



REFERENCE: 16/3/3/5/B5/2/1003/22
DATE OF ISSUE: 07 April 2022

The Board of Directors
L'Eritage Nouveau Development Company (Pty) Ltd
PO Box 3293
TYGERVALLEY
7536

Attention: Mr I Odendaal

E-mail: ian@omnigro.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 REGULATIONS, 2014 (AS AMENDED) FOR THE AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 30 APRIL 2013 AND THE AMENDED ENVIRONMENTAL AUTHORISATION ISSUED ON 2 FEBRUARY 2018: WAVERENSKROON COUNTRY ESTATE, INCORPORATING DALSKROON SENIORS VILLAGE ON REMAINDER OF FARM KRUISVALLEI NO. 187, PORTION 18 OF FARM KRUISVALLEI NO. 187 AND PORTION 29 OF FARM KRUISVALLEI NO. 187, TULBAGH

1. With reference to the above application, the Department hereby notifies you of its decision to **grant** amendment of the Environmental Authorisation ("EA") issued on 30 April 2013 (DEA&DP: E12/2/4/5-B5/13-1061/17) and the amended EA issued on 2 February 2018 (DEA&DP: 16/3/3/5/B5/14/1017/17) 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 (as amended), which prescribes the appeal procedure to be followed. This procedure is summarized in the attached amended Environmental Authorisation.

Yours faithfully

Zaahir
Toefy

Digitally signed by
Zaahir Toefy
Date: 2022.04.07
14:42:53 +02'00'

ZAAHIR TOEFY

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

CC: (1) Mr L Eichstadt (Resource Management Services)
(2) Mr D Nasson (Witzenberg Municipality)
(3) Ms A Duffel-Canham (CapeNature)

E-mail: larry@rmsenviro.co.za

E-mail: david@witzenberg.gov.za

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EIA REFERENCE: 16/3/3/5/B5/2/1003/22
DATE OF ISSUE:

ENVIRONMENTAL AUTHORISATION

APPLICATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) AND PART 1 OF THE ENVIRONMENTAL IMPACT ASSESSMENT (“EIA”) REGULATIONS, 2014 (AS AMENDED) FOR THE AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 30 APRIL 2013 AND THE AMENDED ENVIRONMENTAL AUTHORISATION ISSUED ON 2 FEBRUARY 2018: WEVERENSKROON COUNTRY ESTATE, INCORPORATING DALSKROON SENIORS VILLAGE ON REMAINDER OF FARM KRUISVALLEI NO. 187, PORTION 18 OF FARM KRUISVALLEI NO. 187 AND PORTION 29 OF FARM KRUISVALLEI NO. 187, TULBAGH

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 me by the National Environmental Management Act, 1998 (Act No. 107 of 1998) (“NEMA”) and the Environmental Impact Assessment (“EIA”) Regulations, 2014 (as amended), I herewith **grant** the amendment of the Environmental Authorisation (“EA”) issued on 30 April 2013 (DEA&DP: E12/2/4/5-B5/13-1061/11) and the amended EA issued on 2 February 2018 (DEA&DP: 16/3/3/5/B5/14/1017/17) together with the reasons for the decision in terms of Part 1 of the Environmental Impact Assessment Regulations, 2014 (as amended).

The Environmental Authorisation is amended as set out below:

1) **Section E: Conditions of authorisation: Condition 11:**

“The Environmental Management Programme (“EMP”), submitted as part of the application for authorisation is accepted and must be implemented.

An application for amendment to the EMP must be submitted to the competent authority if any amendments are to be made to the EMP, and this may only be implemented once the amended EMP has been authorised by the competent authority. The EMP must be included in all contract documentation for all phases of implementation.”

is amended to read:

The draft Construction Environmental Management Programme (hereinafter referred to as the “CEMPr”) dated 17 February 2022, submitted as part of the amendment application for authorisation is accepted and must be implemented. The CEMPr must be included in all contract documentation for all phases of implementation.

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 (as amended) or any relevant legislation that may be applicable at the time.

B. REASONS FOR THE DECISION

Find below the reasons to amend the EAs:

1. The amendment applied for is in terms of Part 1 of the EIA Regulations, 2014 (as amended) and will not change the scope of the EA issued on 30 April 2013 and the amended EA issued on 2 February 2018.
2. CapeNature does not object to the search and rescue of intact remnant vegetation (geophytes and shrubs) being undertaken in summer, provided that the mitigation measures, as stipulated in their letter dated 16 February 2022 and as included into the CEMPr dated 17 February 2022, be implemented.
3. The environment and the rights and interests of interested and affected parties ("I&APs") will not be adversely affected by the decision to amend the Environmental Authorisation.

C. CONDITIONS

1. All other conditions, with the exception of Condition 11, which is amended as indicated above, contained in the Environmental Authorisation issued on 30 April 2013 and the amended Environmental Authorisation issued on 2 February 2018, (attached as Appendix A) still remain unchanged and in force as it relates to this amended application.

D. APPEALS

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

1. An appellant (if the holder of the decision) must, within 20 (twenty) calendar days from the date 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
8th Floor Utilitas Building, 1 Dorp Street, Cape Town, 8001

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

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

E. DISCLAIMER

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

Your interest in the future of our environment is appreciated.

Yours faithfully

Zaahir
Toefy

Digitally signed by
Zaahir Toefy
Date: 2022.04.07
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ZAAHIR TOEFY

DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)

DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

DATE OF DECISION: 07 APRIL 2022

CC: (1) Mr L Eichstadt (Resource Management Services)
(2) Mr D Nasson (Witzenberg Municipality)
(3) Ms A Duffel-Canham (CapeNature)

E-mail: larry@rmsenviro.co.za

E-mail: david@witzenberg.gov.za

E-mail: aduffel-canham@capenature.co.za

Appendix A



REFERENCE: 16/3/3/5/B5/14/1017/17
ENQUIRIES: Lorretta Osborne
DATE OF ISSUE: 2018 -02- 0 6

The Board of Directors
L'Eritage Nouveau Development Company (Pty) Ltd
PO Box 3293
TYGERVALLEY
7536

Attention: Mr I Odendaal

Tel: (021) 914 2616
Fax: (021) 531 4193

Dear Sir

APPLICATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) AND PART 1 OF THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 (AS AMENDED) FOR THE AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 30 APRIL 2013: THE WAVERENSKROON COUNTRY ESTATE INCORPORATING DALSKROON SENIOR VILLAGE ON REMAINDER OF FARM KRUISVALLEI NO. 187, 187/18 AND 187/29, TULBAGH

1. With reference to the above application, the Department hereby notifies you of its decision to **grant** amendment of the Environmental Authorisation issued on 30 April 2013 (DEA&DP EIA Ref: E12/2/4/2-B5/13-1057/11, DEA&DP Exemption Ref: E12/2/4/5-B5/13-1061/11), together with the reasons for the decision in terms of Part 1 of the EIA Regulations, 2014 (as amended).
2. In terms of Regulation 4 of the Environmental Impact Assessment Regulations, 2014 (as amended), you are instructed to ensure, within 14 days of the date of the 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 2)
DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

CC: (1) Mr L Eichstadt (Resource Management Services)
(2) Mr D Nasson (Witzenberg Municipality)

Fax: (021) 975 1373
Fax: (023) 312 3472



REFERENCE: 16/3/3/5/B5/14/1017/17
ENQUIRIES: Lorretta Osborne
DATE OF ISSUE: 2018 -02- 06

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 (AS AMENDED) FOR THE AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 30 APRIL 2013: THE WAVERENSKROON COUNTRY ESTATE INCORPORATING DALSKROON SENIOR VILLAGE ON REMAINDER OF FARM KRUISVALLEI NO. 187, 187/18, 187/29, TULBAGH

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

A. DECISION

By virtue of the powers conferred on it by the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA") and the Environmental Impact Assessment ("EIA") Regulations, 2014 (as amended), the Department herewith **grants** the amendment of the Environmental Authorisation issued on 30 April 2013 (DEA&DP EIA Ref: E12/2/4/2-B5/13-1057/11, DEA&DP Exemption Ref: E12/2/4/5-B5/13-1061/11) (hereinafter referred to as the Environmental Authorisation), in terms of Part 1 of the EIA Regulations, 2014 (as amended).

1) The Environmental Authorisation is amended as set out below:

a) Section E:

Conditions of Authorisation: Condition 1:

*"This environmental authorisation is valid for a period of **five years** from the date of issue. The holder must commence with the listed activities within the said period or this environmental authorisation lapses and a new application for environmental authorisation must be submitted to the competent authority, unless the holder has lodged a valid application for the amendment of the validity period of this environmental authorisation, before the expiry of this environmental authorisation. In such instances, the validity period will be automatically extended ("the period of administrative extension") from the day before this environmental authorisation would otherwise have lapsed, until the amendment application for the extension of the validity period is decided. The listed activities, including site preparation, may not commence during the period of administrative extension."*

is amended to read:

This environmental authorisation is valid for a period of **five (5) years** from the date of this environmental authorisation. The holder must commence with the listed activities within the said period or this environmental authorisation lapses and a new application for environmental authorisation must be submitted to the competent authority. If the holder wishes to extend the

validity period of the environmental authorisation, an application for amendment in this regard must be made to the Competent Authority prior to the expiry date of the Environmental Authorisation.

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 (as amended) and will not change the scope of the Environmental Authorisation issued on 30 April 2013 (attached as Appendix A).
2. The environment and the rights and interests of interested and affected parties ("I&APs") will not be adversely affected by the decision to amend the Environmental Authorisation.
3. The proposed development was delayed as a result of an economic depression and a delay in the construction of supporting infrastructure to service the development.
4. A Public Participation Process in terms of the EIA Regulations, 2014 (as amended) is not applicable for this application, since the application relates to non-substantial changes to the original environmental authorisation and therefore registered I&APs were not required to comment on this application.

C. CONDITIONS

1. All conditions contained in the Environmental Authorisation issued on 30 April 2013 (attached hereto) still remain unchanged and in force.

D. APPEALS

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

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

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

By facsimile: (021) 483 4174; or

By hand: Attention: Mr Jaap de Villiers (Tel: 021 483 3721)
Room 809
8th 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>.

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. HENRI FORTUIN
DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 2)

DATE OF DECISION: 6-2-18

CC: (1) Mr L Eichstadt (Resource Management Services)
(2) Mr D Nasson (Witzenberg Municipality)

Fax: (021) 975 1373

Fax: (023) 312 3472

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APPENDIX A



**Western Cape
Government**

Environmental Affairs and
Development Planning

DIRECTORATE: LAND MANAGEMENT (REGION 1)

EIA REFERENCE NUMBER: E12/2/4/2-B5/13-1057/11
EXEMPTION REFERENCE NUMBER: E12/2/4/5-B5/13-1061/11
ENQUIRIES: Marbé Coetzee
DATE OF ISSUE: 2013 -04- 3 0

The Board of Directors
L'Eritage Nouveau Development Company (Pty) Ltd
P.O. Box 3293
TYGERVALLEY
7536

Attention: Mr. Paulo Oliveira

Tel: (021) 914 2614
Fax: (021) 531 4193

Dear Sir

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT AMENDMENT REGULATIONS, 2010: THE WEVERENSKROON COUNTRY ESTATE INCORPORATING DALSKROON SENIOR VILLAGE, ON REMAINDER OF FARM KRUISVALLEI NO. 187, 187/18 AND 187/29, TULBAGH.

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

ENVIRONMENTAL AUTHORISATION AND EXEMPTION

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") Amendment Regulations, 2010, the competent authority herewith **grants environmental authorisation and exemption** to the applicant to undertake the list of activities specified in section B below with respect to design and layout Alternative 1 as described in the EIA Report dated October 2012 and the additional information dated 26 October 2012.

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tel: +27 483 5117/2792 fax: +27 21 483 3633
e-mail: Marbe.Herbst@westerncape.gov.za

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

The applicant is herewith exempted from the following provisions of the NEMA EIA Regulations:

27. After having submitted an application, the EAP managing the application must—
- (e) subject the application to scoping by identifying—
 - (i) issues that will be relevant for consideration of the application;
 - (ii) the potential environmental impacts of the proposed activity; and
 - (iii) alternatives to the proposed activity that are feasible and reasonable;
 - (f) prepare a scoping report in accordance with regulation 28;
 - (g) give all registered interested and affected parties an opportunity to comment on the scoping report in accordance with regulation 56;
 - (h) where applicable, submit the scoping report within the timeframes stipulated by the competent authority; and
 - (i) submit at least five copies of the scoping report contemplated in paragraph (f) simultaneously to the competent authority.

The granting of this environmental authorisation and exemption (hereinafter referred to as the "environmental authorisation") is subject to compliance with the conditions set out in section E below.

A. DETAILS OF THE APPLICANT FOR THIS ENVIRONMENTAL AUTHORISATION

L'Eritage Nouveau Development Company (Pty) Ltd
% Mr. Paulo Oliveira
P.O. Box 3293
TYGERVALLEY
7536

Tel: (021) 914 2614
Fax: (021) 531 4193

The abovementioned company is the holder of this environmental authorisation and is hereinafter referred to as "**the applicant**".

B. LIST OF ACTIVITIES AUTHORISED

These are activities identified in GN No. R. 544 of 18 June 2010, being:

Activity 8:

The construction of a hatchery or agri-industrial infrastructure outside industrial complexes where the development footprint covers an area of 2 000 square metres or more,

Activity 9:

The construction of facilities or infrastructure exceeding 1000 metres in length for the bulk transportation of water, sewage or storm water -

- (i) with an internal diameter of 0,36 metres or more; or
- (ii) with a peak throughput of 120 litres per second or more,

excluding where:

- a. such facilities or infrastructure are for bulk transportation of water, sewage or storm water or storm water drainage inside a road reserve; or
- b. where such construction will occur within urban areas but further than 32 metres from a watercourse, measured from the edge of the watercourse,

Activity 11:

The construction of:

- (i) canals;
- (ii) channels;
- (iii) bridges;
- (iv) dams;
- (v) weirs;
- (vi) bulk storm water outlet structures;
- (vii) marinas;
- (viii) jetties exceeding 50 square metres in size;
- (ix) slipways exceeding 50 square metres in size;
- (x) buildings exceeding 50 square metres in size; or
- (xi) infrastructure or structures covering 50 square metres or more

where such construction occurs within a watercourse or within 32 metres of a watercourse, measured from the edge of a watercourse, excluding where such construction will occur behind the development setback line,

Activity 12:

The construction of facilities or infrastructure for the off-stream storage of water, including dams and reservoirs, with a combined capacity of 50 000 cubic metres or more, unless such storage falls within the ambit of activity 19 of Notice 545 of 2010,

Activity 13:

The construction of facilities or infrastructure for the storage, or for the storage and handling, of a dangerous good, where such storage occurs in containers with a combined capacity of 80 but not exceeding 500 cubic metres,

Activity 18:

The infilling or depositing of any material of more than 5 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 5 cubic metres from:

- (i) a watercourse;
- (ii) the sea;
- (iii) the seashore;
- (iv) the littoral active zone, an estuary or a distance of 100 metres inland of the high-water mark of the sea or an estuary, whichever distance is the greater-

but excluding where such infilling, depositing, dredging, excavation, removal or moving;

- (a) is for maintenance purposes undertaken in accordance with a management plan agreed to by the relevant environmental authority; or
- (b) occurs behind the development setback line.

Activity 22:

The construction of a road, outside urban areas,

- (i) with a reserve wider than 13,5 meters or,
- (ii) where no reserve exists where the road is wider than 8 metres, or
- (iii) 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 Notice 545 of 2010,

Activity 41:

The expansion of facilities or infrastructure for the off-stream storage of water, including dams and reservoirs, where the combined capacity will be increased by 50 000 cubic metres or more,

Activity 55:

The expansion of a dam where:

- (i) the highest part of the dam wall, as measured from the outside toe of the wall to the highest part of the wall, was originally 5 metres or higher and where the height of the wall is increased by 2,5 metres or more; or
- (ii) where the high-water mark of the dam will be increased with 10 hectares or more, and

Activity 56:

Phased activities for all activities listed in this Schedule, which commenced on or after the effective date of this Schedule, where any one phase of the activity may be below a threshold but where a combination of the phases, including expansions or extensions, will exceed a specified threshold; -

excluding the following activities listed in this Schedule:

2;
11(i)-(vii);
16(i)-(iv);
17;
19;
20;
22(i) & 22(iii);
25;
26;
27(iii) & (iv);
28;
39;
45(i)-(iv) & (vii)-(xv);
50;
51;
53; and
54.

These are activities identified in GN No. R. 545 of 18 June 2010, being:

Activity 10:

The construction of facilities or infrastructure for the transfer of 50 000 cubic metres or more water per day, from and to or between any combination of the following:

- (i) water catchments,
- (ii) water treatment works; or
- (iii) impoundments,

excluding treatment works where water is to be treated for drinking purposes.

Activity 15:

Physical alteration of undeveloped, vacant or derelict land for residential, retail, commercial, recreational, industrial or institutional use where the total area to be transformed is 20 hectares or more;

except where such physical alteration takes place for:

- (i) linear development activities; or
- (ii) agriculture or afforestation where activity 16 in this Schedule will apply, and

Activity 19:

The construction of a dam, where the highest part of the dam wall, as measured from the outside toe of the wall to the highest part of the wall, is 5 metres or higher or where the high-water mark of the dam covers an area of 10 hectares or more.

These are activities identified in GN No. R.546 of 18 June 2010, being:

Activity 1:

The construction of billboards exceeding 18 square metres in size outside urban or mining areas or outside industrial complexes.

(d) In Western Cape:

- i. All areas:
 - (aa) Outside urban areas;
 - (bb) In an estuary;
 - (cc) In a protected area identified in terms of NEMPAA, excluding conservancies.

Activity 2:

The construction of reservoirs for bulk water supply with a capacity of more than 250 cubic metres.

(d) In Western Cape:

- i. In an estuary;
- ii. A protected area identified in terms of NEMPAA, excluding conservancies;
- iii. All areas outside urban areas;
- iv. In urban areas:
 - (aa) Areas zoned for use as public open space; and
 - (bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, or zoned for a conservation purpose,

Activity 4:

The construction of a road wider than 4 metres with a reserve less than 13,5 metres.

(d) In Western Cape:

- i. In an estuary;
- ii. All areas outside urban areas;
- iii. In urban areas:
 - (aa) Areas zoned for use as public open space within urban areas; and
 - (bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, or zoned for a conservation purpose,

Activity 6:

The construction of resorts, lodges or other tourism accommodation facilities that sleep 15 people or more.

(d) In Western Cape:

- i. In an estuary;
- ii. All areas outside urban areas;
- iii. In urban areas:

- (aa) Areas seawards of the development setback line or within 1 kilometre from the high-water mark of the sea if no such development setback line is determined;
- (bb) Areas on the watercourse side of the development setback line or within 100 metres from the edge of a watercourse where no such setback line has been determined,

Activity 10:

The construction of facilities or infrastructure for the storage, or storage and handling of a dangerous good, where such storage occurs in containers with a combined capacity of 30 but not exceeding 80 cubic metres.

(e) In Western Cape:

- i. In an estuary;
- ii. All areas outside urban areas;
- iii. Inside urban areas:
 - (aa) Areas seawards of the development setback line or within 200 metres from the high-water mark of the sea if no such development setback line is determined;
 - (bb) Areas on the watercourse side of the development setback line or within 100 metres from the edge of a watercourse where no such setback line has been determined,

Activity 19:

The widening of a road by more than 4 metres, or the lengthening of a road by more than 1 kilometre.

(d) In Western Cape:

- i. In an estuary;
- ii. All areas outside urban areas;
- iii. In urban areas:
 - (aa) Areas zoned for use as public open space within urban areas;
 - (bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, or zoned for a conservation purpose, within urban areas, and

Activity 26:

Phased activities for all activities listed in this Schedule and as it applies to a specific geographical area, which commenced on or after the effective date of this Schedule, where any phase of the activity may be below a threshold but where a combination of the phases, including expansions or extensions, will exceed a specified threshold.

The above-mentioned list is hereinafter referred to as **“the listed activities”**.

The applicant is herein authorised to undertake the following alternative related to the listed activities:

The proposed development entails a mixed-use development comprising of -

- Seven residential nodes consisting of 1350 units, which include single residential, town housing, group housing, apartments and associated infrastructure such as security control huts, fences, access control as relevant and electrical, water and sewage connections,
- Business facilities, such as retail, office space, guest houses, a spa, restaurants, a hotel, stables, gardens, mixed agriculture, paddocks and equestrian eventing arenas, a nursery, a gallery, a winery and tourist activities,
- Institutional facilities, which include a frail care facility, community hall, a library, a chapel, school and school residence,
- Recreational activities, which include, sport facilities, play areas and a greenhouse,
- A compost and waste recycling facility,
- A Wastewater Treatment Works ("WWTW") including a reticulation system, and
- 530 000 – 1 400 000 m³ dams to store agricultural water and possibly municipal potable water, and the relevant pump stations.

The WWTW is the subject of an application for a Waste Management Licence in terms of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008).

C. PROPERTY DESCRIPTION AND LOCATION

The development will be situated on the remainder of Farm Kruisvallei No. 187, Portion 18 of Farm Kruisvallei No. 187 and Portion 29 of Farm Kruisvallei No. 187, Tulbagh.

Co-ordinates: Latitude: 33° 16' 32.19" S
 Longitude: 19° 09' 12.49" E

hereinafter referred to as "**the site**".

D. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER

Resource Management Services

% Mr. Larry Eichstadt

P.O. Box 4296

DURBANVILLE

7551

Tel: (021) 975 7396

Fax: (021) 975 1373

E. CONDITIONS OF AUTHORISATION

1. This environmental authorisation is valid for a period of **five years** from the date of issue. The holder must commence with all the listed activities within the said period or this environmental authorisation lapses and a new application for environmental authorisation must be submitted to the competent authority, unless the holder has lodged a valid application for the amendment of the validity period of this environmental authorisation, before the expiry of this environmental authorisation. In such instances, the validity period will be automatically extended ("the period of administrative extension") from the day before this environmental authorisation would otherwise have lapsed, until the amendment application for the extension of the validity period is decided. The listed activities, including site preparation, may not commence during the period of administrative extension.
2. The listed activities, including site preparation, may not commence within 20 (twenty) calendar days of the date of issue of this environmental authorisation. In the event that an appeal notice and subsequent appeal is lodged with the competent authority, the effect of this environmental authorisation may be suspended until such time as the appeal is decided.
3. The applicant must in writing, within 12 (twelve) calendar days of the date of this decision and in accordance with regulation 10(2)–
 - 3.1 Notify all registered interested and affected parties of –
 - 3.1.1 the outcome of the application;
 - 3.1.2 the reasons for the decision as included in Annexure 1
 - 3.1.3 the date of the decision; and
 - 3.1.4 the date of issue of the decision;
 - 3.2 Draw the attention of all registered interested and affected parties to the fact that an appeal may be lodged against the decision in terms of Chapter 7 of the Environmental Impact Assessment Amendment Regulations, 2010 detailed in section F below;
 - 3.3 Draw the attention of all registered interested and affected parties to the manner in which they may access the decision; and
 - 3.4 publish a notice in the newspapers contemplated in regulation 54(2)(c) and (d), and which newspaper was used for the placing of advertisements as part of the Public Participation Process, that –
 - 3.4.1 informs all interested and affected parties of the decision;
 - 3.4.2 informs all interested and affected parties where the decision can be accessed; and

3.4.3 informs all interested and affected parties that an appeal may be lodged against the decision in terms of Chapter 7 of the Regulations.

4. Seven calendar days' notice, in writing, must be given to the competent authority before commencement of construction activities.
 - 4.1 The notice must make clear reference to the site details and EIA Reference number given above.
 - 4.2 The notice must also include proof of compliance with the following conditions described herein:
Conditions: 2, 3 and 12
5. Any solid waste shall be disposed of at a landfill licensed in terms of the relevant legislation.
6. No surface or groundwater may be polluted due to any activity on the site.
7. All building material/rubble must be removed upon completion of construction activities.
8. The holder is responsible for ensuring compliance with the conditions by any person acting on his behalf, including an agent, sub-contractor, employee or any person rendering a service to the holder.
9. Any changes to, or deviations from the scope of the description set out 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 such information as it deems necessary 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.
10. The applicant must notify the competent authority in writing, within 24 hours thereof if any condition herein stipulated is not being complied with.
11. The Environmental Management Programme ("EMP"), submitted as part of the application for authorisation is accepted and must be implemented.

An application for amendment to the EMP must be submitted to the competent authority if any amendments are to be made to the EMP, and this may only be implemented once the amended EMP has been authorised by

the competent authority. The EMP must be included in all contract documentation for all phases of implementation.

12. The holder of the authorisation must appoint a suitably experienced Environmental Control Officer ("ECO") (or Site Agent where appropriate) for the Construction Phase of the development before commencement of any land clearing or construction activities and to ensure compliance with the provisions of the Environmental Authorisation and EMP for the Construction Phase.
13. The Environment Control Officer must, at all times, ensure that the construction activities comply with the Noise Regulations in terms of the Environmental Conservation Act, 1989 (Act No. 73 of 1989).
14. A copy of the environmental authorisation and the EMP must be kept at the site where the listed activities will be undertaken. Access to the site referred to in section C above must be granted and, the environmental authorisation and EMP 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. The environmental authorisation and EMP must also be made available for inspection by any employee or agent of the applicant who works or undertakes work at the site.
15. The applicant 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. Further, the rights granted by this environmental authorisation are personal rights (i.e. not attached to a property, but granted to a natural or juristic person). As such, only the holder may undertake the activities authorised by the competent authority. Permission to transfer the rights and obligations contained herein must be applied for in the following manner:
 - 15.1 The applicant must submit an originally signed and dated application for amendment of the environmental authorisation to the competent authority stating that he wishes the rights and obligations contained herein to be transferred, and including (a) confirmation that the environmental authorisation is still in force (i.e. that the validity period has not yet expired or the activities were lawfully commenced with); (b) the contact details of the person who will be the new holder; (c) the reasons for the transfer; (d) an originally signed letter from the proposed new holder acknowledging the rights and obligations contained in the

environmental authorisation and indicating that he has the ability to implement the mitigation and management measures and to comply with the stipulated conditions.

- 15.2 The competent authority will issue an amendment to the new holder either by way of a new environmental authorisation or an addendum to the existing environmental authorisation if the transfer is found to be appropriate.
16. Non-compliance with a condition of this environmental authorisation or EMP may result in suspension of this environmental authorisation and may render the holder liable for criminal prosecution.
17. Notwithstanding this environmental authorisation, the holder must comply with any other statutory requirements that may be applicable to the undertaking of the listed activities.
18. Should any heritage remains be exposed during excavations or any actions on the site, these must immediately be reported to the Provincial Heritage Resources Authority of the Western Cape, Heritage Western Cape (in accordance with the applicable legislation). 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: archaeological remains (including fossil bones and fossil shells); 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; rock art and rock engravings; shipwrecks; and graves or unmarked human burials.

A qualified archaeologist must be contracted where necessary (at the expense of the applicant and in consultation with the relevant authority) to remove any human remains in accordance with the requirements of the relevant authority.

F. APPEALS

Appeals must comply with the provisions contained in Chapter 7 of the NEMA EIA Regulations.

1. An appellant must –

- 1.1. submit a Notice of Intention to Appeal to the Minister, within 20 (twenty) calendar days of the date of the decision;

- 1.2. submit the appeal within 30 (thirty) calendar days after the lapsing of the 20 (twenty) calendar days contemplated in Regulation 60(1), for the submission of the Notice of Intention to Appeal; and
- 1.3. within 10 (ten) calendar days of having lodged the Notice of Intention to Appeal, provide each person and Organ of State registered as an interested and affected party in respect of the application, or the applicant, with –
 - 1.3.1. a copy of the Notice of Intention to Appeal form; and
 - 1.3.2. a notice indicating where and for what period the appeal submission will be made available for inspection by such person, Organ of State, or applicant, on the day of lodging it with the Minister, and that a responding statement may be made on the appeal within 30 (thirty) calendar days from the date the appeal submission was lodged with the Minister.
2. A person, Organ of State or applicant who submits a responding or answering statement in terms of Regulation 63 must within 10 (ten) calendar days of having submitted the responding or answering statement, serve a copy of the statement on the other party.
3. If the person, Organ of State or applicant fails to meet a timeframe with respect to the requirements as detailed above, the person, Organ of State or applicant must immediately submit a written explanation to the Ministry providing a concise explanation for the non-compliance.
4. All Notice of Intention to Appeal and appeal forms must be submitted by means of one of the following methods:
 - 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 J. de Villiers
Room 305 A
3rd Floor Leeusig Building (Entrance at: Utilitas Building, 1 Dorp Street, Cape Town, 8001)
5. A prescribed Notice of Intention to Appeal form and appeal form as well as assistance regarding the appeal processes is obtainable from the office of the

G. 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: LAND MANAGEMENT (REGION 1)

DATE OF DECISION: 30-4-2013

Copied to: (1) Mr. Larry Eichstadt (Resource Management Services)
(2) Mr David Nasson (Witzenberg Municipality)

Fax: (021) 975 1373
Fax:(023) 312 3472

FOR OFFICIAL USE ONLY:

EIA REFERENCE NUMBER:	E12/2/4/2-B5/13-1057/11
NEAS REFERENCE NUMBER:	WCP/EIA/0000755/2011
EXEMPTION REFERENCE NUMBER:	E12/2/4/5-B5/13-1061/11
EXEMPTION/NEAS REFERENCE NUMBER:	WCP/EIA/EXE/0000090/2012

ANNEXURE 1: REASONS FOR THE DECISION

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

- a) The information contained in the Final Scoping Report for the initial application that was accepted by the Department on 28 February 2008, the new Application Form, as received by this Department on 1 December 2011 and the Environmental Impact Assessment ("EIA") Report and additional information dated 26 October 2012, as submitted by the Resource Management Services to the Department on 26 October 2012,
- b) Relevant information contained in the Departmental information base, including, Guidelines on Public Participation, Alternatives and Exemptions (dated October 2011),
- c) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the National Environmental Management Act, 1998 (Act No. 107 of 1998),
- d) The sense of balance of the negative and positive impacts and proposed mitigation measures, and
- e) The site visit undertaken by officials from the Department on 3 July 2012.

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. Exemption

Exemption from Regulation 27 (e), (f), (g), (h) and (i) was granted, since these legislative requirements were met during the EIA process conducted for the individual applications. The Scoping Report for the original application was accepted on 28 February 2008. Due to the combination of the two previous applications, a new combined application was submitted in terms of the NEMA EIA Regulations, 2010. Although the new combined application includes a number of changes to the layout, it is essentially a continuation of the previous design concept.

2. Public Participation

The Public Participation Process ("PPP") undertaken comprised of the following:

The PPP for the individual applications included the following steps:

- Background Information Documents were circulated to the relevant stakeholders on 20 September 2007;
- A Public Open Day was held on 20 September 2007.
- An advertisement was placed in the Witzenberg Herald newspaper on 26 October 2007.
- Notification of the availability of the draft Scoping Report was circulated on 26 October 2007.
- The draft Scoping Report was made available for comment from 1 November 2007.
- Copies of the draft EIR and notification letters regarding the availability of the draft EIR were circulated to the relevant authorities and I&AP's on 9 February 2010.
- An advertisement notifying the relevant stakeholders of the availability of the draft EIR and a Public Open Day was placed in the Witzenberg Herald newspaper on 12 February 2010.
- The draft EIR was lodged at the Tulbagh and Ceres Public Libraries on 17 February 2012.
- A Public Open Day was held in Tulbagh on 4 March 2010.
- The final EIR was circulated for comment from 8 October 2010.

The PPP for the combined applications included the following steps:

- Advertisements were placed in the Cape Times and Witzenberg Herald newspapers on 17 May 2012 and 18 May 2012, respectively.
- Notifications informing registered I&AP's of the availability of the draft EIR were sent on 17 May 2012.
- Copies of the draft EIR were sent to Organs of State on 17 May 2012.
- A copy of the draft EIR was placed in the Tulbagh Library and on the website of Resource Management Services on 18 May 2012.
- Letters informing registered I&AP's of the availability of the final EIA Report were sent on 2 October 2012.
- A copy of the final EIR was placed on the website of Resource Management Services on 2 October 2012.

Authorities Consulted

The following authorities commented and have no objection to the proposed development:

- Department of Environmental Affairs,
- Department of Environmental Affairs and Development Planning's Directorate: Pollution Management,
- Department of Environmental Affairs and Development Planning's Directorate Waste: Management,

- Department of Agriculture,
- Department of Water Affairs,
- Department of Transport and Public Works,
- Heritage Western Cape,
- Cape Nature, and
- Witzenberg Municipality.

All the concerns raised by I&AP's were responded to and adequately addressed during the PPP. Specific management and mitigation measures have been considered in this EA and in the EMP, to adequately address the concerns raised.

The Department concurs with the environmental assessment practitioner's responses to the issues raised during the PPP.

3. Alternatives

Originally the proposal consisted of two separate applications referred to as the Waverenskroon Country Estate development and the Dalskroon Senior Village development. Two parallel but separate EIA processes were undertaken for the two applications. In both the EIA processes for the individual applications, various layout alternatives were investigated. The preferred layouts included in this combined application have therefore been informed by the initial assessments that were conducted.

3.1 The following design and layout alternatives were considered:

- Alternative 1 (preferred alternative):

This alternative entails the construction of the Waverenskroon Country Estate on the remainder of Farm Kruisvallei No. 187, 187/18 and 187/29, Tulbagh.

The estate will comprise of the following:

- Seven residential nodes consisting of 1350 units, which include single residential, town housing, group housing, apartments and associated infrastructure such as security control huts, fences, access control and electrical, water and sewage connections,
- Business facilities, which include retail, office space, guest houses, a spa, restaurants, a hotel, stables, gardens, mixed agriculture, paddocks and equestrian arenas, a nursery, a gallery, a winery and tourist activities,
- Institutional facilities, which include a frail care facility, community hall, a library, a chapel, school and school residence,
- Recreational activities, which include sport facilities, play areas and a greenhouse,
- A compost and waste recycling facility,
- A WWTW including reticulation system, and

- 530 000 – 1 400 000 m³ dams to store agricultural water and possibly Municipal potable water, including relevant pump stations.

The WWTW is the subject of an application for a Waste Management Licence in terms of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008).

- Alternative 2:

This alternative entails only the development of a large dam and associated infrastructure on Remainder of Farm Kruisvallei No. 187 for the storage of the raw water abstracted from the Kleinberg River that will be used as potable water for Tulbagh. The proposed dam will have a crest width of 4m, a maximum wall height of 21.5m, a maximum base width of 100.75m, a crest length of 790m and a surface area of approximately 21 hectares. The dam will have a capacity between 530 000 – 1 400 000 m³.

Whilst this alternative would address the need for a municipal water supply dam, it is not the preferred option as it will not provide an opportunity for an increase in economic growth and job creation associated with the preferred alternative.

- No-go Alternative:

This alternative is not preferred as it will not result in the economic growth and opportunities that would be a consequence of the preferred alternative. It will also not address the urgent need for a municipal water storage dam. In addition, there is an urgent need for job creation in the Tulbagh area, which can be addressed by the preferred alternative due to the extent of the development.

3.2 The following waste water/sewage disposal alternatives were considered:

3.2.1 Service alternatives:

- Alternative 1 (preferred alternative):

This alternative entails the construction of a WWTW on the Remainder of Farm Kruisvallei No. 187 to service the development. The WWTW will also receive partially treated effluent from the winery during the production season.

This alternative is preferred as the municipal WWTW will not be able to accommodate the development since it is currently operating above its capacity and requires upgrading and repairs.

- Alternative 2:

This alternative entails the connection of the waste water treatment infrastructure for the development to the municipal WWTW. This alternative

was not preferred, since the municipal WWTW does not have the capacity to accommodate the proposed development. It currently requires upgrading and repairs to effectively manage the current disposal requirements.

- **Alternative 3:**
This alternative entails the connection of the waste water treatment infrastructure for the development to an alternative, non-municipal WWTW. This alternative was not preferred as there is no other private WWTW in the vicinity of the development.
- **Alternative 4:**
This alternative entails a system of facultative dams for the treatment of the wastewater from the proposed development. This alternative was not preferred as the volume and surface area requirements of such a system would be extensive and the topography and associated flood lines increase the risk of unnecessary environmental impacts. The quality of the effluent would also not be of the high standard as can be expected from the WWTW.
- **Alternative 5:**
This alternative entails the construction of a wetland system. It was not preferred, as the volume and surface area requirements would be too extensive and implementation of the proposal would be costly.

3.2.2 WWTW Location alternative:

- **Alternative 1 (preferred alternative)**
This alternative entails the construction of the WWTW on the south-western portion of the Remainder of Farm Kruisvallei No. 187, opposite the entrance to the Correctional Facility. The WWTW will be located above the 1:100 year flood line and 100m north of borehole TUL KZ2.

This alternative is preferred as the site is geographically the lowest of the three alternatives and is therefore the most energy efficient as less sewage will have to be pumped to the WWTW.

- **Alternative 2:**
This alternative entails the construction of the WWTW on the southern portion of the Remainder of Farm Kruisvallei No. 187, near the stables and one of the landscaped ponds. This alternative was not preferred since it is at a higher elevation than Alternative 1, which will result in an increased operational cost.

- **Alternative 3:**

This alternative entails the construction of the WWTW in the south-eastern corner of Portion 18 of Farm Kruisvallei No. 187, near the proposed stables and irrigation Dam C. This alternative is not preferred as it is at a higher elevation than Alternative 1, which will increase the operational costs and it is situated within the 1:100 year flood line.

4. Impacts assessment and mitigation measures

4.1. Need and Desirability

The location of the development in a medium and low-income area conforms to the principles and objectives for housing developments in terms of the Western Cape Provincial Spatial Development Frame Work ("WCPSDF") and the Cape Winelands District Municipality Spatial Development Framework ("CWDMSPF"). The development with its mix of different housing types conforms to the principles of inclusionary housing in the WCPSDF.

The need and desirability of the proposed development essentially stems from the positive impacts that the development will have on socio-economic development and tourism in the Tulbagh area through the provision of jobs in the local community, housing and recreational facilities, as well as bulk service infrastructure.

4.2 Biophysical Impacts

The site comprises mostly cultivated or abandoned cultivated land with several patches of remnant natural vegetation (Site 1 to Site 5) identified as Breede River Shale Renosterveld. This vegetation type is listed as vulnerable and is therefore of conservation importance.

The best represented site for the Breede River Shale Renosterveld is Site 1, constituting the largest natural remnant vegetation patch. This site is considered as the most important area for conservation. The area is surrounded by open farmland on all sides except to the south-east, which links with previously disturbed vegetation and extends through to a well-consolidated patch of Renosterveld on the Steinthal Koppie. Site 1 will be retained and conserved. A 40 metre buffer area will be maintained around this area. In addition, Site 4, which lies close to a stream, will be retained as part of a corridor system to enhance connectivity with nearby natural areas so that ecological processes will be maintained as far as possible.

In addition to the above, the farm is associated with one major river (Meulstroom River) and a number of drainage lines and farm dams. A second river (Tierkloof Stream River) crosses the south-eastern corner of the site, before joining with the

Malkops River, which forms the southern boundary of the proposed Dalskroon component of the development.

Above the Kruisvallei Farm, the Meulstroom River is joined by streams from the Drinkwaterskloof and the Moordenaarskloof. The flow of all 3 streams above the property is significantly altered. Several farm dams have been built in the Meulstroom and Drinkwaterskloof streams. The streams have a perennial flow resulting from unused irrigation allocations for the Dennelaan and Kruisvallei Farms, which feed each river respectively.

There are five existing dams on the proposed site. These are either runoff-fed or store a portion of the piped water allocation of Farm Kruisvallei.

The development footprint will be above the 1:100 year floodline. No direct impacts on the river ecosystem associated with the built environments are anticipated for the proposed development. The farm dams on the site will generally be retained or enlarged, and the use of some will be discontinued.

4.3 Agricultural Impact

The majority of Portion 18 of Farm Kruisvallei is of medium/medium low agricultural potential. This land is considered marginal for agricultural purposes and the loss of this portion is not considered as significant. The intention, however, is to retain more than 90% of the remainder of Farm Kruisvallei No. 187 for agricultural use. The Department of Agriculture has no objection against the proposed development.

4.4 Socio-Economic Impacts

The development will have the ability to support numerous jobs over an extended period during the construction phase and could result in possible large-scale immigration. While the influx of people is not in itself a social impact, the consequence of such movement can result in social impacts that include disruption of the local community networks, increase in crime levels and disruption to social services. Mitigation measures include the preferential employment of local residents and implementing training and skills development programmes to ensure the development of skills amongst local residents and businesses.

To successfully implement these mitigation measures, a Waverenskroon Trust linked to the proposed development will be established to improve the socio-economic conditions of the local community. This includes, e.g., providing educational bursaries and skills development programmes and providing financial assistance relating to community and social infrastructure projects. The "Tulbagh First Policy" will also be implemented to ensure that the local residents benefit from the employment opportunities that will be created. The local community will also

benefit from the amenities associated with the development since the layout has been designed to allow access to the general public.

The anticipated benefits associated with the development are largely economic in nature. Furthermore the developer purchased land that will be developed as a BBEE mixed agriculture initiative linked to the development.

4.5 Services

The municipality has confirmed the provision of bulk services for potable water, solid waste removal and electricity to the proposed development. The developer will pay bulk service levies to the Witzenberg Municipality for the upgrades to the existing infrastructure that are required to service the development.

However, the municipal WWTW is unable to accept the effluent from the development at present. As such, the developer will construct an on-site WWTW. The municipality has no in-principle objection against the establishment of a private on-site WWTW, provided it complies with all regulatory requirements from a management and monitoring perspective as indicated in Wettech's Water Quality Management report and the General Authorisation issued by the Department of Water Affairs for the WWTW. An application for a waste management licence for the WWTW has been lodged with the National Department of Environmental Affairs for approval.

4.6 Visual Impacts

The development will have a moderate to high, but acceptable visual and aesthetic impact. The site planning has ensured a compatible land use practice that is generally, culturally and aesthetically appropriate as it is laid out in a nodal arrangement of villages, based on traditional Cape settlement patterns.

Furthermore, the development incorporates substantial blocks of tree planting, which match the existing land use pattern and includes a high level of open space, which is necessary to retain the rural ambiance.

4.7 Archaeological Impacts

The archaeological survey indicated that Early Stone Age (ESA) archaeological material was scattered throughout the study area, but no meaningful individual scatters or sites could be identified. It should be noted that the material is not unique and does not warrant extensive conservation measures.

4.8 Heritage Impacts

The proposed development of the property will protect and enhance the significance of the heritage resources. Heritage or cultural attributes of the site can

be broadly grouped into four categories: aesthetic, historical, scientific and social. The layout of the development considers these attributed and ensures the conservation of features of heritage and cultural significance.

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

Negative Impacts:

The development has the ability to support numerous jobs over an extended period during the construction phase and could result in large-scale in-migration. This would result in social impacts such as disruptions of local community networks and the cohesive social fabric that exists among the different communities, increase in crime levels and disrupt social services. The impacts can however be mitigated through the implementation of appropriate measures as included in the application.

Positive impacts:

The development will result in the protection of sensitive environmental features, a significant increase in job opportunities during the construction and operational phase and will result in an economic boost in the area. It will also assist the local authority to maintain basic services, which is currently a problem in the Tulbagh area.

5. National Environmental Management Act Principles

The National Environmental Management Act 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.

6. Conclusion

The competent authority is satisfied that the proposed listed activity will not conflict with the general objectives of integrated environmental management stipulated in Chapter 5 of the National Environmental Management Act, 1998 (Act No. 107 of 1998), and that

any potentially detrimental environmental impacts resulting from the listed activities can be mitigated to acceptable levels, provided that the following is observed:

- Adherence to the NEMA principles,
- Compliance with the conditions stipulated in this environmental authorisation, and
- Compliance with the mitigations measures in the EMP.

_____END_____