



**REFERENCE:** 16/3/3/1/B3/28/1023/21  
**NEAS REFERENCE:** WCP/EIA/0000907/2021  
**ENQUIRIES:** Ntanganedzeni Mabasa  
**DATE OF ISSUE:** 12 November 2021

The Board of Directors  
Bovenland (Pty) Ltd.  
PO Box 1  
La Motte  
**PAARL**  
7691

**Attention: Mr Paul Neething**

Tel: 021 036 1612  
Email: [pjn@pjh.co.za](mailto:pjn@pjh.co.za)

Dear Sir

**APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT ("EIA") REGULATIONS, 2014: THE PROPOSED EXPANSION OF ZANDWIJK IRRIGATION DAM ON ERF NO. 14982, PAARL.**

1. With reference to the above application, the Department hereby notifies you of its decision to **grant** the environmental authorisation, attached herewith together with the reasons for the decision.
2. In terms of Regulation 4 of the Environmental Impact Assessment Regulations, 2014, (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 National Appeal Regulations, 2014 (as amended), which prescribes the appeal procedure to be followed. This procedure is summarized in the attached environmental authorisation.

Yours faithfully

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

CC: (1) Cahlan Williams (Guillaume Nel Environmental Consultants)  
(2) Malcolm Lamour (Drakenstein Municipality)

Email: [cahlan@gnec.co.za](mailto:cahlan@gnec.co.za)  
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## ENVIRONMENTAL AUTHORISATION

### APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014: THE PROPOSED EXPANSION OF ZANDWIJK IRRIGATION DAM ON ERF NO. 14982, PAARL.

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

#### DECISION

By virtue of the powers conferred on it by the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA") and the Environmental Impact Assessment ("EIA") Regulations, 2014, the Competent Authority herewith **grants Environmental Authorisation** to the applicant to undertake the listed activities specified in section B below with respect to Layout Alternative 2 described in the Basic Assessment Report ("BAR"), received on 29 July 2021.

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

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

The Board of Directors  
Bovenland (Pty) Ltd.  
PO Box 1  
La Motte  
**PAARL**  
7691

Tel: 021 036 1612  
Email: [pjn@pjh.co.za](mailto:pjn@pjh.co.za)

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

**B. LIST OF ACTIVITIES AUTHORISED**

<b>Listed Activities</b>	<b>Project Description</b>
<p><b>Listing Notice 1 – Activity Number: 19</b></p> <p>The infilling or depositing of any material of more than 10 cubic metres of into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 10 cubic metres from a watercourse;</p> <p>-but excluding where such infilling, depositing, dredging, excavation, removal or moving;</p> <ul style="list-style-type: none"> <li>a) Will occur behind a development setback line;</li> <li>b) Is for maintenance undertaken in accordance with maintenance management plan;</li> <li>c) falls within the ambit of activity 21 of this Notice, in which case that activity applies;</li> <li>d) occurs within existing harbours that will not increase the development footprint of the harbour or port; or</li> <li>e) where such a development is related to the development of a port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies.</li> </ul>	<p>The expansion of the in-stream dam will include activities within a watercourse resulting in the infilling and removal of material of more than 10 cubic metres.</p>
<p><b>Listing Notice 1 Activity Number 48</b></p> <p>The expansion of –</p> <ul style="list-style-type: none"> <li>i. infrastructure or structures where the physical footprint is expanded by 100 square metres or more or;</li> <li>ii. dams or weirs, where the dam or weir, including infrastructure and water surface area is expanded by 100 square metres or more;</li> </ul> <p>where such expansion occurs –</p> <ul style="list-style-type: none"> <li>a) within a watercourse;</li> <li>b) in front of a development setback; or</li> <li>c) if no development setback exists, within 32 metres of a watercourse, measured from the edge of the watercourse;</li> </ul> <p>excluding –</p> <ul style="list-style-type: none"> <li>(aa) the expansion of infrastructure or structures within existing ports or harbours that will not increase the footprint of the port or harbour;</li> </ul>	<p>The expansion of the in-stream dam and associated infrastructure will exceed 100m<sup>2</sup> in size.</p>

<p>(bb) where such expansion activities are related to the development of a port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies;</p> <p>(cc) activities listed in activity 14 in Listing Notice 2 of 2014 or activity 14 in Listing Notice 3 of 2014, in which case that activity applies;</p> <p>(dd) where such expansion occurs within an urban area;</p> <p>(ee) where such expansion occurs within existing roads, road reserves or railway line reserves.</p>	
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The abovementioned list is hereinafter referred to as "**the listed activities**".

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

The development entails the proposed expansion of the in-stream Zandwijk Dam on Erf No. 14982, Paarl, which includes the following:

- An increase in the storage capacity from 4060 m<sup>3</sup> to 47 500 m<sup>3</sup>, with a dam wall of 9.5m high.
- The surface area of the dam will be expanded from 4 000 m<sup>2</sup> to 16 000 m<sup>2</sup>.
- A new open channel spillway will be constructed on the northern end of the enlarged dam wall that will discharge into the existing pipeline spillway to ensure downstream releases.
- A new 250 mm diameter outlet pipe will be constructed underneath the embankment and connect to a new pumphouse (5m x 5m) located at the downstream toe of the enlarged dam.
- The irrigation pipeline will be extended to the existing irrigation pipeline located along the eastern boundary of Erf No. 14982 (this irrigation pipeline is connected to a balancing reservoir on Erf No. 3239).
- The area between the downstream toe of the enlarged dam embankment and the existing embankment will be infilled with material from the dam basin to create a level platform for the construction of the new pumphouse since the existing embankment, fencing and access will remain in place.

**C. SITE DESCRIPTION AND LOCATION**

The site where the authorised listed activities will be undertaken is on Erf No. 14982, Paarl and has the following co-ordinates:

	Latitude (S)	Longitude (E)
Coordinates	33° 46' 39.67" South	18° 56' 59.38" East

The SG digit code is: C05500080001498200000

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

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

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

Guillaume Nel Environmental Consultants

c/o Cahlan Williams  
PO Box 2632  
**PAARL**  
7620

Tel: (021) 870 1874  
Email: cahlan@gnec.co.za

## **E. CONDITIONS OF AUTHORISATION**

### **Scope of authorisation**

1. The holder is authorised to undertake the listed activities specified in Section B above in accordance with and restricted to Layout Alternative 1 described in the Basic Assessment Report ("BAR"), received on 28 July 2021 on the site as described in Section C above.
2. The Environmental Authorisation is valid for a period of **five years** from the date of issue within which commencement must occur.
3. The development must be concluded within **ten years** from the date of commencement of the listed activities.
4. The holder shall be responsible for ensuring compliance with the conditions by any person acting on his/her behalf, including an agent, sub-contractor, employee or any person rendering a service to the holder.
5. Any changes to, or deviations from the scope of the alternative described in section B above must be accepted or approved, in writing, by the Competent Authority before such changes or deviations may be implemented. In assessing whether to grant such acceptance/approval or not, the Competent Authority may request information in order to evaluate the significance and impacts of such changes or deviations, and it may be necessary for the holder to apply for further authorisation in terms of the applicable legislation.

### **Written notice to the Competent Authority**

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

Conditions: 7, 8 and 12

### **Notification and administration of appeal**

7. The holder must in writing, within 14 (fourteen) calendar days of the date of this decision–

- 7.1 notify all registered Interested and Affected Parties ("I&APs") of –
    - 7.1.1 the outcome of the application;
    - 7.1.2 the reasons for the decision as included in Annexure 3;
    - 7.1.3 the date of the decision; and
    - 7.1.4 the date when the decision was issued.
  - 7.2 draw the attention of all registered I&APs to the fact that an appeal may be lodged against the decision in terms of the National Appeals Regulations, 2014 detailed in Section F below;
  - 7.3 draw the attention of all registered I&APs to the manner in which they may access the decision;
  - 7.4 provide the registered I&APs with:
    - 7.4.1 the name of the holder (entity) of this Environmental Authorisation,
    - 7.4.2 name of the responsible person for this Environmental Authorisation,
    - 7.4.3 postal address of the holder,
    - 7.4.4 telephonic and fax details of the holder,
    - 7.4.5 e-mail address, if any, of the holder,
    - 7.4.6 the contact details (postal and/or physical address, contact number, facsimile and e-mail address) of the decision-maker and all registered I&APs in the event that an appeal is lodged in terms of the 2014 National Appeals Regulations.
8. The listed activities, including site preparation, may not commence within 20 (twenty) calendar days from the date of issue of this Environmental Authorisation. In the event that an appeal is lodged with the Appeal Authority, the effect of this Environmental Authorisation is suspended until the appeal is decided.

### **Management of activity**

9. The draft Environmental Management Programme ("EMPr") submitted as part of the application for Environmental Authorisation is hereby approved and must be implemented.
10. The EMPr must be included in all contract documentation for all phases of implementation.
11. The MMP submitted for adoption does not conform to the relevant requirements and must be amended to only include detailed method statements outlining the maintenance activities that will be undertaken within the affected stretch of the watercourse and on the structures authorised in this Environmental Authorisation. The current MMP is similar to the EMPr in that it addresses the construction phase of the proposed development, instead of only the subsequent maintenance activities associated with the proposed development. The amended MMP must be submitted to the Department for adoption prior to commencement of the specified maintenance activities.

### **Monitoring**

12. The holder must appoint a suitably experienced environmental control officer ("ECO"), or site agent where appropriate, before commencement of any land clearing or construction activities to ensure compliance with the provisions of the EMPr and the conditions contained herein.

13. A copy of the Environmental Authorisation, EMPr, MMP, 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.
14. Access to the site referred to in Section C above must be granted, and the environmental reports mentioned above must be produced, to any authorised official representing the Competent Authority who requests to see it for the purposes of assessing and/or monitoring compliance with the conditions contained herein.

### **Auditing**

15. In terms of Regulation 34 of the NEMA EIA Regulations, 2014, the holder must conduct environmental audits to determine compliance with the conditions of the Environmental Authorisation, the EMPr. The Environmental Audit Report must be prepared by an independent person (other than the appointed Environmental Assessment Practitioner and Environmental Control Officer) and must contain all the information required in Appendix 7 of the NEMA EIA Regulations, 2014.

The holder must undertake an environmental audit and submit an Environmental Audit Report to the Competent Authority once during the construction phase. The final Environmental Audit Report must be submitted to the Competent Authority within three months after the development is completed.

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

### **Specific Conditions**

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

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

17. 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.

## F. GENERAL MATTERS

1. Notwithstanding this Environmental Authorisation, the holder must comply with any other statutory requirements that may be applicable when undertaking the listed activities.
2. Non-compliance with a condition of this Environmental Authorisation or EMPr may render the holder liable to criminal prosecution.
3. If the holder does not commence with a listed activity within the period referred to in Condition 2, this Environmental Authorisation shall lapse for that activity, and a new application for Environmental Authorisation must be submitted to the Competent Authority. If the holder wishes to extend the validity period of the Environmental Authorisation, an application for amendment in this regard must be made to the Competent Authority prior to the expiry date of the Environmental Authorisation.
4. The holder must submit an application for amendment of the Environmental Authorisation to the Competent Authority where any detail with respect to the Environmental Authorisation must be amended, added, substituted, corrected, removed or updated. If a new holder is proposed, an application for Amendment in terms of Part 1 of the EIA Regulations, 2014 must be submitted.

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

5. The manner and frequency for updating the EMPr is as follows:  
Amendments to the EMPr, 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.

## G. APPEALS

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

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



3. The holder of the decision (if not the appellant), the decision-maker that issued the decision, the registered I&AP and the Organ of State must submit their responding statements, if any, to the appeal authority and the appellant within 20 (twenty) calendar days from the date of receipt of the appeal submission.

4. The appeal and the responding statement must be submitted to the address listed below:  
By post: Western Cape Ministry of Local Government, Environmental Affairs and  
Development Planning  
Private Bag X9186  
CAPE TOWN  
8000

By facsimile: (021) 483 4174; or

By hand: Attention: Mr Marius Venter (Tel: 021 483 3721)  
Room 809  
8<sup>th</sup> Floor Utilitas Building, 1 Dorp Street, Cape Town, 8001

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

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

## H. DISCLAIMER

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

Your interest in the future of our environment is appreciated.

Yours faithfully

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**MR. ZAAHIR TOEFY**

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

**DATE OF DECISION: 12 NOVEMBER 2021**

CC: (1) Cahlan Williams (Guillaume Nel Environmental Consultants)  
(2) Malcolm Lamour (Drakenstein Municipality)

Email: [cahlan@gnec.co.za](mailto:cahlan@gnec.co.za)  
Email: [malcolm.lamour@drakenstein.gov.za](mailto:malcolm.lamour@drakenstein.gov.za)

ANNEXURE 1: LOCALITY MAP



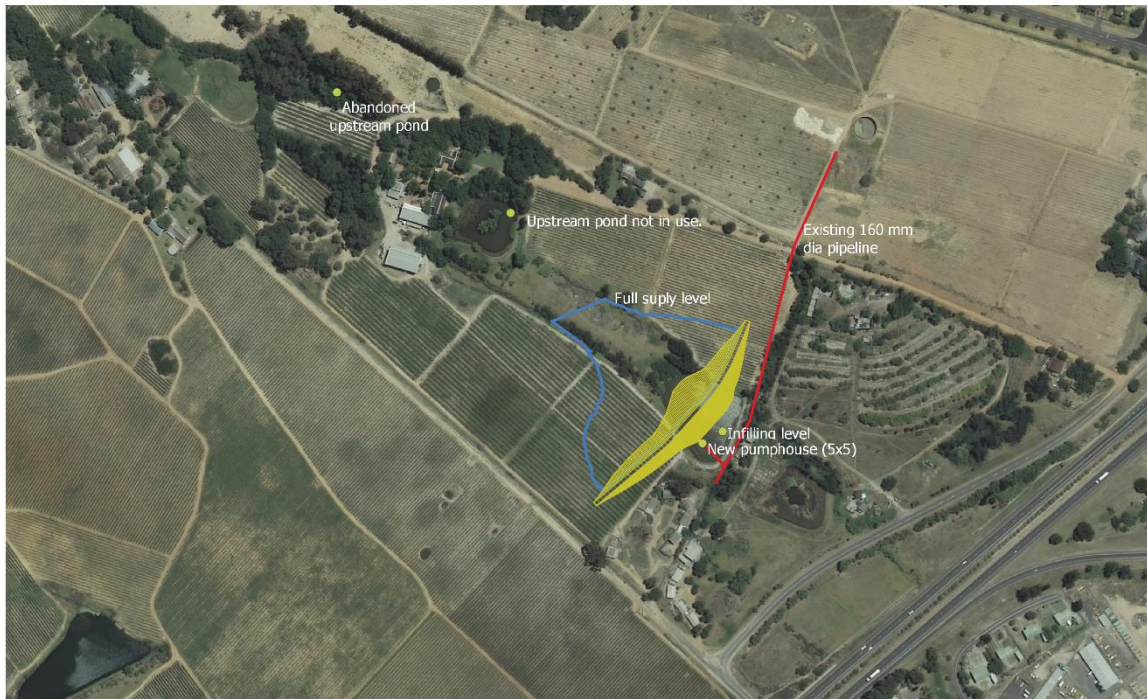
The proposed expansion of the Zandwijk irrigation Dam on Erf 14982, Paarl, Western Cape.



Locality Map

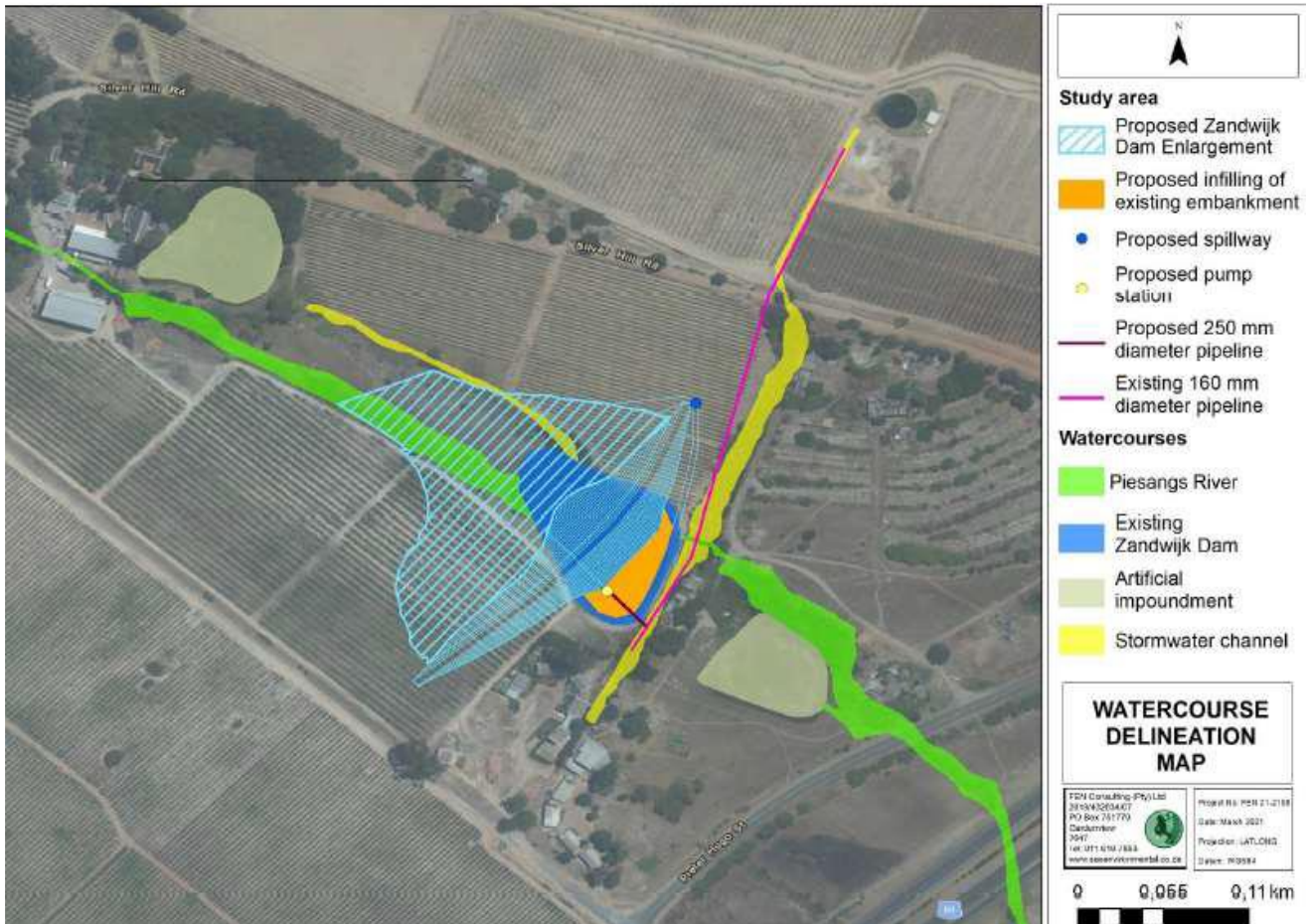


**ANNEXURE 2: SITE PLAN**



Proposed expansion of the Zandwijk irrigation dam on Erf 14982, Paarl, Western Cape.

Preferred Layout



## **ANNEXURE 3: REASONS FOR THE DECISION**

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

- a) The information contained in the Application Form received on 25 May 2021, the EMPr submitted together with the final Basic Assessment Report received on 29 July 2021;
- b) Relevant information contained in the Departmental information base, including the Guidelines on Public Participation and Alternatives (dated March 2013);
- c) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the National Environmental Management Act, 1998 (Act No. 107 of 1998);
- d) The comments received from I&APs and responses to these, included in the final Basic Assessment Report received on 29 July 2021;
- e) The balancing of negative and positive impacts and proposed mitigation measures.

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

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

### **1. Public Participation**

The Public Participation Process ("PPP") included:

- identification of and engagement with I&APs;
- placing notice boards at the site where the listed activities are to be undertaken;
- placing of a newspaper advertisement in the Paarl Post on 1 April 2021;
- giving written notice to the owners and occupiers of land adjacent to the site where the listed activities are to be undertaken, the municipality and ward councilor, and the various organs of state having jurisdiction in respect of any aspect of the listed activities on 1 April 2021;
- circulating the pre-application draft BAR to I&APs from 1 April 2021 and the in-process draft BAR from 25 May 2021.

The Department is satisfied that the PPP that was followed met the minimum legal requirements and the comments raised and responses thereto were included in the comments and response report. Specific alternatives, management and mitigation measures have been considered in this Environmental Authorisation and EMPr to adequately address the concerns raised.

### **2. Alternatives**

#### **Layout Alternative 1**

Layout Alternative 1 entails the expansion of the existing in-stream dam to a 30 000 m<sup>3</sup> storage capacity, with a wall height of 8 m. This alternative includes the construction of a new 250 mmm diameter outlet pipe and a new pumphouse (5m x 5m).

Layout Alternative 1 is not preferred, since it does not accommodate the maximum storage capacity that can be achieved with an 1.5m increase in the 8m dam wall height, i.e a substantially increased storage capacity of 47 500 m<sup>3</sup> (as per the preferred layout alternative 2). Therefore, alternative 1 is not deemed as the most economically feasible option.

#### **Layout Alternative 2 (Preferred alternative herewith authorised):**

The development entails the proposed expansion of the in-stream Zandwijk Dam on Erf No. 14982, Paarl, which includes the following:

- An increase in the storage capacity of 4060 m<sup>3</sup> to 47 500 m<sup>3</sup>, with a dam wall of 9.5m high.
- The surface area of the dam will be expanded from 4 000 m<sup>2</sup> to 16 000 m<sup>2</sup>.
- A new open channel spillway will be constructed on the northern end of the enlarged dam wall that will discharge into the existing pipeline spillway to ensure downstream releases.
- A new 250 mm diameter outlet pipe will be constructed underneath the embankment and connect to a pumphouse (5m x 5m) located at the downstream toe of the enlarged dam.
- The irrigation pipeline will be extended to the existing irrigation pipeline located along the eastern boundary of Erf No. 14982 (this irrigation pipeline is connected to a balancing reservoir on Erf No. 3239).
- The area between the downstream toe of the enlarged dam embankment and the existing embankment will be infilled with material from the dam basin to create a level platform for the construction of the new pumphouse since the existing embankment, fencing and access will remain in place.

The water/wall ratio represents the volume of water gained per volume of fill required to construct the dam embankment, which is generally a good indication for selecting the most economical dam design. With the slight increase of the dam wall height by a further 1.5m, the storage capacity of the expanded dam can be maximised. This is therefore the preferred option from an engineering perspective and in terms of economic feasibility since it achieves the highest water/wall ratio.

#### **No-go Option**

The no-go option was also assessed but is not deemed as the preferred alternative, since the opportunity to store and secure additional irrigation water, limit abstraction during the low flow season and improve the existing farming practices will be lost. There would also be no associated employment opportunities during the construction phase of the development.

### **3. Impact Assessment and Mitigation measures**

#### **3.1 Activity need and desirability**

The site is zoned for agricultural activities and the development is therefore in accordance with the existing land use rights and the local Spatial Development Framework that supports socio-economic initiatives in the agricultural sector. The proposed development will create job opportunities during the construction phase and provide job security for existing employees since the expanded dam will improve the economic viability of the farming practice. The expanded dam will store water in accordance with the existing lawful water use rights that will improve the agricultural yields, which in turn will stimulate socio-economic growth.

#### **3.2 Biophysical Impacts**

The Zandwijk Dam is located in the Piesangs River, which is a tributary of the Van Wyks River that drains into the Berg River. The Piesangs River is predominantly located within an agricultural setting and is in a largely to seriously modified ecological condition due to the encroaching agricultural activities and consequent reduced ecological buffer along the river. Due to the historic and existing agricultural



activities, alien invasive plant species are prevalent in the area, with little to no Swartland Granite Renosterveld vegetation present. Although not ideal, the vegetation cover does assist with erosion control, provides habitat for avifaunal species and act as a migratory corridor since it is connected to the larger Berg River system. Based on the findings of the Freshwater Ecological Assessment dated March 2021, compiled by FEN Consulting, the proposed development will have a medium risk significance due to the loss of riparian habitat. To mitigate the impact significance, it is recommended that construction works be undertaken during the dry low flow season to limit potential contamination and need for surface water diversion. In addition, rehabilitation of the affected areas and the remaining portion of the watercourse within the site to improve its Present Ecological State should also be implemented. With the implementation of the recommended mitigation measures, the potential impact of the proposed development will be reduced to an acceptable level. These measures have been included the EMPr approved as part of the Environmental Authorisation. A Water Use Licence Application ("WULA") in terms of the National Water Act, 1998 (Act 38 of 1998) was also submitted to the Department of Water and Sanitation that will further consider the watercourse related impacts.

The development will result in both negative and positive impacts.

#### **Negative Impacts:**

- The development will result in a loss of riparian vegetation and will have an impact on the watercourse present on the site. These impacts will however be mitigated to an acceptable level with the implementation of the recommended mitigation measures, the preferred alternative and adherence to the EMPr.
- Construction phase impacts associated with the development are likely to be present, including elevated noise, dust levels and traffic impacts. These impacts will be of temporary duration and mitigation measures have been incorporated into the EMPr for implementation during the construction phase.

#### **Positive impacts:**

- The development will ensure sufficient irrigation water supply, which will aid in supporting a sustainable and viable farming practice.
- Water abstraction during the dry low flow season will be reduced.
- It will contribute towards the creation of temporary employment opportunities and provide job security for existing employees.

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

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

- the effects of decisions on all aspects of the environment to be taken into account;
- the consideration, assessment and evaluation of the social, economic and environmental impacts of 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.

## 5. Conclusion

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 proposed listed activities 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.

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