisting of 50 visitor's recovery units, a component for consultation and therapy treatment rooms as well as communal facilities consisting of a lounge, dining area and spa facilities (±2.8 ha).
  - Zone 4: Lodge and Guest house  
Tourist facilities consisting of 50 self-catering cottages, a conference facility and a central hub of 250m<sup>2</sup> (±2.2 ha).
- Joint access will be obtained off Schuurmansfontein Road for all four zones.
- The installation of a bulk water supply pipeline from the Pearl Valley Gate House up to the Schuurmansfontein Road, approximately 900m long.
- The installation of a temporary package sewage treatment plant (300 kl/day capacity) on the boundary between Zones 3 and 4 until the planned municipal bulk infrastructure is in place.

### C. SITE DESCRIPTION AND LOCATION

The listed activities will be undertaken on Farm No. 1265, Paarl, at the following co-ordinates:

33° 49' 39.40" South  
18° 59' 15.95" East

The SG digit code is:

Farm No. 1265: C05500130000126500000

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

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

### D. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER

Environmental Assessment Practitioner:

Doug Jeffery Environmental Consultants  
% Adél Groenewald  
PO Box 44  
**KLAPMUTS**  
7625

Tel: (021) 875 5272

Fax: (086) 660 2635

## E. CONDITIONS OF AUTHORISATION

### Scope of authorisation

1. The holder is authorised to undertake the listed activities specified in Section B above in accordance with and restricted to Layout Alternative 3 described in the BAR dated November 2016 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 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.
4. 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

5. Seven calendar days' notice, in writing, must be given to the Competent Authority before commencement of construction activities.
  - 5.1 The notice must make clear reference to the site details and EIA Reference number given above.
  - 5.2 The notice must also include proof of compliance with the following conditions described herein:  
  
Conditions: 6, 10 and 16

### Notification and administration of appeal

6. The holder must in writing, within 14 (fourteen) calendar days of the date of this decision-
  - 6.1 notify all registered Interested and Affected Parties ("I&APs") of –
    - 6.1.1 the decision reached on the application;
    - 6.1.2 the reasons for the decision as included in Annexure 3;
    - 6.1.3 the date of the decision; and
    - 6.1.4 the date when the decision was issued.
  - 6.2 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 Appeal Regulations, 2014 (as amended) detailed in Section G below;
  - 6.3 draw the attention of all registered I&APs to the manner in which they may access the decision;

- 6.4 provide the registered I&APs with the:
  - 6.4.1 name of the holder (entity) of this Environmental Authorisation,
  - 6.4.2 name of the responsible person for this Environmental Authorisation,
  - 6.4.3 postal address of the holder,
  - 6.4.4 telephonic and fax details of the holder,
  - 6.4.5 e-mail address, if any, of the holder,
  - 6.4.6 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).
7. The listed activities, including site preparation, must not commence within 20 (twenty) calendar days from the date of issue of this Environmental Authorisation. 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 activities, including site preparation, must not commence until the appeal is decided.

#### **Management of activity**

8. The draft Environmental Management Programme ("EMPr") submitted as part of the application for Environmental Authorisation is hereby approved and must be implemented.
9. The EMPr must be included in all contract documentation for all phases of implementation.

#### **Monitoring**

10. The holder must appoint a suitably experienced environmental control officer ("ECO"), before commencement of any land clearing or construction activities 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 activities, and must be made available to anyone on request.
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, 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 Audit Report must be prepared by an independent person and must contain all the information required in Appendix 7 of the NEMA EIA Regulations, 2014.

The holder must undertake an environmental audit (quarterly for the duration of the construction phase) and submit Environmental Audit Reports to the Competent Authority (once every six months during the construction phase). The final Environmental Audit



Report must be submitted to the Competent Authority (six months after operation commenced).

The holder must, within 7 days of the submission of the report 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; shipwrecks; 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 area that contains the critically endangered *Diastella buekii* and the near threatened *Surruria fasciflora* must be demarcated as a No-go Area prior to the construction phase and should be monitored during the construction phase by an ECO.
17. A 30m buffer strip must be maintained along Schuurmansfontein Road with any structures, including entrances, set outside the 30m buffer area.

### 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 activities.
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 a 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 at least **three months** prior to the expiry date of the Environmental Authorisation.

Note that: (1) in terms of Regulation 28(2) of the NEMA EIA Regulations, 2014, failure to lodge an application for amendment at least three months prior to the expiry of the validity period of the Environmental Authorisation may result in the lapsing of the

Environmental Authorisation, due to the Competent Authority being unable to process the application for amendment within this period; (2) it is an offence in terms of Section 49A(1)(a) of NEMA for a person to commence with a listed activity if the competent authority has not granted an Environmental Authorisation for the undertaking of the activity.

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 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 EMPr is as follows:  
Amendments to the EMPr, other than those mentioned above, must be done in accordance with Regulations 35 to 37 of GN No. R. 982 of 4 December 2014 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 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

By facsimile: (021) 483 4174; or

By hand: Attention: Mr Jaap de Villiers (Tel: 021 483 3721)  
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 Jaap.DeVilliers@westerncape.gov.za.

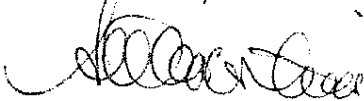
5. A prescribed appeal form as well as assistance regarding the appeal processes is obtainable from Appeal Authority at: Tel. (021) 483 3721, E-mail Jaap.DeVilliers@westerncape.gov.za or URL <http://www.westerncape.gov.za/eadp>.

#### 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. HENRI FORTUIN**  
**DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 2)**

DATE OF DECISION: 28-3-17

CC: (1) A. Groenewald (Doug Jeffery Environmental Consultants (Pty) Ltd)  
(2) H. Strydom (Drakenstein Municipality)

Fax: (086) 660 2635  
Fax: (021) 872 8054