



**REFERENCE NUMBER:** 16/3/3/1/F2/4/2012/23  
**NEAS REFERENCE NUMBER:** WCP/EIA/0001270/2023  
**DATE OF ISSUE:** 04 OCTOBER 2023

The Applicant  
P.O. Box 345  
**CITRUSDAL**  
7340

**For Attention: Mr. T. E. van Zyl**

Cell: (083) 320 8333

Email: [erlank@ostriland.co.za](mailto:erlank@ostriland.co.za)

Dear Sir

**APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 (AS AMENDED): THE PROPOSED LIGHT INDUSTRIAL DEVELOPMENT AND ASSOCIATED INFRASTRUCTURE ON PORTION B OF THE REMAINDER OF FARM LANGEFONTEIN NO. 492, CLANWILLIAM.**

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 Environmental Impact Assessment Regulations, 2014 (as amended), you are instructed to ensure, within 14 days of the date of the decision on the application, that all registered interested and affected parties ("I&APs") are provided with access to the decision 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 summarised in the Environmental Authorisation below.

Yours faithfully

**MR. ZAAHIR TOEFY**  
**DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)**

Copies to: (1) Ms. D. Joubert (Cederberg Municipality)  
(2) Mr. N. Hanekom (Enviro-EAP (Pty) Ltd.)

Email: [Dannej@cederbergmun.gov.za](mailto:Dannej@cederbergmun.gov.za)  
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**REFERENCE NUMBER:** 16/3/3/1/F2/4/2012/23

## ENVIRONMENTAL AUTHORISATION

**APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 (AS AMENDED): THE PROPOSED LIGHT INDUSTRIAL DEVELOPMENT AND ASSOCIATED INFRASTRUCTURE ON PORTION B OF THE REMAINDER OF FARM LANGEFONTEIN NO. 492, CLANWILLIAM.**

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 activity specified in section B below with respect to the Preferred Alternative, described in the Basic Assessment Report ("BAR") dated 15 June 2023.

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

Mr. T. E. van Zyl  
P.O. Box 345  
**CITRUSDAL**  
7340

Cell: (083) 320 8333  
Email: [erlank@ostriland.co.za](mailto:erlank@ostriland.co.za)

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

## B. LISTED ACTIVITIES AUTHORISED

Listed Activity	Activity / Project Description
<p>Listing Notice 1 of the NEMA EIA Regulations, 2014 (as amended):</p> <p>Activity Number: 28 Activity Description:</p> <p><i>Residential, mixed, retail, commercial, industrial or institutional developments where such land was used for agriculture, game farming, equestrian purposes or afforestation on or after 01 April 1998 and where such development:</i></p> <p><i>(i) will occur inside an urban area, where the total land to be developed is bigger than 5 hectares; or</i></p> <p><i>(ii) will occur outside an urban area, where the total land to be developed is bigger than 1 hectare;</i></p> <p><i>excluding where such land has already been developed for residential, mixed, retail, commercial, industrial or institutional purposes.</i></p>	<p>The proposed light industrial development and associated infrastructure on Portion B of the Remainder of Farm Langefontein No. 492, Clanwilliam will occur outside an urban area on land exceeding 1 hectare in extent that was previously zoned and used for agricultural purposes after 01 April 1998.</p>

The abovementioned is hereinafter referred to as “**the listed activity**”.

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

The authorised development entails the establishment of ten (10) industrial erven and associated infrastructure on Portion B of the Remainder of Farm Langefontein No. 492, Clanwilliam. The proposed development will include the following:

- The development of internal roads approximately 15m wide and 500m long;
- The development of a stormwater detention pond approximately 400m<sup>2</sup> in extent on the south-western corner of the site;
- The establishment of a buffering tree line along the southern boundary for the purpose of viewshed management; and
- Associated infrastructure.

Access to the site will be obtained off the R303 / MR310 via a two-lane cross section into the development. Water and sewer pipelines approximately 160mm in diameter will be developed and contained within the road reserve of the R303 / MR310. Water, sewer and waste services will be provided by the Local Authority and electricity supply will be provided by Eskom.

The total development footprint will be approximately 3.2147ha in extent.

### C. PROPERTY DESCRIPTION AND LOCATION

The listed activity will take place on Portion B of the Remainder of Farm Langefontein No. 492, Clanwilliam located west of the town Citrusdal.

The 21-digit Surveyor General code is:

Remainder of Farm Langefontein No. 492, Clanwilliam	C02000000000429000000
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The central co-ordinate for the proposed development is:

Middle point	32° 35' 40.61" South	19° 01' 23.55" East
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Refer to **Annexure 1**: Locality Plan and **Annexure 2**: Site Development Plan.

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

### D. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER

Enviro-EAP (Pty) Ltd.  
% Mr. N. Hanekom  
P.O. Box 205  
**AGULHAS**  
7287

Cell: (076) 963 6450  
Email: [nicolaas@enviro-eap.co.za](mailto:nicolaas@enviro-eap.co.za)

### E. CONDITIONS OF AUTHORISATION

#### Scope of authorisation

1. The holder is authorised to undertake the listed activity specified in Section B above in accordance with and restricted to the Preferred Alternative described in Section B above and in the BAR dated 15 June 2023 on the site as described in Section C above.
2. The holder must commence with, and conclude, the listed activity within the stipulated validity period, which this Environmental Authorisation is granted for, 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 (**5**) years, from the date of issue, during which period the holder must commence with the authorised listed activity; and
  - (b) A period of ten (**10**) years, from the date the holder commenced with an authorised listed activity, during which period the authorised listed activity for the construction phase, 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. A minimum of **seven (7)** calendar days' notice, in writing, must be given to the Competent Authority before commencement of the development activity.
  - 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 **fourteen (14)** 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 Appeal 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; and
  - 6.4. Provide the registered I&APs with:
    - 6.4.1. The name of the holder (entity) of this Environmental Authorisation;
    - 6.4.2. The name of the responsible person for this Environmental Authorisation;
    - 6.4.3. The postal address of the holder;
    - 6.4.4. The telephonic and facsimile details of the holder;
    - 6.4.5. The e-mail address, if any, of the holder; and
    - 6.4.6. The contact details (postal and/or physical address, contact number, facsimile and e-mail address) of the decision-maker and all registered I&APs in the event that an appeal is lodged in terms of the National Appeal Regulations, 2014 (as amended).
7. The listed activity, including site preparation, must not commence within **twenty (20)** calendar days from the date the holder notifies 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 activity, including site preparation, must not commence until the appeal is decided.

## **Management of activity**

8. The Environmental Management Programme ("EMPr") (compiled by in Enviro-EAP and dated June 2023) submitted as part of the application for Environmental Authorisation is hereby approved and must be implemented.
9. The EMPr must be included in all relevant contract documentation for the applicable phases of implementation.

## **Monitoring**

10. The holder must appoint a suitably experienced environmental control officer ("ECO"), or site agent where appropriate, before the commencement of any land clearing or development activities to ensure compliance with the provisions of the EMPr and the conditions contained in this Environmental Authorisation.
11. A copy of the Environmental Authorisation, EMPr, Environmental Audit Reports and compliance monitoring reports must be kept at the site of the authorised activity during the development activities thereafter it must be kept at the office of the holder and must be made available to any authorised person on request.
12. 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**

13. 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 and the EMPr and submit Environmental Audit Reports to the Competent Authority. The Environmental Audit Report must be prepared by an independent person with the relevant environmental auditing expertise and must contain all the information required in Appendix 7 of the NEMA EIA Regulations, 2014 (as amended).
  - 13.1. The holder must undertake an environmental audit within three (3) months of the commencement of the listed activity and submit an Environmental Audit Report to the Competent Authority one (1) month after the completion of the environmental audit.
  - 13.2. A final Environmental Audit Report must be submitted to the Competent Authority one (1) month after the completion of the development/construction activities.
  - 13.3. The holder must, within seven (7) days of the submission of the Environmental Audit Reports to the Competent Authority, notify all potential and registered I&APs of the submission and make the Environmental Audit Report available to any I&APs upon request.

## **Specific Conditions**

14. An integrated waste management approach must be implemented that is based on waste minimisation and must incorporate avoidance, reduction, recycling, treat, reuse and disposal where appropriate.
15. Should any heritage resources be discovered during the execution of the activities above, all works must be stopped immediately and the Provincial Heritage Resources Authority of the Western Cape, Heritage Western Cape must be notified without delay. 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 bones and fossil shells); coins; indigenous and/ or colonial ceramics; any articles of value or antiquity; 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. A qualified archaeologist must be contracted where necessary (at the expense of the applicant and in consultation with the relevant authority) to remove any human remains in accordance with the requirements of the relevant authority.

16. Indigenous trees must be planted between the boundary of the site and the adjacent orange orchards located south of the site during the development phase.
17. The holder of the Environmental Authorisation must, at all times, ensure that the activities comply with the Noise Regulations in terms of the relevant legislation.
18. Surface, storm, or groundwater must not be polluted due to any actions on the site. The applicable requirements with respect to relevant legislation pertaining to water must be met.
19. Dust suppression measures must be used to mitigate dust during the construction phase. No potable water must be used to mitigate dust nuisance. Alternative dust suppression methods (such as shade netting screens and/ or straw stabilisation, etc.) must be implemented instead.
20. Employment opportunities must be afforded to the local community (as far as possible) during all phases of the proposed development.

## **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 activity.
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 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. An application for amendment of the Environmental Authorisation must be submitted 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 NEMA 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 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 form/s must be submitted by means of one of the following methods:

By post:           Attention: Marius Venter  
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 M. Venter (Tel: 021 483 2659)  
Room 809  
8<sup>th</sup> Floor Utilitas Building  
1 Dorp Street  
**CAPE TOWN**  
8001

By e-mail:        [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 the office of the 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)**

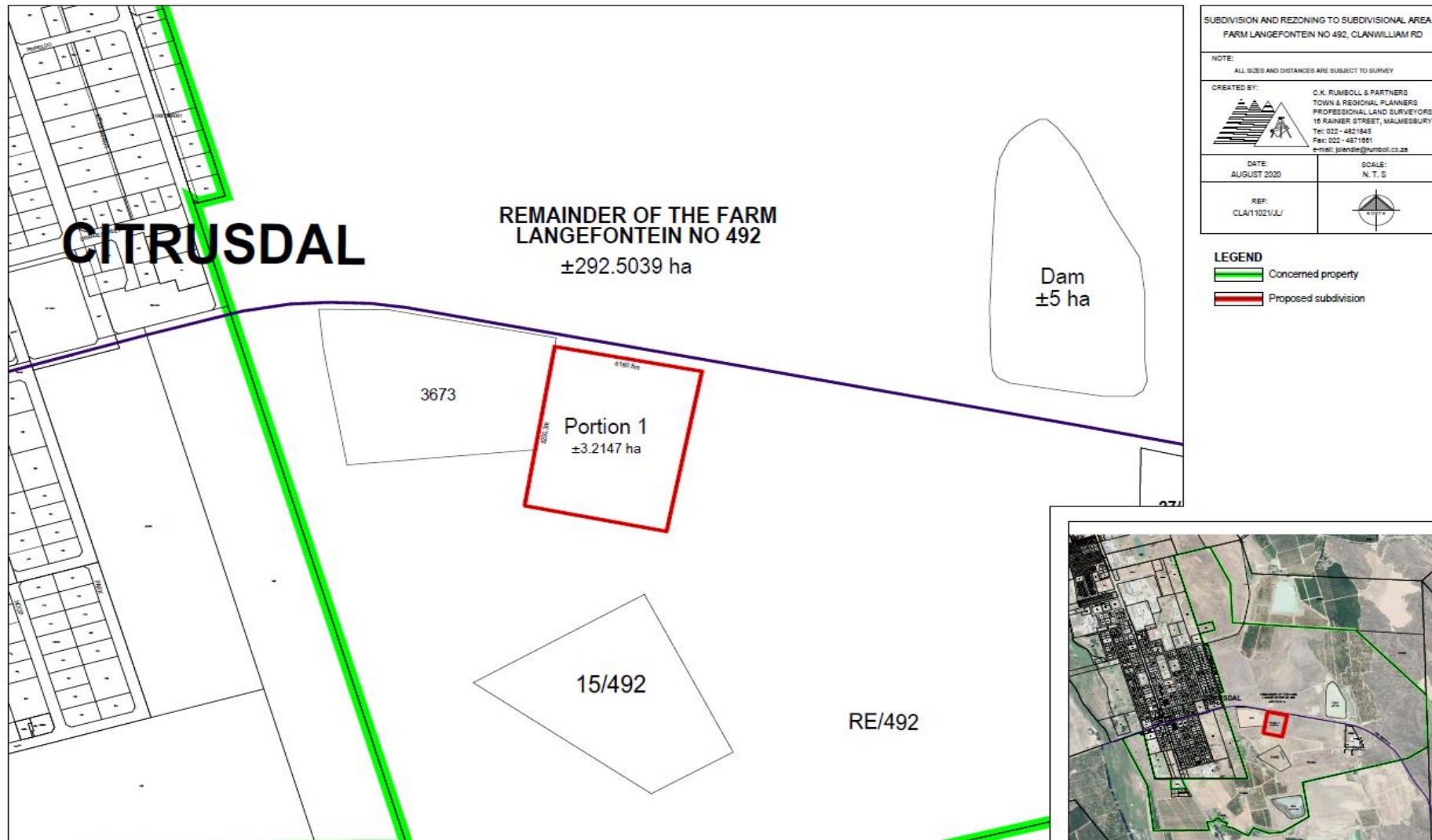
**DATE OF DECISION: 04 OCTOBER 2023**

Copies to: (1) Ms. D. Joubert (Cederberg Municipality)  
(2) Mr. N. Hanekom (Enviro-EAP (Pty) Ltd.)

Email: [Danej@cederbergmun.gov.za](mailto:Danej@cederbergmun.gov.za)  
Email: [Nicolaas@enviro-eap.co.za](mailto:Nicolaas@enviro-eap.co.za)

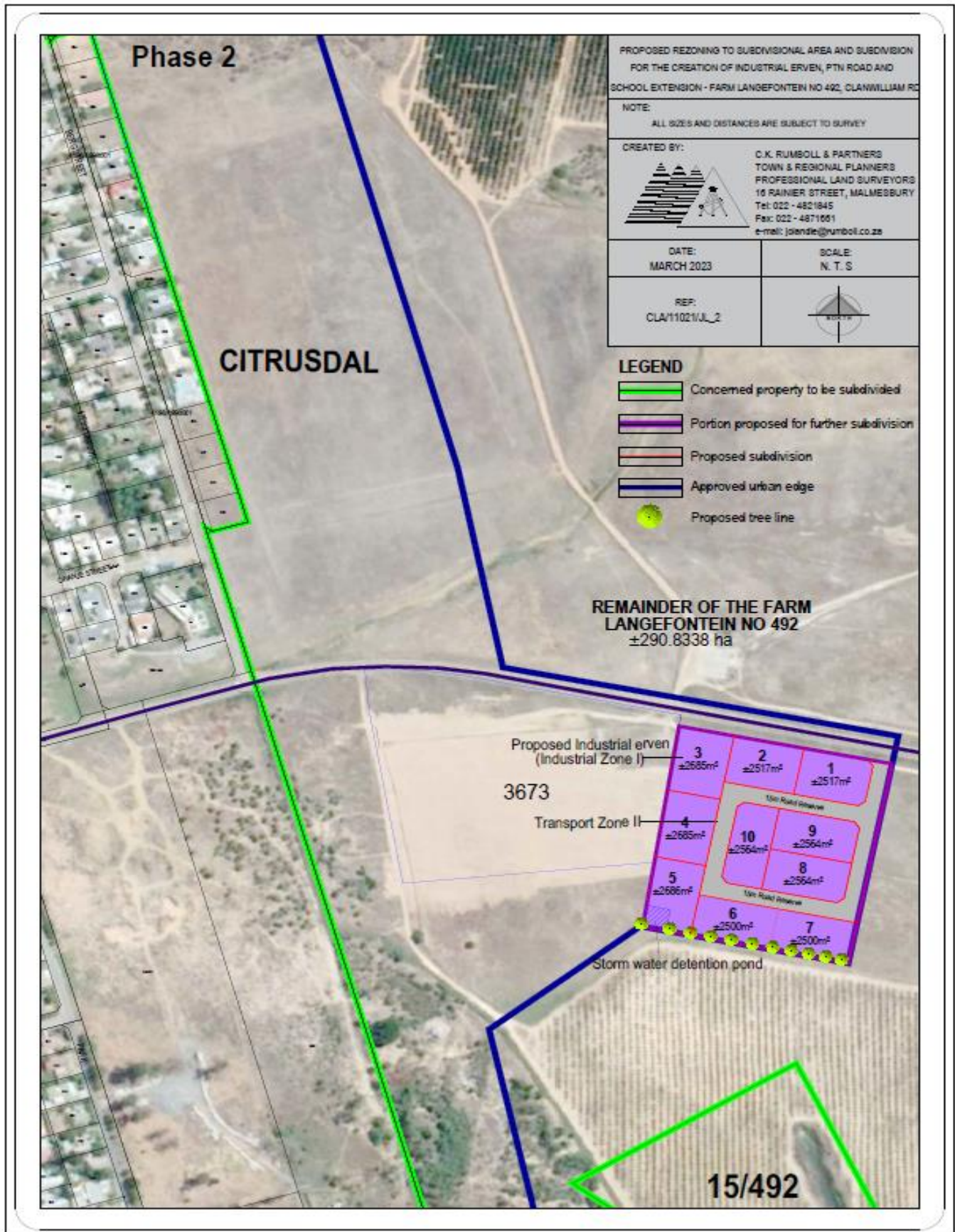
## ANNEXURE 1: LOCALITY PLAN

The proposed site (i.e. Portion B/1 of the Remainder of Farm Langefontein No. 492, Clanwilliam) demarcated in red on the locality map.



## ANNEXURE 2: SITE DEVELOPMENT PLAN

Site Development Plan of the proposed light industrial development on Portion B of the Remainder of Farm Langefontein No. 492, Clanwilliam.



## ANNEXURE 3: REASONS FOR THE DECISION

In reaching its decision, the Competent Authority took, inter alia, the following into consideration:

- a) The information contained in the Application Form dated 26 April 2023 and received by the Competent Authority on 08 May 2023 and the BAR (dated 15 June 2023), the EMPr dated June 2023 and received by the Competent Authority on 19 June 2023 and the additional information received on 19 September 2023;
- b) Relevant information contained in the Departmental information base, including, the Guidelines on Public Participation, Alternatives and Exemptions;
- 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 interested and affected parties and the responses to these, included in the BAR dated 15 June 2023;
- e) The balancing of negative and positive impacts and proposed mitigation measures; and
- f) 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 which, according to the competent authority, were the most significant reasons for the decision, is set out below.

### 1. Public Participation

The public participation process included:

- identification of and engagement with I&APs;
- fixing notices at the boundary of the proposed site where the listed activity is to be undertaken on 12 May 2021;
- the placing of a newspaper advertisement in the 'Ons Kontrei' on 11 June 2021;
- giving written notice to the occupiers of land adjacent to the site where the listed activity is to be undertaken and the various organs of state having jurisdiction in respect of any aspect of the listed activity on 07 September 2021 and 09 September 2021;
- Provision period for the registration of I&APs between 11 June 2021 to 12 July 2021;
- Making the pre-application draft BAR available to I&APs for public review from 10 November 2021 to 10 December 2021;
- Making the draft BAR and revised draft BARs available to I&APs for public review from 31 October 2022 to 30 November 2022, 16 January 2023 to 15 February 2023 and 06 March 2023 to 04 April 2023, respectively, as part of the previous application for environmental authorisation;
- Making the draft BAR available to I&APs for public review from 11 May 2023 to 11 June 2023;
- A copy of the BAR was made available on the Environmental Assessment Practitioner's website.

Concerns raised by the Western Cape Government: Department of Agriculture ("DoA") with respect to the cumulative impacts of the development on the adjacent agricultural land were noted (in their correspondence dated 14 February 2022). The incorporation of a buffering tree line was recommended by the DoA to mitigate the potential visual intrusion of the development on the adjacent agricultural land. The recommendation was included as part of the Environmental Management Programme ("EMPr") to mitigate potential visual impacts. Conditions with respect to the proposed access road to the site was provided by the Department of Infrastructure (in their correspondence dated 25 August 2021), which have been included in the Environmental Management Programme.

Mitigation measures with respect to the management of waste and emergency incidents as recommended and noted by this Department's Directorate: Waste Management (in their correspondence dated 05 June 2023) have been included in the EMPr. Furthermore, support in favour of the proposed development is noted from various interested and affected parties.

All concerns raised by I&APs were responded to and addressed during the public participation process. The Department is satisfied that the Public Participation Process that was followed met the minimum legal requirements and all the comments raised and responses thereto were included in the comments and response report. Specific management and mitigation measures have been considered in this Environmental Authorisation and in the EMPr to adequately address concerns raised.

## 2. Alternatives

No site, property, activity, technology or operational alternatives were assessed as part of the environmental impact assessment process since the preferred alternative is based on the linkage within the urban edge as defined in terms of the Municipal Spatial Development Framework and the site is owned by the holder.

The holder's initial proposed development entailed the establishment of a light industrial development and the expansion of the existing school located on Erf 3673, Citrusdal. However, due to the fact that the area identified for the proposed school expansion was not included in the various specialist assessments undertaken, the proposed expansion of the school was excluded from this EIA application. A Design Alternative with respect to stormwater management was identified and assessed. The Preferred Alternative and the Design Alternative were therefore assessed as follows:

### Preferred Alternative - herewith authorised

The Preferred Alternative entails the establishment of ten (10) industrial erven and associated infrastructure on Portion B of the Remainder of Farm Langefontein No. 492, Clanwilliam. The proposed development will include the following:

- The development of internal roads approximately 15m wide and 500m long;
- The development of a stormwater detention pond approximately 400m<sup>2</sup> in extent on the south-western corner of the site;
- The establishment of a buffering tree line along the southern boundary for the purpose of viewshed management; and
- Associated infrastructure.

Access will be obtained off the R303 / MR310 via a two-lane cross section into the development. Water and sewer pipelines approximately 160mm in diameter will be developed and contained within the road reserve of the R303 / MR310. Water, sewer and waste services will be provided by the Local Authority and electricity supply will be provided by Eskom.

The total development footprint will be approximately 3.2147ha in extent.

The Preferred Alternative took cognisance of the need for agri-industrial services and commercial development that enhance agri-processing within the area. The Preferred Alternative will not occur in biophysically sensitive areas and will occur in an area not utilised for intensive agricultural practices. In addition, the Preferred Alternative took cognisance of the access requirements for the development in terms of potential traffic impacts and the stormwater requirements for the development.

### Design / Layout Alternative

The design / layout alternative entailed the use of permeable paving as a mitigation measure for the management and attenuation of stormwater on the proposed site. However, this design alternative was not preferred since the risk of surface and groundwater pollution was assessed to be of higher significant impact than the impermeable stormwater detention pond. Therefore, the design alternative

with the use of permeable paving was deemed less desirable and an impervious detention pond is preferred to be development in the south-western corner of the site that is anticipated to result in a low impact on surface and groundwater resources.

### "No-Go" Alternative

The "No-Go" alternative entails maintaining the "status quo", i.e. not developing ten (10) industrial erven and associated infrastructure on Portion B of the Remainder of Farm Langefontein No. 492, Clanwilliam. Since the Preferred Alternative will not result in unacceptable environmental impacts and in consideration of the demonstration of the Section 2 NEMA principles and the implementation of the mitigation hierarchy, the "No-Go" alternative was not preferred.

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

### 3.1. Activity Need and Desirability

In accordance with the Land-Use Approval issued by the Cederberg Municipality on 14 October 2021 (Ref. No. Erf 3673CDL&Farm 492), the Remainder of Farm Langefontein No. 492, Clanwilliam has been subdivided into three land units (i.e. Portion A, Portion B and Remainder Farm 492, Langefontein), where Portion B (approximately 3.2148ha in extent) was established for the creation of an industrial development. The proposed site has already been rezoned from Agriculture to Industrial Zone I for ten (10) land units and Transport Zone II for the road land unit.

Although the site was ploughed and previously used for grazing purposes and is located outside an urban area in terms of the EIA Regulations, 2014 (as amended), the site is delineated to occur within the approved municipal urban edge and is earmarked for development. Given that the existing industrial area is located within the town of Citrusdal, the opportunity for expansion is limited. Therefore, the proposed light industrial development on Portion B of the Remainder of Farm Langefontein No. 492, Clanwilliam, is deemed desirable on the basis that it is proposed to accommodate agri-industry activities, commercial development and activities enhancing agri-processing.

The proposed development is considered an enhancement of market services within the surrounding area, is easily accessible and is not anticipated to negatively impact on any ecologically sensitive areas. Furthermore, the proposed light industrial development is aligned with three of the Provincial Spatial Development Framework's interrelated themes, i.e. Sustainable use of the Western Cape's spatial assets in that it is a brownfield site and does not negatively impact on ecological resources. Opening up opportunities in the provincial space economy with the establishment of light industrial development for inclusive growth and developing integrated and sustainable settlements in that the development is regarded as spatially efficient in supporting economic development of the area.

The development is aligned with the West Coast District Spatial Development Framework in that the light industrial development will result in the socio-economic growth and transformation of the area with the provision of approximately 100 short/long-term employment opportunities. Additionally, the development is aligned with the Cederberg Spatial Development Framework in that the light industrial development on Portion B of the Remainder of Farm Langefontein No. 492, Clanwilliam is located within Development Zone 1, a proposed expansion area along the R303 / MR310 earmarked for mixed use developments. The light industrial development improves access and convenience aspects with respect to market related agri-industrial activities.

### 3.2. Agricultural Impacts

According to the Screening Report (dated 11 May 2023), the proposed site is located within a high sensitivity area from an agricultural perspective and has been disputed to a low-sensitivity area by the Environmental Assessment Practitioner ("EAP") since the site was not used for intensive agriculture (i.e., ploughed and grazing purposes). Furthermore, the proposed site is rezoned for

Industrial purposes and is no longer zoned for agriculture. The Western Cape Government Department of Agriculture has provided recommendations (in their correspondence dated 14 February 2022) with respect to the mitigation of potential cumulative impacts as a result of the light industrial development and have been included in the EMPr.

### 3.3. Freshwater Impacts

According to the Screening Report (dated 11 May 2023), the proposed site is located within a very high sensitivity area from an aquatic biodiversity perspective and has been verified by a freshwater specialist to be of low sensitivity. This is based on the fact that although the site is located within the regulated zone of a watercourse in terms of the National Water Act, 1998 (Act No. 36 of 1998), no aquatic features are present on the site.

A Freshwater Impact Assessment (compiled by Enviro-EAP and dated November 2021) was conducted and revealed that the site is located within the Olifants / Doorn E10E quaternary Catchment and that no species of conservation concern have been identified on the site. In addition, the specialist noted that although a non-perennial river (a tributary of the Olifants River) is mapped on the northern adjacent property, the watercourse has been diverted via culverts underneath the R303 / MR 310 and discharges to a depression wetland located south-west of the site. Therefore, no National Freshwater Ecosystem Priority Area ("NFEPA") is mapped within the site.

For the purpose of management and attenuation of stormwater on the site, a detention pond is proposed to be developed on the western low point of the site in accordance with the Bulk Service Report (compiled by UDS Africa and dated 02 September 2021) and the Site Development Plan (compiled by C.K. Rumboll and Partners and dated March 2023). Mitigation measures with respect to stormwater management have been included in the EMPr.

CapeNature indicated their concurrence with the findings of the freshwater specialist in their correspondence (dated 09 December 2021, 19 December 2022 and 14 February 2023) and noted the transformed nature of the site as a result of previous agricultural activities.

Further, a Water Use License Application has been submitted to the Department of Water and Sanitation for the proposed water uses in terms of Section 21 of the National Water Act, 1998 (Act 36 of 1998), with respect to the proximity of the proposed site to a watercourse.

### 3.3. Biophysical Impacts

According to the Screening Report (dated 11 May 2023), the proposed site is located within a medium, low and very high sensitivity area from a respective animal, plant and terrestrial biodiversity perspective, respectively. The botanical specialist has indicated in the Animal Species Compliance Statement, Plant Species Compliance Statement and Terrestrial Biodiversity Compliance Statement (all compiled by Enviro-EAP and dated November 2021) that no faunal or floral species of conservation concern were observed on site. The site was determined to not be ecologically connected to areas of ecological sensitivity and is deemed to be of low sensitivity from a plant and animal species perspective. This is based on the absence of indigenous vegetation and the transformed nature of the site as a result of previous agricultural activities. No management, mitigation or monitoring requirements were recommended for inclusion in the EMPr.

CapeNature indicated their concurrence with the findings of the botanical specialist in their correspondence (dated 09 December 2021, 19 December 2022 and 14 February 2023, respectively) and noted the transformed nature of the site as a result of previous agricultural activities.

### 3.4. Dust, Noise and Visual Impacts

Potential dust, noise and visual impacts associated with the construction-related activities of the proposed development are anticipated to be of low negative significance post mitigation. Potential dust, noise and visual impacts associated with the construction phase of the proposed development will be mitigated by the implementation of the mitigation measures included in the EMPr. As recommended by the Department of Agriculture (in their correspondence dated 14 February 2022), a buffering tree line along the southern boundary of the site is proposed to mitigate potential impacts within the viewshed of the adjacent receptor (i.e., an orange orchard). This mitigation measure has been included in the design of the proposed development, as a condition set in this Environmental Authorisation and in the EMPr.

### 3.5. Heritage impacts

Heritage Western Cape confirmed (in their correspondence dated 01 June 2021) that since there is no reason to believe that the proposed residential development on Farm Langefontein No. 492, Clanwilliam, will impact on heritage resources, no further action under Section 38 of the National Heritage Resources Act, 1999 (Act No. 25 of 1999) is required.

### 3.6. Socio-economic Impacts

The proposed development is anticipated to contribute to the social and economic aspects of the regional area by providing temporary and permanent employment relief during the construction and operational phases, respectively.

### 3.7. Traffic Impacts

In accordance with the Traffic Impact Assessment (compiled by Sturgeon Consulting and dated May 2021), the traffic specialist indicated that the MR310 (R303) carries very low peak hour traffic and is under capacity for a two-lane road. No road improvements are required for the existing traffic demand. The traffic specialist applied an average growth rate of 4% per annum over the five-year design/projection period (2026), which corresponds with the historic growth rate indicated by the Road Network Information System for the MR310.

The anticipated trip generation for the proposed development were based on the TMH17 South African Trip Data Manual with specific reference to the Land Use COTO130 Industrial Area (Park) rates applied. The proposed development is anticipated to result in a trip generation of 86 morning and afternoon trips (60 inbound and 26 outbound and 22 inbound and 64 outbound, respectively). A total of 54 parking bays and embayment within the access area for public transport are recommended as part of the development.

Furthermore, the Department of Infrastructure (i.e. previously Transport and Public Works) have in their correspondence (dated 21 August 2021), indicated their support of the light industrial development on the Remainder of the Farm Langefontein No. 492, Clanwilliam and provided recommendations with respect to the development of the proposed access road off the R303 / MR310.

### 3.8. Services

Sufficient spare capacity for the provision of solid waste removal, sewer reticulation and treatment and bulk water supply to accommodate the proposed development on the Remainder of the Farm Langefontein No. 492, Citrusdal have been confirmed by the Cederberg Municipality in their correspondence dated 06 October 2021.

The supply of electricity to accommodate the development on the Remainder of the Farm Langefontein No. 492, Citrusdal has been confirmed by Eskom in their correspondence dated 12 July 2021.



The development will result in both negative and positive impacts.

Negative Impacts include:

- Loss of agricultural land;
- Potential traffic impacts; and
- Increase in stormwater run-off;
- Potential groundwater pollution;
- Potential dust, noise and visual impacts.

Positive impacts include:

- Employment opportunities during the construction and operational phase of the development;
- Economic gain for the applicant;
- Provision of agri-industrial activities and services; and
- Improved achievement of targets and objectives in accordance with the IDP and MSDF.

### **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.

### **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 activity will not conflict with the general objectives of integrated environmental management stipulated in Chapter 5 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) and that any potentially detrimental environmental impacts resulting from the listed activity can be mitigated to acceptable levels.

You are reminded of your general duty of care towards the environment in terms of Section 28(1) of the NEMA which states: *“Every person who causes, has caused or may cause significant pollution or degradation of the environment must take reasonable measures to prevent such pollution or degradation from occurring, continuing or recurring, or, in so far as such harm to the environment is authorised by law or cannot reasonably be avoided or stopped, to minimise and rectify such pollution or degradation of the environment.”*

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