



REFERENCE: 16/3/3/1/B5/11/1062/22
NEAS REFERENCE: WCP/EIA/0001163/2022
ENQUIRIES: Bernadette Osborne
DATE OF ISSUE: 17 April 2023

The Board of Directors
Ceres Cascade Farms (Pty) Ltd
PO Box 106
PRINCE ALFRED HAMLET
6840

Attention: Sebastiaan Wolfaardt

Cell: 082 493 6565
E-mail: sebastian@fairestfruit.co.za / admin@fairestfruit.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 ENLARGEMENT OF THE TWEELING AND HALFMAAN DAMS ON PORTION 1 OF FARM ELIM BERG NO. 365, PRINCE ALFRED HAMLET.

1. With reference to the above application, the Department hereby notifies you of its decision to **grant** Environmental Authorisation (“EA”) and **adopt** the Maintenance Management Plan, 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 EA.

Yours faithfully

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

Cc: (1) Ms Therina Oberholzer (Groenberg Enviro (Pty) Ltd)
(2) Mr Hennie Taljaard (Witzenberg Municipality)
(3) Mr Rudolph Röscher (Department of Agriculture)
(4) Ms Elkerine Rossouw (BGCMA)

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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 ENLARGEMENT OF THE TWEELING AND HALFMAAN DAMS ON PORTION 1 OF FARM ELIM BERG NO. 365, PRINCE ALFRED HAMLET.

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 the Preferred Tweeling and Halfmaan Dam Design Alternatives as described in the Basic Assessment Report ("BAR"), dated December 2022.

In terms of the NEMA, viz, the EIA Regulations, 2014 (Listing Notices 1 and 3 of 2014 in Government Gazette No. 40772 of 7 April 2017) the Competent Authority hereby **adopts the Maintenance Management Plan** for the proposed maintenance activities to be undertaken for the Tweeling dam on Portion 1 of Farm Elim Berg No. 365, Prince Alfred Hamlet.

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

Ceres Cascade Farms (Pty) Ltd.

Mr Sebastiaan Wolfaardt

PO Box 106

PRINCE ALFRED HAMLET

6840

Cell: 082 493 6565

E-mail: sebastian@fairestfruit.co.za / admin@fairestfruit.co.za

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

B. ACTIVITY AUTHORISED

Listed Activity	Project Description
<p>Listing Notice 1 – Activity Number: 19 The development of infrastructure exceeding 1000 metres in length for the bulk transportation of water or storm water-</p> <p>(i) with an internal diameter of 0.36 metres or more</p> <p>(ii) with a peak throughput of 120 litres per second or more.</p> <p>excluding where-</p> <p>(a) such infrastructure is for bulk transportation of water or storm water or storm water drainage inside a road reserve; or</p> <p>(b) where such development will occur within an urban area.</p>	<p>The expansion of the Tweeling Dam will be located within a watercourse.</p>
<p>Listing Notice 1 – Activity Number: 27 <i>The clearance of an area of 1 hectare or more, but less than 20 hectares of indigenous vegetation, except where such clearance of indigenous vegetation is required for—</i></p> <p>(i) the undertaking of a linear activity; or</p> <p>(ii) maintenance purposes undertaken in accordance with a maintenance management plan.</p>	<p>More than 1ha of indigenous vegetation will be cleared for the expansion of the dams.</p>
<p>Listing Notice 1 – Activity Number: 48 The expansion of-</p>	<p>The expansion of the Tweeling Dam will be located within a watercourse.</p>

- (i) canals where the canal is expanded by 100 square metres or more in size;
- (ii) channels where the channel is expanded by 100 square metres or more in size;
- (iii) bridges where the bridge is expanded by 100 square metres or more in size;
- (iv) dams, where the dam, including infrastructure and water surface area, is expanded by 100 square metres or more in size;**
- (v) weirs, where the weir, including infrastructure and water surface area, is expanded by 100 square metres or more in size;
- (vi) bulk storm water outlet structures where the bulk storm water outlet structure is expanded by 100 square metres or more in size; or
- (vii) marinas where the marina is expanded by 100 square metres or more in size;

where such expansion or expansion and related operation occurs-

- (a) within a watercourse;**
- (b) in front of a development setback; or
- (c) if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse;**

excluding-

- (a) the expansion of infrastructure or structures within existing ports or harbours that will not increase the development footprint of the port or harbour;
- (b) 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;
- (c) 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;
- (d) where such expansion occurs within an urban area; or

<p>(e) where such expansion occurs within existing roads or road reserves.</p>	
<p>Listing Notice 1 – Activity Number: 50 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.</p>	<p>The storage capacity of the off-stream Halfmaan dam will be increased by more than 50 000 cubic metres.</p>
<p>Listing Notice 1 – Activity Number: 66 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.</p>	<p>The dam walls of both dams were higher than 5 metres and will be increased by more than 2,5 metres.</p>
<p>Listing Notice 3 – Activity Number: 12 The clearance of an area of 300 square metres or more of indigenous vegetation except where such clearance of indigenous vegetation is required for maintenance purposes undertaken in accordance with a maintenance management plan.</p> <p>(i) Western Cape:</p> <ol style="list-style-type: none"> I. Within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA or prior to the publication of such a list, within an area that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004; II. <i>Within critical biodiversity areas identified in bioregional plans;</i> III. <i>Within the littoral active zone or 100 metres inland from the high water mark of the sea or an estuarine functional zone, whichever</i> 	<p>More than 300m² of Ceres Shale Renosterveld vegetation, which is classified as a critically endangered ecosystem will be cleared.</p>

<p><i>distance is the greater, excluding where such removal will occur behind the development setback line on even in urban areas;</i></p> <p>IV. <i>On land, where, at the time of the coming into effect of this Notice or thereafter such land was zoned open space, conservation or had an equivalent zoning; or</i></p> <p>V. <i>On land designated for protection or conservation purposes in an Environmental Management Framework adopted in the prescribed manner, or a Spatial Development Framework adopted by the MEC or Minister.</i></p>	
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The abovementioned activities are hereinafter referred to as **"the listed activities"**.

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

The proposed development will entail the clearance of indigenous vegetation and the expansion of the existing dams (Tweeling and Halfmaan) on Portion 1 of the Farm Elim Berg No. 365, Prince Alfred Hamlet.

The Tweeling Dam, which is an instream dam, will be expanded to a storage capacity of 435 000m³, a wall height of 10.5m and a water surface area at Full Supply Level of 13.4ha. The configuration of the dam is an open V-shaped layout with controlled inflow and open channel spillway. It will also be equipped with a piped outlet system under the embankment.

The Halfmaan Dam, which is an off-stream dam, will be expanded to a storage capacity of 273 800m³, a wall height of 12.9m and a water surface area at Full Supply Level of 6.7ha. The configuration of the dam is an open arch layout with controlled inflow and open channel spillway. It will also be equipped with a piped outlet system under the embankment.

C. SITE DESCRIPTION AND LOCATION

The listed activities will be undertaken on Portion 1 of the Farm Elim Berg No. 365, Prince Alfred Hamlet and has the following co-ordinates:

	Latitude (S)	Longitude (E)
Co-ordinates of Tweeling Dam:	33° 18' 3.13" South	19° 23' 44.62" East
Co-ordinates of Halfmaan Dam:	33° 17' 6.67" South	19° 23' 23.48" East

The SG digit code is: C019 0000 00000365 00000

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

GroenbergEnviro Pty Ltd
Ms Therina Oberholzer
PO Box 1058
WELLINGTON
7654
Cell: (087) 234 3434
Email: therina@groenbergenviro.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 the Preferred Tweeling and Halfmaan Dam Design Alternatives described in the BAR dated December 2022.
2. The holder must commence with the listed activities on the site within a period of **five years** from the date issue of this Environmental Authorisation.
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 G 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 or Environmental Management Programme ("EMPr") submitted as part of the application for Environmental Authorisation is hereby approved and must be implemented.
10. The MMP adopted as part of this Environmental Authorisation must be implemented.
11. The EMPr must be included in all contract documentation for all phases of implementation.

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. The ECO must conduct monthly site visits and must submit ECO reports on a monthly basis to the competent authority.
13. 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.
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 and the EMPr. The environmental audit report must be prepared by an independent person (other than the appointed Environmental Assessment Practitioner or 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 environmental audit reports to the Competent Authority annually for the duration of the construction phase. A final environmental audit report must be submitted to the Competent Authority within three months of completion of the proposed development.

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.

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 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 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 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

MRS. MARE-LIEZ OOSTHUIZEN

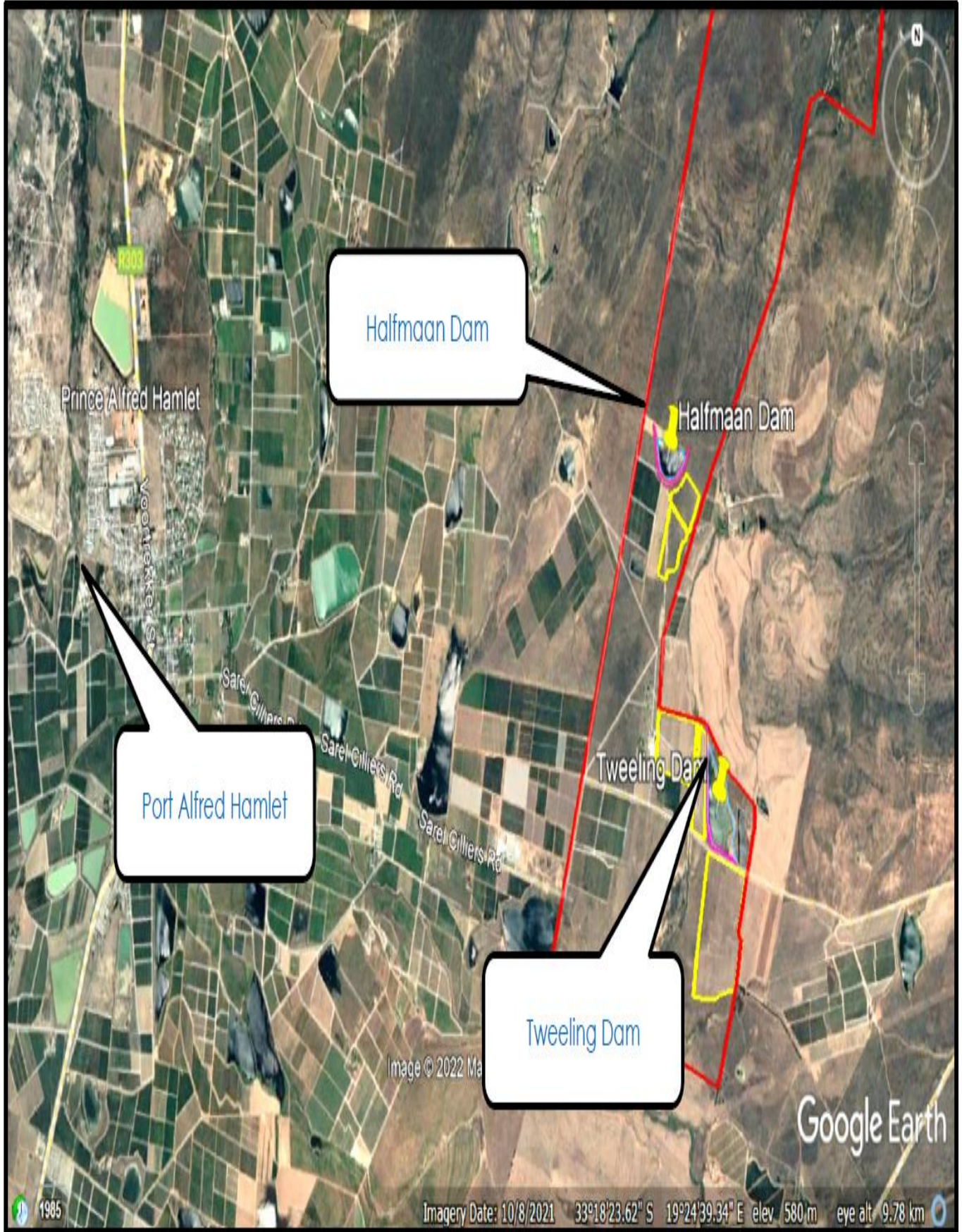
ACTING DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)

DATE OF DECISION: 17 APRIL 2023

Cc: (1) Ms Therina Oberholzer (Groenberg Enviro (Pty) Ltd)
(2) Mr Hennie Taljaard (Witzenberg Municipality)
(3) Mr Rudolph Röscher (Department of Agriculture)
(4) Ms Elkerine Rossouw (BGCMA)

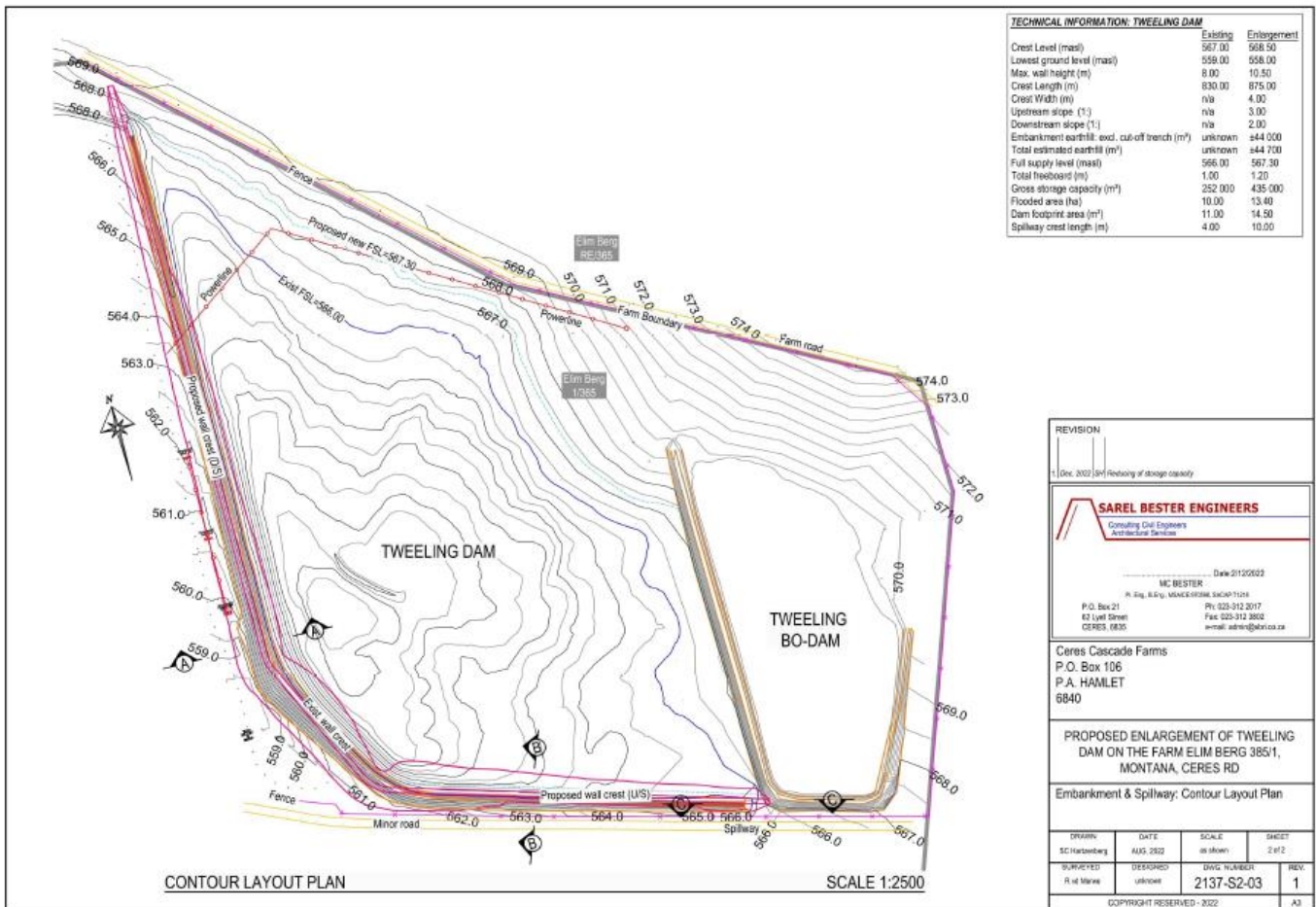
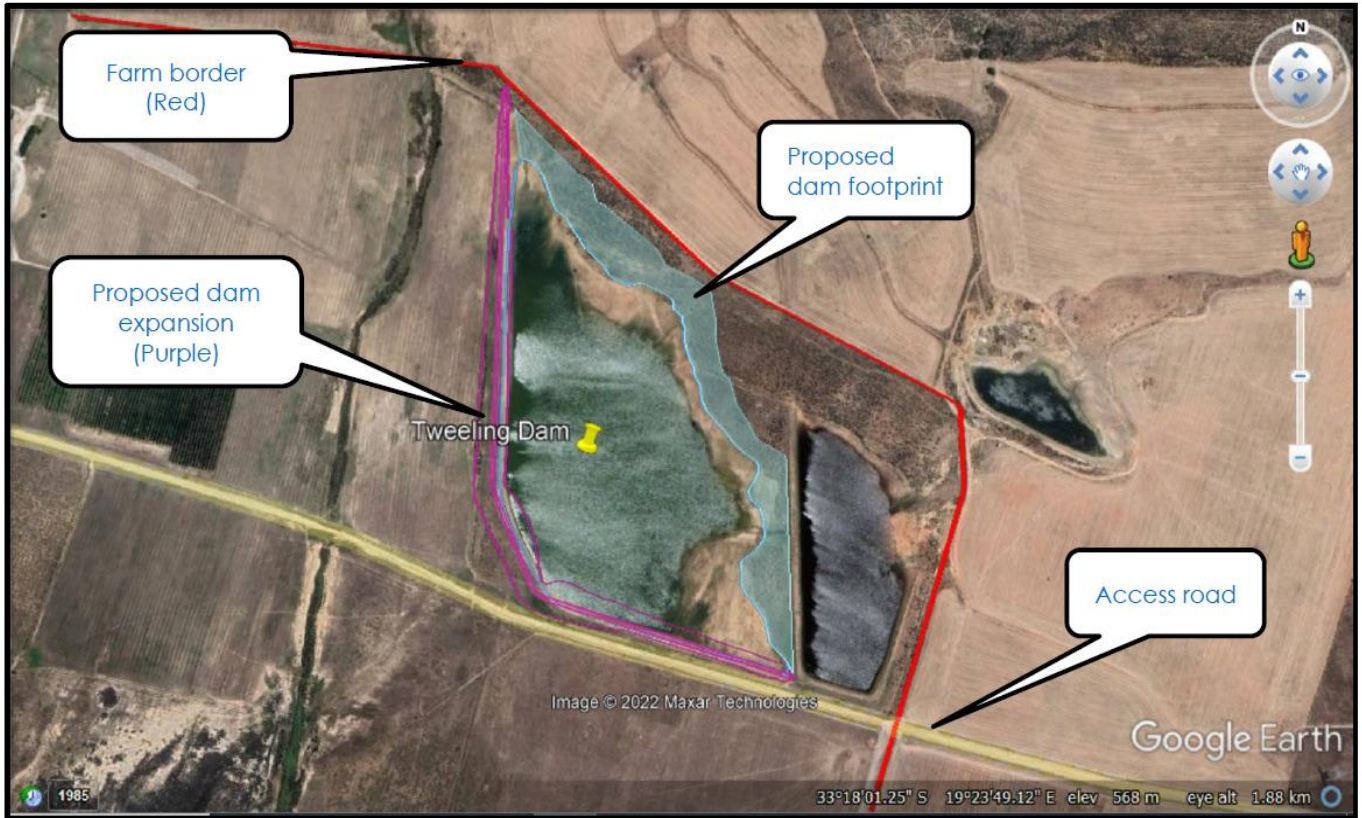
E-mail: therina@groenbergenviro.co.za
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ANNEXURE 1: LOCALITY MAP

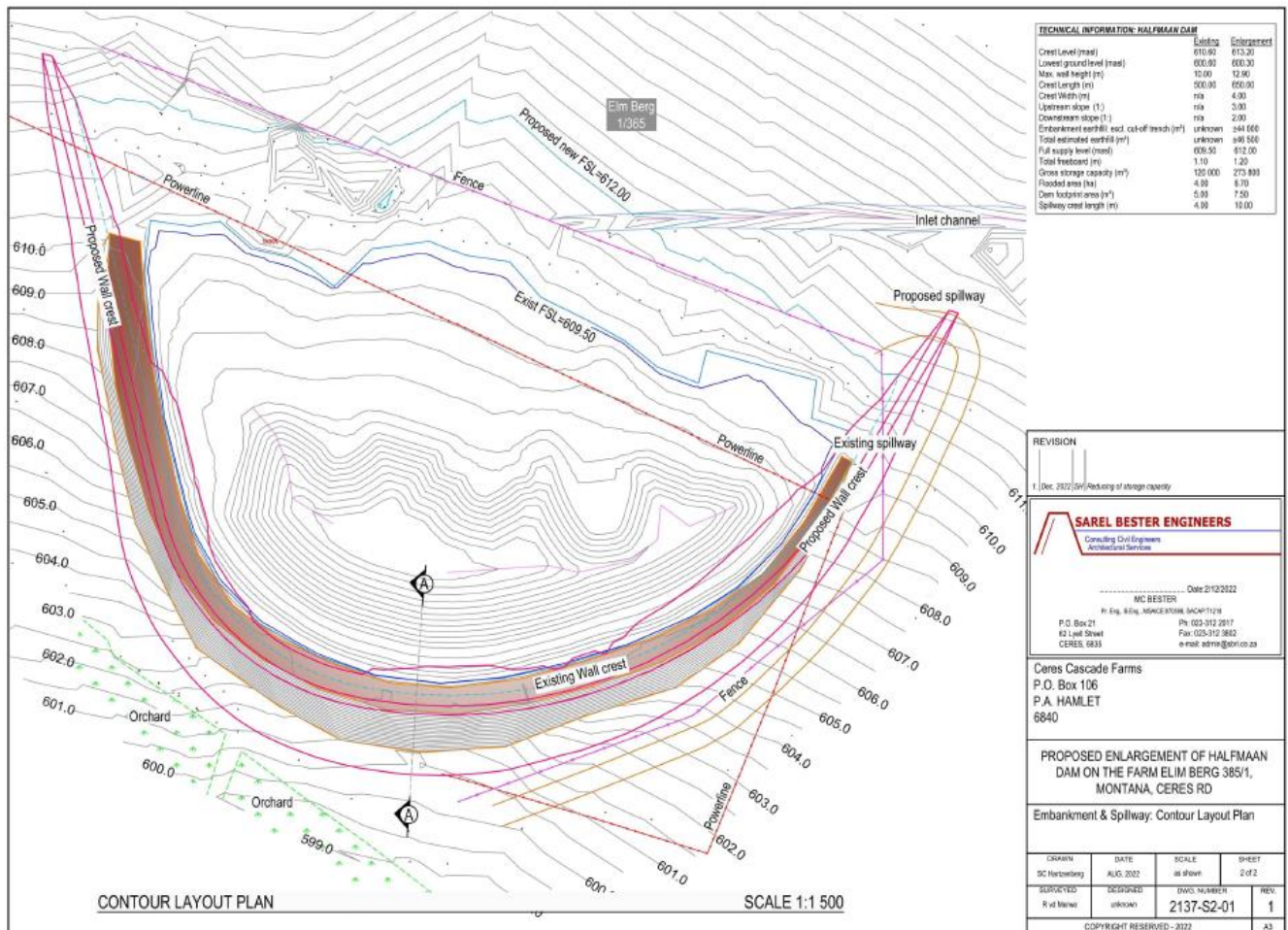
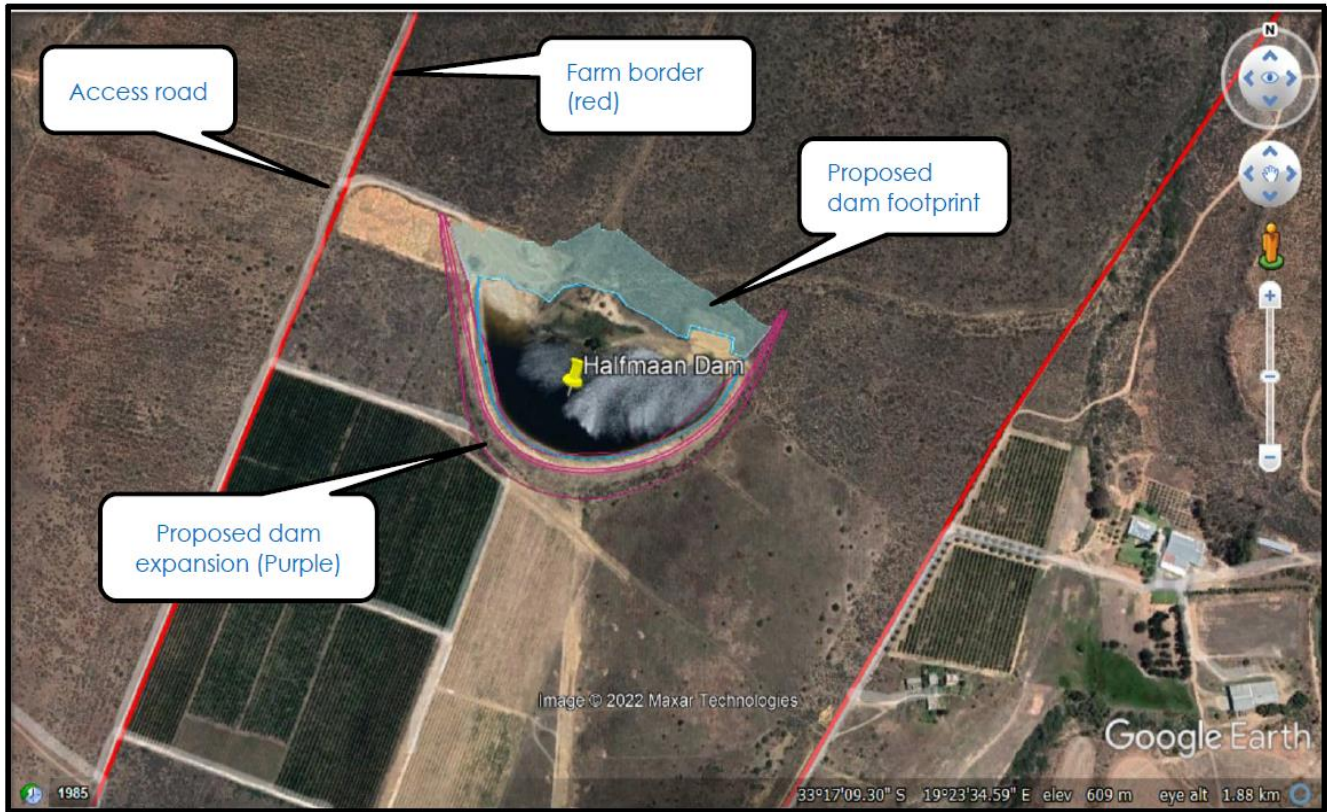


ANNEXURE 2: SITE PLAN

TWEELING DAM



HALFMAAN DAM



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 by the competent authority on 15 September 2022, the EMPr and the MMP submitted together with the Final BAR received by the competent authority on 12 December 2022 and the amended Application Form received by the competent authority on 10 March 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 December 2022; and
- 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 included:

- identification of and engagement with I&APs;
- 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 councillor, and the various organs of state having jurisdiction in respect of any aspect of the listed activities on 15 September 2022;
- fixing a notice board at the entrance of the site on 16 September 2022;
- the placing of a newspaper advertisement in the '*Witzenberg Herald*' on 16 September 2022; and
- making the Draft BAR available for a 30day commenting period from 16 September 2022.

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 EMP to adequately address the concerns raised.

2. Alternatives

Design alternatives

Four dam design alternatives were considered for each dam, which entailed various dam sizes and wall heights.

Preferred Tweeling Dam Design Alternative (herewith authorised)

This alternative entails the expansion of the Tweeling Dam (instream) to a storage capacity of 435 000m³, a wall height of 10.5m and a water surface area at Full Supply Level of 13.4ha. The configuration of the dam is an open V-shaped layout with controlled inflow and open channel spillway. It will also be equipped with a piped outlet system under the embankment.

Preferred Halfmaan Dam Design Alternative (herewith authorised)

This alternative entails the expansion of the Halfmaan Dam (off-stream) to a storage capacity of 273 800m³, a wall height of 12.9m and a water surface area at Full Supply Level of 6.7ha. The configuration of the dam is an open arch layout with controlled inflow and open channel spillway. It will also be equipped with a piped outlet system under the embankment.

The above design alternatives are preferred for the following reasons:

- The surrounding dam footprints have been transformed due to agricultural use and the existing dams.
- Existing infrastructure (roads) is available.
- Minimal indigenous vegetation will be cleared.
- The combination of the two dams will provide sufficient capacity for the storage of the Existing Lawful Water Use.
- The specialists have identified the freshwater and botanical impacts as being of low negative significance.

The No-go alternative

The No-Go option would entail continuing with the *status quo* where the existing dams will not be expanded. This is not the preferred alternative for the following reasons:

- Should the expansion not proceed, the applicant will not be able to effectively store and manage their existing water use allocation. The growing concern on water security and irrigation of crops will continue.
- Numerous positive socio-economic benefits will not occur, including securing the longevity of the farm and thereby increasing the quality of the exports to the regional and national markets.
- No new temporary jobs will be created.

3. Impact Assessment and Mitigation measures

3.1 Activity need and desirability

The site is zoned Agriculture and the proposed activity is permitted in terms of the land use rights of the property. The dams will store water in accordance with the Existing Lawful Water Use rights, which will increase the financial viability of the farm and ensure employment security. The development will allow for the efficient storage of water on the farm, thereby safeguarding the water supply for the irrigation of crops on the property. The development will also provide access to irrigation water during summer months when water sources are most stressed.

3.2 Biophysical Impacts

According to the Terrestrial Biodiversity Impact Assessment (dated 25 August 2022, compiled by Johlene Krige), the site is mapped to contain Ceres Shale Renosterveld. This vegetation is classified as critically endangered according to the revised national list of ecosystems that are threatened and in need of protection, dated 18 November 2022. No species of conservation concern ("SCC") were recorded on the proposed site. Furthermore, the proposed development will not impact on natural connectivity. The specialist deemed the overall impacts on biodiversity to be of low negative significance, with the implementation of mitigation measures. CapeNature, in comment dated 5 December 2022, agreed with the findings of the Terrestrial Biodiversity Impact Assessment.

According to Freshwater Impact Assessment (dated 11 May 2022, compiled by everWater), the Halfmaan dam is an off-stream dam that is not located within a watercourse. An unnamed stream, as well as a drainage line, runs through the Tweeling dam. The watercourses that run through the Tweeling dam were found to be in a moderately to seriously modified state, with limited aquatic function. The Freshwater Specialist indicated that the proposed development will have a low negative impact on the watercourses and well as the larger freshwater system. An MMP has also been compiled to address routine maintenance activities taking place in the affected stretches of the watercourse.

Negative Impacts:

- Loss of indigenous vegetation; and
- Impacts on watercourses.

Positive impacts:

- The development will allow for the efficient storage of water, thereby safeguarding the water supply for the irrigation of crops on the property.
- The development will provide access to irrigation water during the dry summer months and will contribute to the agricultural potential of the property.
- The proposed development will increase the economic viability of the farm and secure continued income.

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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