



REFERENCE: 14/2/4/2/3/D5/15/0009/19

ENQUIRIES: Ziyaad Allie

REGISTERED MAIL

Tel: 072 482 8397

Email: daniejanavanwyk@gmail.com

The Owner

The Camp

P.O Box 78

RIVERSDALE

6670

Attention: Mr Danie van Wyk

Dear Sir

APPLICATION IN TERMS OF SECTION 24G OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) ("NEMA"): UNLAWFUL CLEARANCE OF INDIGENOUS VEGETATION ON REMAINDER PORTION 1 OF FARM 108, THE CAMP, RIVERSDALE

With reference to your application dated 14 May 2019 in terms of section 24G of the NEMA for the consequences of unlawful commencement of listed activities identified in terms of the NEMA, find below the decision in respect of your application.

ENVIRONMENTAL AUTHORISATION

A. DECISION

By virtue of the powers conferred by section 24G of the NEMA and the *Environmental Impact Assessment Regulations, 2014* ("EIA Regulations, 2014") (as amended), the competent authority herewith **grants environmental authorisation** to the applicant to continue with the listed activities specified in Section C below as described in the application and supporting environmental assessment.

The granting of this Environmental Authorisation is for the continuation, conducting or undertaking of the listed activities as described in Section C below and is subject to compliance with the conditions set out in Section G. This Environmental Authorisation shall only take effect from the date on which it has been issued.

The Environmental Authorisation does not exempt the holder thereof from compliance with any other applicable legislation.

B. DETAILS OF THE APPLICANT FOR THIS ENVIRONMENTAL AUTHORISATION

Danie van Wyk
P.O. Box 78
RIVERSDALE
6670

Tel: (072) 482 8397
Email: daniejanavanwyk@gmail.com

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

C. LIST OF ACTIVITIES AUTHORISED

Listed Activities	Activity/Project Description
<p>Government Notice No. R. 327 of 2014 – Activity Number: 19 Activity Description: "The infilling or depositing of any material of more than 10m³ into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 10m³ from a watercourse..."</p>	<p>Alien vegetation was removed from a non-perennial watercourse. This has subsequently burnt in the 2018 veld fires. The watercourse is subsequently cleared and will be rehabilitated.</p>
<p>Government Notice No. R325 of 2014– Activity Number: 15</p>	<p>The holder cleared ±30ha of densely</p>

<p>Activity Description: "The clearance of an area of 20ha or more of indigenous vegetation, excluding where such clearance of indigenous vegetation is required for –</p> <p>(i) the undertaking of a linear activity;</p> <p>(ii) maintenance purposes undertaken in accordance with a maintenance management plan."</p>	<p>infested alien invasive vegetation with the intent to have ±65ha cleared for cultivation of macadamia trees and proteas. See Annexure 2 : Site Plan</p>
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The abovementioned list is hereinafter referred to as "the listed activities".

D. PROPERTY DESCRIPTION AND LOCATION

The listed activities commenced on Remainder Portion 1 of 108, The Camp, Riversdale.

The SG digit code is: C06400000000010800001

The co-ordinates for the property boundary are:

Point	Latitude (S)	Longitude (E)
1	33° 59' 26" South	21° 12' 33" East
2	33° 59' 35" South	21° 13' 22" East
3	34° 00' 17" South	21° 12' 44" East
4	34° 00' 05" South	21° 13' 33" East

The co-ordinates for the site boundary are:

Point	Latitude (S)	Longitude (E)
1	34° 00' 02" South	21° 12' 33" East
2	33° 59' 58" South	21° 12' 44" East

3	33° 59' 35" South	21° 13' 04" East
4	33° 59' 37" South	21° 13' 14" East

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

Herein-after referred to as "the site".

E. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER ("EAP")

Cape EAPrac

c/o Melissa Mackay

P.O. Box 2070

GEORGE

6530

Tel: (071) 603 4132

Fax: (044) 874 0432

Email: mel@cape-eaprac.co.za

F. DETAILS OF THE ACTIVITIES UNDERTAKEN

The unlawfully commenced activities includes the clearance of vegetation for the planting of macadamias and proteas. The property was previously used as a research facility testing various woodlots. Prior to being used as plantations, the property was not used commercially for a period of 10 years. This has led to a severe level of infestation of alien invasive vegetation. Several fires have affected the property over the last few years which has led to further increase of the density of the infestation.

The holder commenced with the clearing of 30ha of vegetation with the intention to make approximately 65ha available for the cultivation of macadamias. Development on the property will include the cultivation of proteas (See Annexure 2: Site Plan). Clearing of the alien vegetation commenced in February 2018 by means of mechanical removal given the density of the infestation.

G. CONDITIONS OF AUTHORISATION

The following are conditions of authorisation that are set and must be implemented for this Environmental Authorisation.

PART I

Scope of authorisation

1. The holder is authorised to undertake the listed activities specified in Section C above in accordance with and restricted to Alternative 1 described in the application and assessment report dated 16 May 2019 on the site as described in Section D above.
2. 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.
3. Any changes to, or deviations from the scope of the alternative described in Section F 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 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.

PART II

Notification and administration of an appeal

4. The holder must in writing, within 14 (fourteen) calendar days of the date of this decision–
 - 4.1 notify all registered Interested and Affected Parties ("I&APs") of –
 - 4.1.1 the outcome of the application;
 - 4.1.2 the reasons for the decision as included in Annexure 6;
 - 4.1.3 the date of the decision; and
 - 4.1.4 the date when the decision was issued.
 - 4.2 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* detailed in Section I below.

4.3 draw the attention of all registered I&APs to the manner in which they may access the decision.

4.4 provide the registered I&APs with:

4.4.1 the name of the holder (entity) of this Environmental Authorisation;

4.4.2 name of the responsible person for this Environmental Authorisation;

4.4.3 postal address of the holder;

4.4.4 telephonic and fax details of the holder;

4.4.5 e-mail address, if any, of the holder; and

4.4.6 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 *National Appeal Regulations, 2014*.

5. 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.

PART III

Management of the activity/development

6. The draft Environmental Management Programme ("EMPr") dated 15 May 2019 compiled by Cape EAPrac and submitted as part of the application for environmental authorisation is hereby approved and must be implemented.

7. The EMPr must be included in all contract documentation for all phases of implementation.

PART IV

Monitoring

8. Copies of the following documents must be kept at the site for compliance monitoring purposes.

8.1 This Environmental Authorisation;

8.2 The Environmental Management Programme dated 15 May 2019;

8.3 The Aquatic Rehabilitation Plan of April 2019;

8.4 The Invasive Species Monitoring, Control and Eradication Plan of March 2019.

8.5 The Aquatic Assessment of November 2018; and

8.6 The Botanical Assessment of August 2018.

9. Any independent assessments of financial provision for rehabilitation and environmental liability, 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, including a publicly accessible website (if applicable).
10. Access to the site referred to in Section D 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.

PART V

Auditing

11. In terms of regulation 34 of the *EIA Regulations, 2014* the holder must conduct environmental audits to determine compliance with the conditions of the Environmental Authorisation and the EMPr and submit Environmental Audit Reports to the competent authority upon receiving such request in writing from the competent authority. The Audit Report must be prepared by an independent person and must consider all the information required in Appendix 7 of the *EIA Regulations, 2014*.

PART VI

Activity/ Development Specific Conditions

12. 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 paleontological remains (including fossil shells and trace fossils); coins; indigenous and/or colonial ceramics; any articles of value or antiquity; marine shell heaps; stone artefacts 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.

13. 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.

14. The Invasive Species Monitoring, Control and Eradication Plan of March 2019 ("ISMCEP") was generated to monitor, control and eradicate invasive aliens in the cleared and uncleared areas of the property. The ISMECP depicts 13 Management Unit Compartments ("MUC") on the property and its position in the landscape. The MUC table is attached as **Annexure 3**, with the corresponding figure attached as **Annexure 4** depicting the MUC areas, and the methods of control attached as **Annexure 5** to be employed for the control of listed invasive species in the land parcel. The holder must implement and adhere to the measures outlined in this table to ensure effective alien vegetation management on the site. The holder must commence with implementation of ISMCEP **within 1 (one)** year of this environmental authorisation.

14.1 This includes; but is not limited to:

14.1.1 The most accessible areas for clearing first;

14.1.2 The recently cleared area;

14.1.3 The north-eastern fynbos area suitable for conservation;

14.1.4 The western slopes and riverine area at the western extent.

14.2 Implementation of the ISMCEP must be in conjunction with supporting documentation such as the EMPr when alien invasive management is to be implemented.

15. The Aquatic Rehabilitation Plan ("ARP") of April 2019 provides a vision for rehabilitation of the watercourse and aims to restore the ecological structure and function of the watercourse through consistent management effort to manage the re-growth of aliens and active planting and support of indigenous vegetation. The ARP must be implemented in conjunction with this environmental authorisation **within 1 (one)** to ensure effective rehabilitation and management of the watercourse.

15.1 The ARP must be implemented in accordance with the following:

15.1.1 Revegetation plan

15.1.2 Revegetation implementation

15.1.3 Erosion management

15.1.4 Monitoring Plan

H. 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 or term of this Environmental Authorisation or EMPr may render the holder liable to criminal prosecution.
3. 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.

4. The manner and frequency for updating the EMPr is as follows:
Amendments to the EMPr must be done in accordance with regulations 35 to 37 of the *EIA Regulations, 2014* or any relevant legislation that may be applicable at the time.

I. APPEALS

Appeals must comply with the provisions contained in the *National Appeal Regulations, 2014*.

1. An appellant (if the holder) must –
 - 1.1 submit an appeal in accordance with regulation 4 *National Appeal Regulations, 2014* to the Appeal Administrator and a copy of the appeal to any registered I&APs, any Organ of State with interest in the matter and the decision maker within 20 (twenty) calendar days from the date the holder was notified by the competent authority of this decision.

2. An appellant (if NOT the holder) must –
 - 2.1 submit an appeal in accordance with regulation 4 *National Appeal Regulations, 2014* to the Appeal Administrator, and a copy of the appeal to the holder, any registered I&APs, any Organ of State with interest in the matter and the decision maker within 20 (twenty) calendar days from the date the holder notified the registered I&APs of this decision.
3. The holder (if not the appellant), the decision-maker, I&APs and 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. This appeal and responding statement must be submitted to the address listed below-

By post: Attention: Jaap de Villiers
Western Cape Ministry of Local Government, Environmental Affairs &
Development Planning
Private Bag X9186, Cape Town, 8000; or

By facsimile: (021) 483 4174; or

By hand: Attention: Mr Jaap de Villiers (Tel: 021-483 3721)
Room 809, 8th floor Utilitas Building
1 Dorp Street, Cape Town, 8000; or

By e-mail: DEADP.Appeals@westerncape.gov.za

Note: You are also requested to submit an electronic copy (Microsoft Word format) of the appeal and any supporting documents to the Appeal Administrator 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 the office of the appeal authority/ at: Tel. (021) 483 3721, E-mail DEADP.Appeals@westerncape.gov.za or URL <http://www.westerncape.gov.za/eadp>.

J. CONSEQUENCES OF NON-COMPLIANCE WITH CONDITIONS

Non-compliance with a condition or term of this Environmental Authorisation or EMPr may result in suspension or withdrawal of this Environmental Authorisation and may render the holder liable for criminal prosecution.

K. DISCLAIMER

The Western Cape Government, 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.

Yours faithfully



ADV. CHARMAINE MARÉ

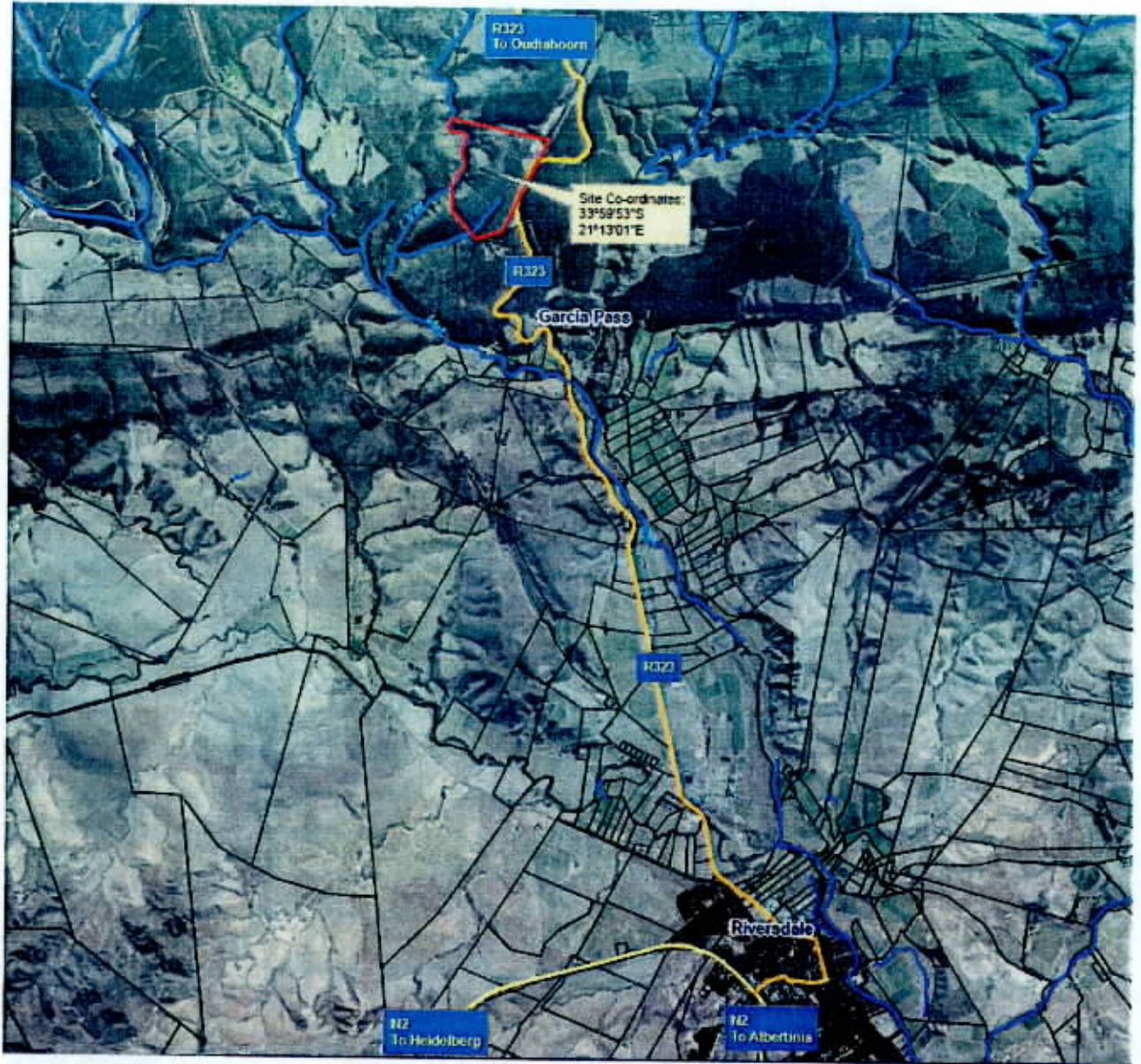
DIRECTOR: ENVIRONMENTAL GOVERNANCE

DATE OF DECISION: 14 November 2019

CC: (1) Melissa Mackay (Cape EAPrac)
(2) Maria D Mellet (Landowner: Grahamwillie Boerdery cc)
(3) Hendrik Visser (Hessequa Municipality)
(4) Diana Mouton (DEA&DP; Environmental Law Enforcement)

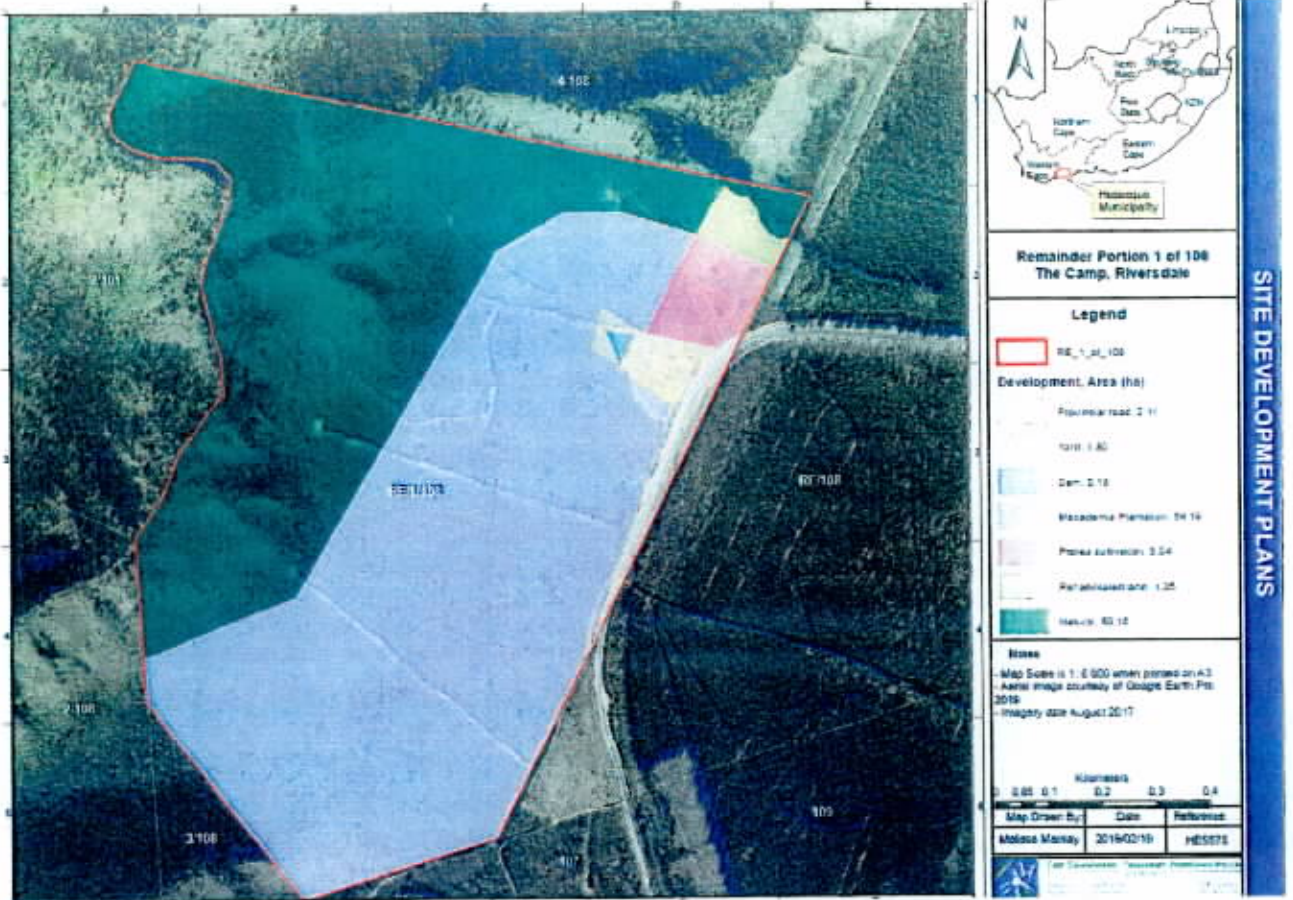
Email: mel@cape-eaprac.co.za
Email: riamellet@gmail.com
Email: hendrik@hessequa.gov.za
Email: Diana.mouton@westerncape.gov.za

ANNEXURE 1: LOCALITY MAP



Source: Cape EAPrac, 2019

ANNEXURE 2: SITE PLAN



Source: Cape EA Prac, 2019

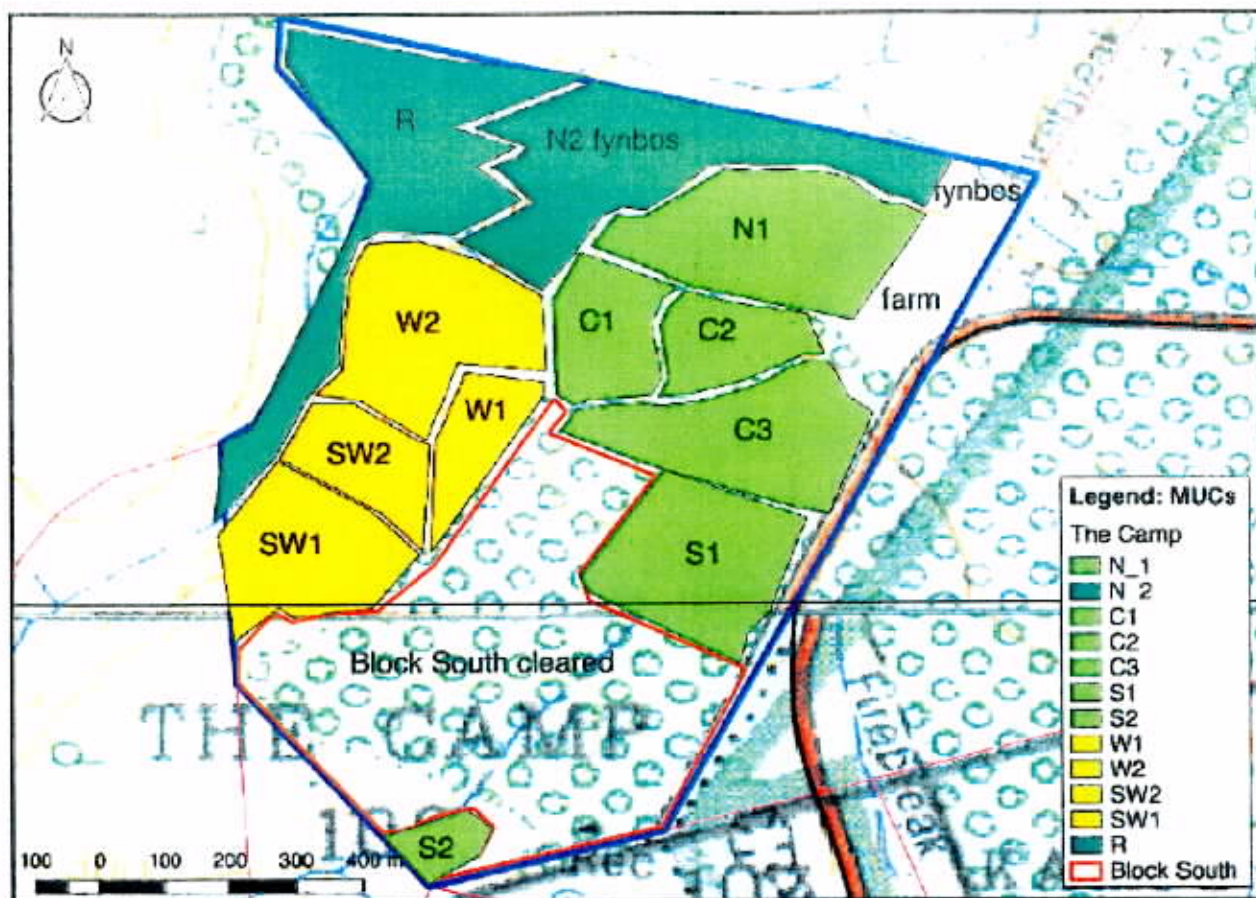
ANNEXURE 3: MANAGEMENT UNIT AND THEIR COMPARTMENTS

PRIORITY OF CLEARING	MUC	SIZE (hectares)	LANDFORM & COMPOSITION	METHOD
Very High	Block South	32.8	Plateau with gently incised watercourse draining through the southwestern extent. Cleared Unit - now with re-emergent Black Wattle seedlings.	Hand pull or apply herbicide
High	N1	8.56	Unit is south of the northern track which passes the cottage with mixed fynbos on the northern fringes and dominated by Eucalyptus Gum.	chainsaw removal of adults

PRIORITY OF CLEARING	MUC	SIZE (hectares)	LANDFORM & COMPOSITION	METHOD
High	N2	10.7	Unit to northwestern boundary and western slopes with intact fynbos and low density invasion.	chainsaw removal of adults
High	C1	3.75	Central Unit on plateau with high density invasion dominated by Gum with some Black Wattle.	chainsaw removal of adults
High	C2	3.1	Central Unit on plateau with high density invasion dominated by Gum and Black Wattle.	chainsaw removal of adults
Medium	C3	6.98	Central Unit on plateau with high density invasion dominated by Black Wattle.	Burn or chainsaw removal of adults
Medium	S1	6.98	Southern central Unit with high density invasion dominated by Black Wattle.	Burn or chainsaw removal of adults
High	S2	1.22	Southern Unit in watercourse with fynbos elements and high density of Black Wattle and Pine.	chainsaw removal of adults
Medium	W1	2.68	Western Unit on plateau with fynbos and with a medium density invasion by Pine.	chainsaw removal of adults
Low	W2	7.51	Western Unit on plateau slopes with fynbos and low density invasion dominated by Pine.	chainsaw removal of adults
Low	SW1	5.81	Southwestern Unit with fynbos on plateau slopes with low density infestation of Pine and Black Wattle.	chainsaw removal of adults
Low	SW2	3.23	Southwestern Unit with fynbos on plateau slopes with low density infestation of Pine and Black Wattle.	chainsaw removal of adults
Low	R	11.3	Unit along western boundary with east-facing slopes across river with fynbos and coastal forest. Light density invasion by Pine and Black Wattle	chainsaw removal of adults

Source: Walfon B J, 2019.

ANNEXURE 4: FIGURE DEPICTING THE MUC ON THE PROPERTY



Source: Walton B J, 2019.

Dark green polygons indicate natural areas, orange polygons indicate fynbos with a medium infestation and the light green polygons indicate areas densely infested with invasive alien species.

ANNEXURE 5: METHODS OF CONTROL

TABLE 4-1: METHODS OF CONTROL			
SPECIES	COMMON NAME	CONTROL METHOD	SOURCE REFERENCE
<i>Acacia cyclops</i>	Rooikrant	Chainsaw removal of large trees with immediate arboricide treatment of cut stumps with Astra / Confront.. Knapsack spraying of coppice and seedling regeneration.	Working for Water Programme's approved methods for the control of <i>Acacia mearnsii</i> .
<i>Acacia mearnsii</i>	Black Wattle	Cut to ground level and fell, juvenile plants to be brush cut with blade and Astra herbicide applied.	Working for Water Programme's approved methods for the control of <i>Acacia mearnsii</i> .
<i>Acacia melanoxylon</i>	Blackwood	Fell large trees, or ringbark them and apply chemicals to stumps and re-emerging vegetative runners from roots and stems.	Working for Water Programme's approved methods for the control of <i>Acacia melanoxylon</i> .
<i>Eucalyptus cladocalyx</i>	Suikerbloekom	Hand pull seedlings; fell branches and cut trunks and apply herbicide to stumps.	Working for Water Programme's approved methods for the control of <i>Eucalyptus cladocalyx</i> .

SPECIES	COMMON NAME	CONTROL METHOD	SOURCE REFERENCE
<i>Paraserianthes lophantha</i>	Stinkbean	Hand pull seedlings; apply foliar spray Confront to dust plants or clear fell and apply herbicide to stumps.	Working for Water Programme's approved methods for the control of <i>Paraserianthes lophantha</i> .
<i>Pinus radiata</i>	Monterey Pine	Fell large trees, or ringbark them.	Working for Water Programme's approved methods for the control of <i>Pinus radiata</i> .

Source: Walton B J, 2019.

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S24G REFERENCE: 14/2/4/2/3/D5/15/0009/19

ENFORCEMENT REFERENCE: 14/1/1/E3/8/2/3/L959/18

ANNEXURE 6: REASONS FOR THE DECISION

This Environmental Authorisation is in respect of the consequences of commencement of the afore-mentioned illegal activities. An Environmental Assessment Practitioner ("EAP") was appointed to submit a section 24G Environmental Impact Assessment ("EIA") to the Department to obtain this Environmental Authorisation. The EIA was considered adequate for informed decision-making. In addition, the holder paid an administrative fine of R50 000 (Fifty thousand Rand) to meet the requirements of section 24G of the *National Environmental Management Act, 1998* ("NEMA").

In reaching its decision, the competent authority, *inter alia*, considered the following:

- a) The information contained in the application form dated 14 May 2019 together with all supporting documentation, the EMPr submitted together with the application, and the comments and responses report dated 27 August 2019 received by the competent authority on the same day.
- b) Relevant information contained in the Departmental information base, including, the Guidelines on Public Participation and Alternatives.
- c) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the NEMA.
- d) The comments received from Interested and Affected Parties ("I&APs") and the responses provided thereto.
- e) The sense of balance of the negative and positive impacts and proposed mitigation measures.
- f) The site visit conducted on 10 June 2019 attended by officials from this Department.

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 which, according to the competent authority, were the most significant reasons for the decision is set out below.

1. Public Participation Process

In terms of section 24G(1)(vii)(dd) of the NEMA, "...a description of the public participation process followed during the course of compiling the report, including all comments received from interested and affected parties and an indication of how the issues raised have been addressed ...", is required.

The public participation process conducted by the EAP comprised of the following:

- An advertisement was placed in the **Suidkaap Forum** newspaper on 4 April 2019;
- A site notice was erected; and
- Letters were sent to interested and affected parties ("I&APs") and the municipal ward councillor on 8 April 2019.
- I&APs were afforded the opportunity to provide comments on the application.

Consultation with organs of state in terms of section 24O of the NEMA

The following organs of state provided comment on the application:

- Breede Gouritz Catchment Management Agency (BGCMA)
- CapeNature
- Department of Agriculture (DoA)

At the end of the public participation process, comments were received from the BGCMA and CapeNature. The DoA stated that they have no comment. A summary of the comments received from the BGCMA and CapeNature follows below.

BGCMA

The BGCMA stated that no operation is allowed within 100m of a water resource or 1:100 year flood line, whichever is the greatest. If the proposed activity falls within this area, authorisation is required in terms of the *National Water Act, 1998 (Act No. 36 of 1998)* ("NWA"). This is to ensure that the riparian ecological status of the water resource will not be negatively impacted. They further stated that any development within 500m from the boundary of any wetland requires authorisation in terms of the NWA. The BGCMA concluded by stating that the rehabilitation of the site must ensure that the final conditions of the site is environmentally acceptable and that there will be no adverse long-term effects on the surrounding environment especially the watercourses. The EAP responded by stating that a Freshwater Impact Assessment was undertaken for the non-perennial watercourse that was exposed after the removal of the wattles on site. The watercourse will be rehabilitated with a 20m buffer

required on either side to ensure that the ecological status of the system is improved. The EAP concluded by stating that the rehabilitation of the watercourse will be overseen by a freshwater ecologist and a landscaping specialist to ensure that the rehabilitation is applicable and sustainable. Long term monitoring has also been recommended in the Environmental Management Programme ("EMPr").

CapeNature

CapeNature stated that any indigenous vegetation that requires removal must be rescued and harvested and used for rehabilitation purposes. CapeNature reiterated that all endangered species or protected species listed in Schedules 3 and 4 respectively, in terms of the *Western Cape Nature Conservation Laws Amendment Act, 2000 (Act No. 3 of 2000)* may not be picked or removed without the relevant permit, which must be obtained from CapeNature. CapeNature further stated that they do not support the planting of Protea species that are not locally occurring naturally within the vegetation types of the surrounding landscape. The risk of hybridisation was not considered by the specialist and has occurred elsewhere in the province to the detriment of natural populations. The EAP responded by stating that the applicant has already been informed that only locally occurring, indigenous species may be used to avoid hybridisation. Furthermore, CapeNature stated that although the area impacted was heavily infested with alien tree species, this cannot be used as motivation for establishing of intensive agriculture within an Ecological Support Area ("ESA"). The EAP responded by stating that although the designated cultivation areas are shown to as an ESA, they have historically been plantations and woodlots, and later overgrown with the invasive alien vegetation species. It is thus very doubtful that they would have contributed to any ESA for several decades. The areas designated for natural, which include both the ESA and Critical Biodiversity Area, will be actively managed for the control of invasive alien vegetation species, the non-perennial watercourse will be rehabilitated with a suitable buffer area and the applicant will be practising organic farming. CapeNature questioned the operational phase impacts of the activities relating to the use of pesticides. The EAP responded by stating that the applicant intends on following organic farming practices. This means that the use of common commercial herbicide / pesticides will be limited or completely avoided.

All the concerns raised by I&APs were responded to and adequately addressed during the public participation process. Specific management and mitigation

measures have been considered in this Environmental Authorisation and in the EMPr to adequately address the concerns raised.

The competent authority concurs with the EAP's responses to the issues raised during the public participation process and has included appropriate conditions in this Environmental Authorisation and in the EMPr.

2. Alternatives

2.1 Site/Activity Alternatives

Alternative 1 (Herewith authorised)

This entails the already commenced clearance of vegetation for the cultivation of macadamias and proteas. The holder has already commenced with the clearance of approximately 30ha of vegetation with the intention of clearing a further 35ha for the cultivation for the establishment and cultivation of macadamias. The applicant is herewith authorised to clear the remaining 35ha of vegetation as outlined in the site plan attached as **Annexure 2**; which includes the cultivation of 3ha for proteas. The clearance, rehabilitation and management of the site, including the watercourse must be done in accordance with the EMPr, the Invasive Species Monitoring, Control and Eradication Plan ("ISMCEP") and the Aquatic Rehabilitation Plan ("ARP").

Alternative 2

This alternative proposes no further clearing and cultivating only the area of ±30ha that has already been cleared along with the existing ±3ha of historically farmed land that can be cultivated under the Department of Agriculture Forestry and Fisheries permit. Alien invasive management will be implemented on the remainder of the property in order to bring under control the current significant level of infestation. This will be done according to the specialist control plan.

2.2 The option of not implementing or continuing with the activity ("No-Go" Alternative)

The "no-go" alternative means that the property will not be developed, and the status quo will be maintained. Given that the status quo is a significantly degraded landscape, this is not at all viable or sustainable. The cost of clearing such severe infestations without the recourse of utilising the land in the long run

may lead to financial losses which will result in environmental losses as the AIS re-establishes.

3. Environmental Impact Assessment (EIA) and Mitigation Measures

In reaching its decision, the competent authority, considered the following in respect of the EIA and mitigation measures:

3.1. Activity Need and Desirability

The property is zoned for Agriculture, was previously used for plantations and woodlots and has been issued with a CARA Permit for the cultivation of virgin soil of an area up to 79.9ha.

3.2. Regional/ Planning Context

The property has been utilised as plantation / woodlots for decades before it was allowed to become overrun by alien invasive vegetation. It is zoned for agriculture and has not been allocated for any other land uses in any regional planning schemes. The land use is in line with the 2017 – 2022 Integrated Development Plan. Due to the small size of the farm and the low grazing capacity, the farm will not be sustainable in the long term if it attempts to farm with the region's dominant enterprises (grain crops and livestock). For the same reasons, attempting to keep land in its current state, or to farm the natural Fynbos, would not generate an economic output sufficient to render it sustainable over the long term. An agricultural economic assessment revealed that high-value crops such as Macadamias and Proteas can be farmed profitably.

3.3. Biophysical and Biodiversity Impacts

Soil erosion and change in physico-chemical properties, soil structure and soil moisture was identified as an impact associated with the clearing activities. According to the *2017 Western Cape Biodiversity Spatial Plan*, the entire portion of the property on which the clearing of Alien Invasive Species ("AIS") took place is an Ecological Support Area. The non-perennial watercourse has also been cleared of wattle and will be rehabilitated with a suitable buffer of indigenous vegetation established as per the recommendations of the botanical and freshwater specialists. According to the botanical specialist, the AIS infestation

on the cleared areas was in the region of over 95% density. The impacts on the terrestrial vegetation and the non-perennial watercourse by the removal of the AIS is positive. From a Botanical perspective the condition of the Fynbos at most of the affected area was of Low Botanical Conservation Value. The watercourse area was heavily infested with Invasive Alien Species (IAS) and of medium botanical sensitivity, with the deeper incised valley canyon areas of High Botanical Conservation Value. The impact is of low to medium intensity (degraded habitat) as some pattern and process will be lost should cultivation proceed. This can be mitigated by rehabilitating watercourse areas. The impact on pristine Fynbos habitat is improbable based on previous land use.

According to the Aquatic Specialist Report of November 2018, The nature of the alien vegetation present at the site prior to clearing was so dense and extensive that it is difficult to envisage what methods, other than those already applied, would have been recommended to efficiently clear the invasion. Selective methods would not have been necessary because in the uncleared reference locations, wattles constituted almost 100% of the vegetation on site. The ecological structure and function of the watercourse in the uncleared state was highly compromised. Flows were infrequent, and no functional riparian zone existed. Therefore, the vegetation clearance provides a great opportunity to rehabilitate the watercourse by revegetating the riparian zone.

The impacts at the site are significant and will require a concentrated long-term effort to prevent the re-establishment of alien vegetation and manage the effects of clearing the alien plants. However, the impact of leaving the site in its previous state with no opportunity for rehabilitation would have been worse in the long term.

Clearance of alien vegetation and revegetation of the riparian zone is listed as a priority for reaches of the Goukou River, such as where the site occurs (River Health Programme, 2007; Nel et al., 2011). This activity is also consistent with goals for Critical Biodiversity Area (CBA) level 1 as outlined in the Western Cape Biodiversity Spatial Plan, 2017. Provided rehabilitation of the watercourse (instream and riparian zones) happens timeously along with follow up removal of alien vegetation, the watercourse at The Camp will be in a much better ecological state with improved structure and function.

4. NEMA 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 activities (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.

In view of the above, the NEMA principles, compliance with the conditions stipulated in this Environmental Authorisation, and compliance with the EMPr, the competent authority is satisfied that the listed activities will not conflict with the general objectives of integrated environmental management stipulated in Chapter 5 of the NEMA and that any potentially detrimental environmental impacts resulting from the listed activities can be mitigated to acceptable levels.

END

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Attachments: The Camp EA.pdf

FYA

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