



REFERENCE: 16/3/3/1/B3/28/1088/22
NEAS REFERENCE: WCP/EIA/0001196/2022
DATE: **08 AUGUST 2023**

The Board of Directors
Adara Palmiet Valley (Pty) Ltd
2 Sonstraal Road
PAARL
7446

Attention: Mr Arthur Bisig

Cell: 082 955 5538
Email: arthurbisig@cybersmart.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 TOURIST FACILITIES AND ASSOCIATED PARKING ON THE REMAINDER OF FARM NO. 1592, PAARL

1. With reference to the above application, the Department hereby notifies you of its decision to **grant** Environmental Authorisation, attached herewith, together with the reasons for the decision.
2. In terms of Regulation 4 of the EIA Regulations, 2014, you are instructed to ensure, within 14 days of the date of the Environmental Authorisation, that all registered interested and affected parties ("I&APs") are provided with access to and reasons for the decision, and that all registered I&APs are notified of their right to appeal.
3. Your attention is drawn to Chapter 2 of the Appeal Regulations, 2014, which prescribes the appeal procedure to be followed. This procedure is summarised in the attached Environmental Authorisation.

Yours faithfully

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

CC: (1) A Groenewald (DJEC)
(2) S Reece (Drakenstein Municipality)
(3) C Muller (HWC)
(4) K Mohlodini (DWS)

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REFERENCE: 16/3/3/1/B3/28/1088/22
NEAS REFERENCE: WCP/EIA/0001196/2022
ENQUIRIES: Samornay Smidt
DATE OF ISSUE: **08 AUGUST 2023**

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 (AS AMENDED): THE PROPOSED EXPANSION OF TOURIST FACILITIES AND ASSOCIATED PARKING ON THE REMAINDER OF FARM NO. 1592, 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 (as amended), the Competent Authority herewith **grants Environmental Authorisation** to the applicant to undertake the listed activities specified in section B below with respect to the Preferred Layout Alternative, as described in the Basic Assessment Report ("BAR"), dated April 2023.

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
Adara Palmiet Valley (Pty) Ltd
c/o Mr Arthur Bisig
2 Sonstraat Road
PAARL
7446

Cell.: 082 955 5538
Email: arthurbisig@cybersmart.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

Listed Activities	Activities/Project Description
<p>EIA Regulations Listing Notice 3 of 2014 –</p> <p>Activities Number: 17</p> <p>The expansion of a resort, lodge, hotel, tourism or hospitality facilities where the development footprint will be expanded, and the expanded facility can accommodate an additional 15 people or more.</p> <p>i. Western Cape</p> <ul style="list-style-type: none"> i. Inside a protected area identified in terms of NEMPAA; ii. Outside urban areas: <ul style="list-style-type: none"> (aa) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans; or (bb) Within 5km from national parks, world heritage sites, areas identified in terms of NEMPAA or from the core area of a biosphere reserve; - <p>excluding the conversion of existing buildings where the development footprint will not be increased.</p>	<p>The expansion of the existing tourist facility will accommodate more than 15 people in total.</p>
<p>EIA Regulations Listing Notice 3 of 2014 –</p> <p>Activities Number: 26</p> <p>Phased activities for all activities—</p> <ul style="list-style-type: none"> i. listed in this Notice and as it applies to a specific geographical area, which commenced on or after the effective date of this Notice; or ii. similarly listed in any of the previous NEMA notices, and as it applies to a specific geographical area, which commenced on or after the effective date of such previous NEMA Notices— <p>where any phase of the activities was below a threshold but where a combination of the phases, including expansions or extensions, will exceed a specified threshold; —</p> <p>excluding the following activities listed in this Notice—</p> <p>7; 8; 11; 13; 20; 21; and 24.</p>	<p>The additional accommodation to be developed represent a phased development.</p>

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 proposal entails the expansion of existing tourist facilities and associated parking on the Remainder of Farm No. 1592, Paarl. The proposal aims to limit the construction of new infrastructure and therefore utilises most of the existing infrastructure on the site to accommodate the proposed tourist accommodation and ancillary facilities. The proposal includes the following:

- An increase in the number of tourist accommodation units from seven units to 20 units that will accommodate a maximum of 40 people. The existing buildings will be converted into tourist accommodation and three new units that accommodates six people is proposed in a new building (Building 5).
- A tourist facility (a restaurant) will be accommodated in Building 1 (Manor House). The roof of Building 6 (Agricultural store) will be used as a viewing deck.
- Re-instating the use of the cellar in Building 3 as a function venue.
- Ancillary uses that will be located in existing buildings and will include a reception and offices to be accommodated within Building 2, a sauna (in Building 8), extension of Building 7 (cold storeroom) and a gym (in Building 20).
- Limited new infrastructure comprising of Building 17 (a guard house), Building 10 (a refuse room) and Building 16 (an electrical and refuse room).
- A new parking area is proposed within the guava orchard and the carport structure over the new formal parking area will be covered with renewable energy generation infrastructure.
- A new Sewerage Treatment Package Plant ("STPP") and the treated effluent from the STPP will be discharged into the watercourse along the northern boundary the site. A new conservancy tank is proposed to service the new guard house (Building 17) and for the new tourist accommodation unit (Building 9).

C. SITE DESCRIPTION AND LOCATION

The listed activities will be undertaken on the Remainder of Erf No. 1592, Paarl.

The SG21 digit code is: C05500000000159200000

Co-ordinates:

Latitude	Longitude
33° 43' 56.75" S	19° 01' 13.16" E

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

Doug Jeffery Environmental Consultants (Pty) Ltd
c/o Ms. Adél Groenewald / Ms. Anwen Beukes
PO Box 44
KLAPMUTS
7625

Tel: 021 875 5272

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 the Preferred Layout Alternative, as described in the BAR dated April 2023 on the site as described in Section C above.
2. The holder must commence with, and conclude, the listed activities within the stipulated validity period which this Environmental Authorisation is granted, or this Environmental Authorisation shall lapse and a new application for Environmental Authorisation must be submitted to the competent authority.

This Environmental Authorisation is granted for-

- (a) A period of **five years** from the date of issue, during which period the holder must commence with the authorised listed activities.
 - (b) A period of **ten (10) years**, from the date the holder commenced with the authorised listed activities, during which period the authorised listed activities must be concluded.
3. The holder shall be responsible for ensuring compliance with the conditions by any person acting on his/her behalf, including an agent, sub-contractor, employee or any person rendering a service to the holder.
 4. Any changes to, or deviations from the scope of the alternative described in section B above must be accepted or approved, in writing, by the Competent Authority before such changes or deviations may be implemented. In assessing whether to grant such acceptance/approval or not, the Competent Authority may request information in order to evaluate the significance and impacts of such changes or deviations, and it may be necessary for the holder to apply for further authorisation in terms of the applicable legislation.

Written notice to the Competent Authority

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

Conditions: 6, 7 and 10.

Notification and administration of appeal

6. The holder must in writing, within 14 (fourteen) calendar days of the date of this decision–
 - 6.1 notify all registered Interested and Affected Parties (“I&APs”) of –
 - 6.1.1 the outcome of the application;
 - 6.1.2 the reasons for the decision as included in Annexure 3;
 - 6.1.3 the date of the decision; and
 - 6.1.4 the date when the decision was issued.
 - 6.2 draw the attention of all registered I&APs to the fact that an appeal may be lodged against the decision in terms of the National Appeals Regulations, 2014 (as amended) detailed in Section G below;
 - 6.3 draw the attention of all registered I&APs to the manner in which they may access the decision;
 - 6.4 provide the registered I&APs with:
 - 6.4.1 the name of the holder (entity) of this Environmental Authorisation,
 - 6.4.2 name of the responsible person for this Environmental Authorisation,
 - 6.4.3 postal address of the holder,
 - 6.4.4 telephonic and fax details of the holder,
 - 6.4.5 e-mail address, if any, of the holder, and
 - 6.4.6 contact details (postal and/or physical address, contact number, facsimile and e-mail address) of the decision-maker and all registered I&APs in the event that an appeal is lodged in terms of the 2014 National Appeals Regulations (as amended).
7. The listed activities, including site preparation, must not commence within 20 (twenty) calendar days from the date the applicant notified the registered I&APs of this decision. In the event that an appeal is lodged with the Appeal Authority, the effect of this Environmental Authorisation is suspended until the appeal is decided i.e. the listed activities, including site preparation, must not commence until the appeal is decided.

Management of activities

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

Monitoring

10. The holder must appoint a suitably experienced environmental control officer (“ECO”) before commencement of any land clearing or construction activities to ensure compliance with the EMPr and the conditions contained herein.
11. The ECO must conduct monthly site visits, and report on compliance with the EMPr to this Department and the relevant authorities, in writing, on a monthly basis during the construction phase.

12. A copy of the Environmental Authorisation, EMPr, audit reports and compliance monitoring reports must be kept at the site of the authorised activities, and must be made available to anyone on request, including a publicly accessible website.
13. Access to the site referred to in Section C must be granted, and the environmental reports mentioned above must be produced, to any authorised official representing the Competent Authority who requests to see it for the purposes of assessing and/or monitoring compliance with the conditions contained herein.

Auditing

14. In terms of Regulation 34 of the NEMA EIA Regulations, 2014 (as amended), the holder must conduct environmental audits to determine compliance with the conditions of the Environmental Authorisation, the EMPr and submit Environmental Audit Reports to the Competent Authority. The Environmental Audit Report must be prepared by an **independent person** (other than the ECO appointed in terms of condition 10 above or the appointed Environmental Assessment Practitioner) and must contain all the information required in Appendix 7 of the NEMA EIA Regulations, 2014 (as amended).

The holder must undertake environmental audits bi-annually and submit an environmental audit to the Department annually for the duration of the construction phase. The final Environmental Audit Report must be submitted to the Competent Authority within three months after completion of the construction phase.

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

15. 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.

16. 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.
17. The relevant requirements with respect to occupational health and safety must be adhered to at all times.

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 the listed activities within the period referred to in Condition 2, this Environmental Authorisation shall lapse for those activities, 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 (as amended) 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, (as amended) 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 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 3721, E-mail 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

MR. ZAAHIR TOEFY

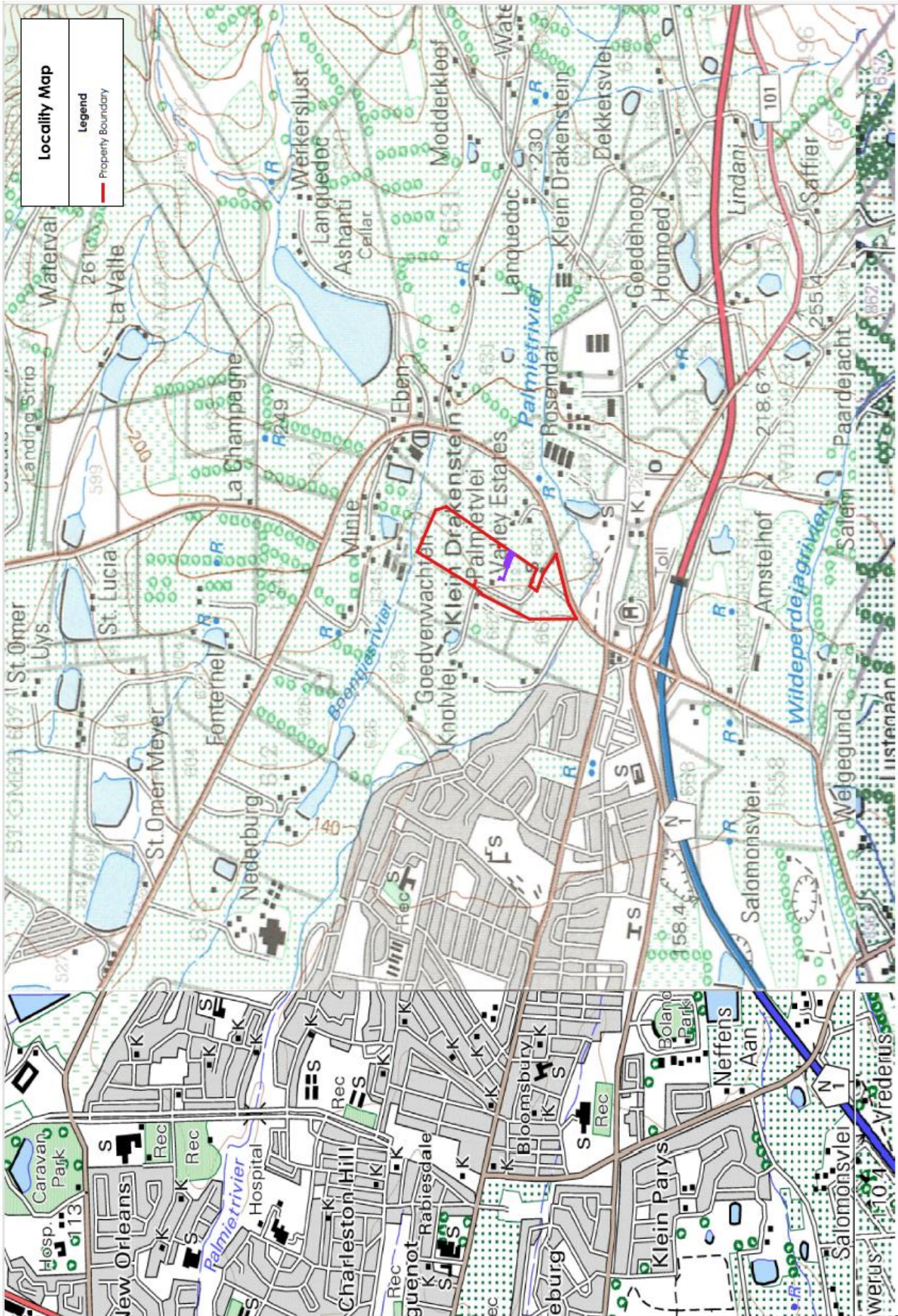
DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)

DATE OF DECISION: 08 AUGUST 2023

CC: (1) A Groenewald (DJEC)
(2) S Reece (Drakenstein Municipality)
(3) C Muller (HWC)
(4) K Mohlodini (DWS)

Email: adel@dougjeff.co.za
Email: shaun.reece@drakenstein.gov.za
Email: Cecilene.Muller@westerncape.gov.za
Email: MohlodiniK@dws.gov.za

ANNEXURE 1: LOCALITY MAP





Locality Map

Legend

Property Boundary

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 dated November 2022 and the EMPr submitted together with final BAR on 23 April 2023 and additional information received from 25 April 2023 to 2 May 2023.
- 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 BAR dated April 2023; and
- e) The balancing of negative and positive impacts and proposed mitigation measures.

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 included:

- identification of and engagement with I&APs;
- the placing of a newspaper advertisement in the 'Paarl Post' on 10 November 2022;
- fixing notice boards at the site where the listed activities is to be undertaken and public areas on 11 November 2022;
- giving written notice to the owners and occupiers of land adjacent to the site where the listed activities is to be undertaken, the municipality and ward councillor, and the various Organs of State having jurisdiction in respect of any aspect of the listed activities on 11 November 2022; and
- circulating the in-process draft BAR to I&APs from 11 November 2022.
- circulating a second in-process draft BAR to I&APs from 7 March 2023.

The Department is satisfied that the Public Participation Process 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

The proposal entails the following:

- The addition of 18 tourist accommodation units.
- 3 new buildings will be constructed in the existing guava orchards.

- A tourist facility will be provided (i.e., restaurant) in the Manor House (Building 1) and on the roof of the existing deck and workshop (Building 6).
- The cellar will be re-instated in the existing Vineyard House (Building 3) to provide for a 48-seated function venue, to be used by the residing tourists and general public.
- Ancillary infrastructure for the tourist facilities will include a reception and office (Building 2), a gym (Building 5) and sauna (Building 8) for the exclusive use of the residing tourists, two new staff accommodation units (Building 18) and a guard house (Building 17) that will be located next to the new parking area proposed within the existing guava orchards.
- Two new staff accommodation units.
- A new Sewerage Treatment Package Plant.
- A new conservancy tank.

Due to comments received during the initial 30-day commenting period on the draft BAR, the proposal was revised to address all the concerns raised, giving rise to the below preferred layout alternative. The amendments to the proposal address the potential heritage and agricultural impacts and reduces the impact on the existing agricultural activities. The initial tourist accommodation units proposed in the guava orchards, as well as the staff accommodation unit and the gym were omitted. Furthermore, the proposed parking area (which is required in terms of the Land Use Planning legislation) was reduced in scale to limit loss of agricultural land. Some parking bays have been relocated to within the farm "werf". The proposal does not impact on any heritage resources and rather that of the heritage qualities, which include the cultural and scenic landscape, are enhanced.

Preferred Layout Alternative (Herewith authorised)

The proposal entails the expansion of existing tourist facilities and associated parking on the Remainder of Farm No. 1592, Paarl Division. The proposal aims to limit the construction of new infrastructure and therefore utilises most of the existing infrastructure on the site to accommodate the proposed tourist accommodation and ancillary facilities. The proposal entails the following:

- An increase in the number of tourist accommodation units from seven units to 20 units, which will accommodate a maximum of 40 people. Existing buildings will be converted into tourist accommodation and three new units that accommodates six people is proposed in Building 5.
- A tourist facility (a restaurant) will be accommodated in Building 1 (Manor House). The roof of Building 6 (agricultural store) will be used as a viewing deck.
- Re-instating the use of the cellar in Building 3 as a function venue.
- Ancillary uses will be located in existing buildings and will include a reception and offices to be accommodated within Building 2, a sauna (in Building 8), extension of Building 7 (cold storeroom) and a gym (in Building 20).
- A new parking area is proposed within the guava orchard and the carport structure over the new formal parking area will be covered with renewable energy generation infrastructure.
- A new Sewerage Treatment Package Plant ("STPP") and the treated effluent from the STPP will be discharged into the watercourse along the northern boundary the site. A new conservancy tank is proposed to service the new guard house (Building 17) and for the new tourist accommodation unit (Building 9).

"No-Go" Alternative

The no-go alternative will result in the status quo of the site being maintained. However, it was not preferred, since the applicant will not be able to effectively utilise their property and expand the existing tourist facilities. The applicant purchased the property to expand the existing tourist facilities and rehabilitating the agricultural aspects of the site as a whole. The intention was to retain and renovate the existing buildings and construct limited infrastructure on the site. Should the no-go alternative be

implemented, there will be no contribution to the tourism section and the opportunity for additional job creation and the socio-economic benefits associated with the proposed development will be lost.

3. Impact Assessment and Mitigation measures

3.1 Activities need and desirability

The Remainder of Farm No. 1592, Paarl is approximately 18.3ha in extent with existing buildings located in the central portion of the property on the farm “werf” and majority of the proposed development will be restricted to this portion of the site. The farmland precinct is characterised by a typical Cape Winelands landscape including historic homesteads and farmsteads embedded in vineyards, and orchards with treed windbreaks. The proposal is compatible with the surrounding land uses which primarily consist of farming, guest accommodation and function venues. The preferred development was tailored to be consistent with the surrounding land uses, planning policies and guidelines of the Drakenstein Municipality Factors such as the loss of agricultural land and activities, heritage and cultural landscape context of the site, the potential visual impacts on the surrounding area, and its financial viability informed the proposed development. The specialist studies conducted during the EIA process and input obtained during the public participation process further informed the preferred layout. The preferred layout was amended to reduce the loss of agricultural land and takes cognisance of the rural landscape, while the existing heritage resources on the property will also be maintained to enhance the rural quality and sense of place of the proposed development.

3.2 Biophysical Impacts

Historically, the site contained Swartland Shale Renosterveld and Boland Granite Fynbos vegetation, which are classified as critically endangered and endangered vegetation types, respectively. The site has however been completely transformed by past and present agricultural activities and associated structure and infrastructure that are located on the site. The site contains no sensitive indigenous vegetation, watercourses or wetlands.

There is currently no formal municipal sewerage infrastructure located in close proximity to the proposed development site and therefore the proposal includes a new STPP. The plant will be a modular system which can be expanded if required. The treated effluent will be discharged into the watercourse bordering the site. An application for a Water Use Authorisation in terms of Section 21 (f) of the NWA was submitted to the Department of Water and Sanitation. The Department of Water and Sanitation has issued the Water Use Registration Approval for the proposed STPP and treated effluent discharge.

3.3 Heritage and Visual Impacts

The heritage significance of the site has influenced the design of the proposed development. The heritage-related design indicators informed the proposal in order to prevent and/or minimise the potential impact on the heritage resources and its cultural significance. Based on the findings of the Heritage Impact Assessment dated 22 February 2023, compiled by Bridget O'Donoghue the significance of the potential impacts on the heritage significance of buildings and the farmstead will be low, provided that the mitigation measures are implemented. The significance of the potential loss of the building setting within the property, in terms of the visual aspects, will have no impact provided that the mitigation measures are implemented. The preferred development layout has evolved in direct response to the heritage indicators and visual criteria, as well as to the comments provided by Heritage Western Cape (“HWC”) and the Drakenstein Municipality's Heritage Resources Department. Heritage Western Cape and the Drakenstein Municipality's Heritage Resources Department confirmed their support for the proposed development subject to further requirements and on condition that further detailed design resolutions be submitted to HWC for approval. The HWC Impact Assessment Committee

endorsed the Heritage Impact Assessment as having complied with the provisions of Section 38(3) of the National Heritage Resources Act, 1999 (Act No. 25 of 1999). In light of the above, the potential heritage impacts are deemed to have been addressed satisfactorily.

Negative Impacts:

- The proposed development will have a negative impact during the construction phase in terms of visual, traffic, noise and dust nuisance. The impacts will however be mitigated to a satisfactory level with the implementation of and adherence to the EMPr.
- There will be agricultural, visual, heritage and traffic impacts during the operational phase, which have been mitigated to an acceptable level through the incorporation of the specialist and I&AP input into the preferred layout design.

Positive impacts:

- The proposed development will contribute towards the tourism sector, which is considered a priority for the economic growth of the municipal area, as well as provide employment opportunities during the construction and operational phase.

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.

-----END-----