



**EIA REFERENCE:** 16/3/3/5/B3/34/1054/23  
**NEAS REFERENCE:** WCP/EIA/AMEND/0000752/2023  
**DATE OF ISSUE:** 31 August 2023

The Board of Directors  
Val de Vie Investments (Pty) Ltd  
P. O. Box 6223  
**PAARL**  
7646

**Attention: Mr. Morne Bosch**

Tel: (021) 863 6100  
Email: Morne.Bosch@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 26 APRIL 2023 (DEA&DP: 16/3/3/5/B3/34/1026/23) FOR THE REZONING, SUBDIVISION AND REDEVELOPMENT OF LEVENDAL, SOUTHERN 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 26 April 2023 (DEA&DP Ref: 16/3/3/5/B3/34/1026/23) 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

**ZAAHIR TOEFY**

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

Cc: (1) Mr C Williams (GNEC)  
(2) Ms C Winter (Drakenstein Municipality)  
(3) Mr M Lamour (Drakenstein Municipality)  
(4) Mr K Maree (Verticor (Pty) Ltd)

Email: cahlan@gnec.co.za  
Email: Cindy.Winter@drakenstein.gov.za  
Email: Malcolm.Lamour@drakenstein.gov.za  
Email: kevin@verticor.co.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 AMENDED ENVIRONMENTAL AUTHORISATION ISSUED ON 26 APRIL 2023 (DEA&DP: 16/3/3/5/B3/34/1026/23) FOR THE REZONING, SUBDIVISION AND REDEVELOPMENT OF LEVENDAL, SOUTHERN 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 26 April 2023 (DEA&DP Ref.: 16/3/3/5/B3/34/1026/23) in terms of Part 1 of the EIA Regulations, 2014 (as amended).

The amended Environmental Authorisation is amended as set out below:

#### 1. The description of the activity under Section A: 'DESCRIPTION OF ACTIVITY' and 'The description of the preferred alternative' under Section I: REASONS FOR THE DECISION TO GRANT THE AMENDMENT: ALTERNATIVES:

"The activity entails the rezoning, subdivision and re-development of 22 cadastral units in the Southern Paarl area to encompass 18 precincts, consisting of the following:

- Precinct 1 (approximately 9.85ha) containing Residential Zone II, Residential Zone IV, Business Zone II, Transport Zone I, Transport II and Open Space Zone II. The precinct will comprise group housing, flats, a superette or shop, public transport interchange, public roads and private open space. A maximum of 188 residential erven are provided, which will include 40 Gap Housing, 40 Social Housing and 21 Staff Housing Units.
- Precinct 2 (approximately 13.49ha) containing Residential Zone IV, Residential Zone I, Institutional Zone I, Institutional Zone II, Institutional Zone II, Open Space Zone II and Transport Zone II. This precinct includes a maximum of 162 residential erven and comprises flats, single residential dwellings, school and educational facilities, a frail care facility, a place of worship, clubhouse, community hall, sports fields and private and public roads.
- Precinct 3 (approximately 3.04ha) containing Transport Zone II and Agriculture Zone I.
- Precinct 4 (approximately 0.95ha) containing Business Zone II comprising a craft centre and coffee shop.

- Precinct 5 (approximately 86.67ha) containing Residential Zone I, Open Space Zone II and Agriculture Zone I. This precinct will include a maximum of 12 single residential erven.
- ~~Precinct 6 (approximately 12.11ha) containing Residential Zone II and Open Space Zone II. This precinct will provide a maximum of 110 group housing opportunities.~~
- Precinct 7a (approximately 27.5ha) containing Residential Zone I, Residential Zone III, Resort Zone I and Open Space Zone II. This precinct comprises single residential and town housing and will include a maximum of 71 residential erven. Other uses include a caravan park, a restaurant, coffee shop, deli, offices, private open space, waterfront picnic park, parking facilities, private and public roads.
- Precinct 7b (approximately 58.4ha) containing Residential Zone I, Residential Zone II, Residential Zone III, Residential Zone V, Open Space Zone II, Institutional Zone I, Agriculture Zone I and Agriculture Zone II, with the latter three zonings being developed in line with the new "Agribella" agricultural model. This precinct comprises single residential, group and staff housing, as well as a guesthouse. A maximum of 192 residential erven will be provided, which includes 14 staff housing units. Other uses include private open space, private roads, an agricultural training facility with ancillary uses, a farm packing store, cold storage packing shed, winery, tourist facilities, restaurant, gift shop, wine tasting and sales and a farm store.
- Precinct 8 (approximately 7.25ha) containing Agriculture Zone I and Transport Zone II for agricultural holdings and public roads.
- Precinct 9 (approximately 10.31ha) containing Residential Zone I, Transport Zone II, Open Space Zone II and Agriculture Zone I this precinct will include a maximum of 12 single residential erven.
- ~~Precinct 10 (approximately 8.11ha) containing Residential Zone I, Transport Zone II and Agriculture Zone I. This precinct will include a maximum of 13 single residential erven.~~
- Precinct 11 (approximately 2.05ha) containing Residential Zone I, Open Space Zone II, Agriculture Zone I and Agriculture Zone II. This precinct will include a maximum of 4 single residential erven, as well as a tourist facility and distillery.
- Precinct 12 (approximately 2.43ha) containing Residential Zone I, Open Space Zone II and Agriculture Zone I, this precinct will include a maximum of 6 residential erven.
- Precinct 13 (approximately 0.4ha) containing Residential Zone V and Agriculture Zone I. This precinct will include a maximum of 1 residential erf for a guesthouse.
- Precinct 14 (approximately 7.05ha) containing Residential Zone IV, Transport Zone II and Open Space Zone II. This precinct will comprise 3-storey walk-up units, with a maximum of 138 residential units, public and private roads and public open space.
- Precinct 15 (approximately 25.32ha) containing Residential Zone I, Business Zone II, Business Zone III Transport Zone II and Open Space Zone II. This precinct will include single residential and staff housing opportunities totalling a maximum of 17 residential erven. This includes the 5 staff housing units.
- ~~Precinct 16 (approximately 1.71 ha) containing Residential Zone I and Agriculture Zone I. This precinct will include a maximum of 2 single residential erven.~~
- Precinct 17 (approximately 5.22ha) containing Residential Zone I and Agriculture Zone I. This precinct will include a maximum of 42 single residential erven.
- Precinct 18 (approximately 4.21ha) containing Agriculture Zone I intended for service trade.
- Precinct 19 (approximately 16.47ha) containing Agriculture Zone I intended for Agriculture."

is amended to read:

"The activity entails the rezoning, subdivision and re-development of 22 cadastral units in the Southern Paarl area to encompass 18 precincts, consisting of the following:

- Precinct 1 (approximately 9.85ha) containing Residential Zone II, Residential Zone IV, Business Zone II, Transport Zone I, Transport II and Open Space Zone II. The precinct will comprise group housing, flats, a superette or shop, public transport interchange, public roads and private open space. A

maximum of 188 residential erven are provided, which will include 40 Gap Housing, 40 Social Housing and 21 Staff Housing Units.

- Precinct 2 (approximately 13.49ha) containing Residential Zone IV, Residential Zone I, Institutional Zone I, Institutional Zone II, Institutional Zone II, Open Space Zone II and Transport Zone II. This precinct includes a maximum of 162 residential erven and comprises flats, single residential dwellings, school and educational facilities, a frail care facility, a place of worship, clubhouse, community hall, sports fields and private and public roads.
- Precinct 3 (approximately 3.04ha) containing Transport Zone II and Agriculture Zone I.
- Precinct 4 (approximately 0.95ha) containing Business Zone II comprising a craft centre and coffee shop.
- Precinct 5 (approximately 86.67ha) containing Residential Zone I, Open Space Zone II and Agriculture Zone I. This precinct will include a maximum of 12 single residential erven.
- ~~Precinct 6 (approximately 12.11ha) containing Residential Zone II and Open Space Zone II. This precinct will provide a maximum of 110 group housing opportunities.~~
- Precinct 7a (approximately 27.5ha) containing Residential Zone I, Residential Zone III, Resort Zone I and Open Space Zone II. This precinct comprises single residential and town housing and will include a maximum of 71 residential erven. Other uses include a caravan park, a restaurant, coffee shop, deli, offices, private open space, waterfront picnic park, parking facilities, private and public roads.
- Precinct 7b (approximately 58.4ha) containing Residential Zone I, Residential Zone II, Residential Zone III, Residential Zone V, Open Space Zone II, Institutional Zone I, Agriculture Zone I and Agriculture Zone II, with the latter three zonings being developed in line with the new "Agribella" agricultural model. This precinct comprises single residential, group and staff housing, as well as a guesthouse. A maximum of 192 residential erven will be provided, which includes 14 staff housing units. Other uses include private open space, private roads, an agricultural training facility with ancillary uses, a farm packing store, cold storage packing shed, winery, tourist facilities, restaurant, gift shop, wine tasting and sales and a farm store.
- Precinct 8 (approximately 7.25ha) containing Agriculture Zone I and Transport Zone II for agricultural holdings and public roads.
- Precinct 9 (approximately 10.31ha) containing Residential Zone I, Transport Zone II, Open Space Zone II and Agriculture Zone I this precinct will include a maximum of 12 single residential erven.
- ~~Precinct 10 (approximately 8.11ha) containing Residential Zone I, Transport Zone II and Agriculture Zone I. This precinct will include a maximum of 13 single residential erven.~~
- Precinct 11 (approximately 2.05ha) containing Residential Zone I, Open Space Zone II, Agriculture Zone I and Agriculture Zone II. This precinct will include a maximum of 4 single residential erven, as well as a tourist facility and distillery.
- Precinct 12 (approximately 2.43ha) containing Residential Zone I, Open Space Zone II and Agriculture Zone I, this precinct will include a maximum of 6 residential erven.
- Precinct 13 (approximately 0.4ha) containing Residential Zone V and Agriculture Zone I. This precinct will include a maximum of 1 residential erf for a guesthouse.
- Precinct 14 (approximately 7.05ha) containing Residential Zone IV, Transport Zone II and Open Space Zone II. This precinct will comprise 3-storey walk-up units, with a maximum of 138 residential units, public and private roads and public open space.
- Precinct 15 (approximately 25.32ha) containing Residential Zone I, Business Zone II, Business Zone III Transport Zone II and Open Space Zone II. This precinct will include single residential and staff housing opportunities totalling a maximum of 17 residential erven. This includes the 5 staff housing units.
- ~~Precinct 16 (approximately 1.71 ha) containing Residential Zone I and Agriculture Zone I. This precinct will include a maximum of 2 single residential erven.~~
- Precinct 17 (approximately 5.22ha) containing Residential Zone I and Agriculture Zone I. This precinct will include a maximum of 42 single residential erven.

- Precinct 18 (approximately 4.21ha) containing Agriculture Zone I intended for service trade.
- ~~Precinct 19 (approximately 16.47ha) containing Agriculture Zone I intended for Agriculture.”~~

## **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 Environmental Authorisation issued on 26 April 2023.
2. Precinct 19 was zoned and approved for agricultural activities in terms of the amended Environmental Authorisation that was issued on 26 April 2023 for the Levendal Development. However, the landowner of Precinct 19 wishes to conduct a separate development on Portion 2 and Portion 29 of Farm No. 811 (these farm portions are now known as Remainder Portion 79 of Farm No. 811 and Portion 80 of Farm No. 811).

The implementation of the relevant listed activities in terms of the NEMA EIA Regulations, 2014 (as amended), as approved, has not yet commenced in Precinct 19.

The current holder of the Environmental Authorisation is in support of the proposed amendment to remove Precinct 19 from the approved development.

Should the newly proposed development on Portion 2 and Portion 29 of Farm No. 811 (now known as Remainder Portion 79 of Farm No. 811 and Portion 80 of Farm No. 811) require approval in terms of the NEMA EIA Regulations, 2014 (as amended), a separate application will have to be submitted to obtain the necessary approval prior to the commencement thereof.

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 Environmental Authorisation issued on 26 April 2023 (Attached as Annexure A), remain unchanged and in force as it relates to the newly amended development.

## **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](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 2659, 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**  
**DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)**  
**DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING**

**DATE OF DECISION: 31 AUGUST 2023**

Cc: (1) Mr C Williams (GNEC)  
(2) Ms C Winter (Drakenstein Municipality)  
(3) Mr M Lamour (Drakenstein Municipality)  
(4) Mr K Maree (Verticor (Pty) Ltd)

Email: cahlan@gnec.co.za  
Email: Cindy.Winter@drakenstein.gov.za  
Email: Malcolm.Lamour@drakenstein.gov.za  
Email: kevin@verticor.co.za

## Annexure A