



EIA REFERENCE: 16/3/3/1/E2/15/1001/22
NEAS REFERENCE: WCP/EIA/0001023/2022
DATE: 24 JUNE 2022

The Director
Hasher Family Wines (Pty) Ltd.
P O Box 224
HERMANUS
7200

For Attention: Mr. Frederik Herten

Tel.: (028) 312 1097
E-mail: frederik@hasherfamilyestate.co.za

Dear Sir

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) ("NEMA") AND THE ENVIRONMENTAL IMPACT ASSESSMENT ("EIA") REGULATIONS, 2014 (AS AMENDED): THE PROPOSED CLEARANCE OF INDIGENOUS VEGETATION FOR CULTIVATION PURPOSES AND THE DEVELOPMENT OF TOURIST ACCOMMODATION UNITS ON PORTION 104 OF THE FARM NO. 587, HEMEL AND AARDE VALLEY, HERMANUS

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 (as amended), you are hereby instructed to ensure, within fourteen (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 (as amended), which prescribes the appeal procedure to be followed. This procedure is summarized in the attached Environmental Authorisation.

Your interest in the future of the environment is greatly appreciated.

Yours faithfully

MS. MARE-LIEZ OOSTHUIZEN
ACTING DIRECTOR: DEVELOPMENT MANAGEMENT – REGION 1
DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

CC: Ms. Liezl De Villiers (Overstrand Municipality)
Ms. Michelle Naylor (Lornay Environmental Consulting (Pty) Ltd)

E-mail: ldevilliers@overstrand.gov.za
E-mail: michelle@lornay.co.za



EIA REFERENCE: 16/3/3/1/E2/15/1001/22
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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 ("EIA") REGULATIONS, 2014 (AS AMENDED): THE PROPOSED CLEARANCE OF INDIGENOUS VEGETATION FOR CULTIVATION PURPOSES AND THE DEVELOPMENT OF TOURIST ACCOMMODATION UNITS ON PORTION 104 OF THE FARM NO. 587, HEMEL AND AARDE VALLEY, HERMANUS

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 Alternative that is described in the Basic Assessment Report ("BAR") received by the Department on 14 March 2022.

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

Hasher Family Wines (Pty) Ltd
C/O Mr. Frederik Herten
P O Box 224
HERMANUS
7200

Tel.: (028) 312 1097
E-mail: frederik@hasherfamilyestate.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 Activities	Project Description
<p>Listing Notice 1</p> <p>Activity Number: 27 Activity Description: <i>"The clearance of an area of 1 hectares or more, but less than 20 hectares of indigenous vegetation, except where such clearance of indigenous vegetation is required for—</i> <i>(i) the undertaking of a linear activity; or</i> <i>(ii) maintenance purposes undertaken in accordance with a maintenance management plan."</i></p>	<p>The proposed development entails the clearance of approximately 16.4ha of indigenous vegetation.</p>
<p>Listing Notice 3</p> <p>Activity Number: 6 Activity Description: <i>"The development of resorts, lodges, hotels, tourism or hospitality facilities that sleeps 15 people or more.</i></p> <p>i. Western Cape</p> <ul style="list-style-type: none"> <i>i. Inside a protected area identified in terms of NEMPAA;</i> <i>ii. Outside urban areas;</i> <ul style="list-style-type: none"> <i>(aa) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans; or</i> <i>(bb) Within 5km from national parks, world heritage sites, areas identified in terms of NEMPAA or from the core area of a biosphere reserve; -</i> <p><i>excluding the conversion of existing buildings where the development footprint will not be increased."</i></p>	<p>The development proposal includes the establishment of resorts/tourism accommodation that sleeps more than 15 people on a site located outside the urban edge and within 5km of the Fernkloof Nature Reserve.</p>
<p>Listing Notice 3</p> <p>Activity Number: 12 Activity Description: <i>"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.</i></p> <p>i. Western Cape</p> <ul style="list-style-type: none"> <i>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;</i> <i>ii. Within critical biodiversity areas identified in bioregional plans;</i> <i>iii. Within the littoral active zone or 100 metres inland from high water mark of the sea or an estuarine functional zone, whichever distance is the greater,</i> 	<p>The proposed development will result in the clearance more than 300m² of Critically Endangered vegetation.</p>

<p>excluding where such removal will occur behind the development setback line on erven in urban areas;</p> <p>iv. 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</p> <p>v. 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."</p>	
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The abovementioned Listed Activities are hereinafter referred to as **"the Listed Activities"**.

The holder is herein authorised to undertake the following alternative that includes the Listed Activities relating to the development:

The development proposal entails the clearance of indigenous vegetation for cultivation purposes, and the development of tourist accommodation units and a manager's dwelling unit on Portion 104 of the Farm No. 587, Hemel and Aarde Valley, Hermanus. The development proposal comprises the following:

- The clearance of approximately 16.35ha of indigenous vegetation for the development of new vineyards;
- The development of four (4) overnight tourist accommodation units of approximately 120m² each (sleeping more than 16 people);
- The development of one (1) manager's dwelling unit of approximately 250m²; and
- An access road at 0.34km off Karwyderskraal Road (Minor Road 4010).

The tourist accommodation units will be solar powered (roof mounted solar panels). Water will be sourced from the onsite borehole, as per existing allocations. Sewage will be piped to on-site closed conservancy tanks (serviced by the municipality).

C. SITE DESCRIPTION AND LOCATION

The Listed Activities will be undertaken on the Portion 104 of the Farm No. 587, Hemel and Aarde Valley, Hermanus.

The SG 21-digit code is given below:

Portion 104 of the Farm No. 587, Hemel and Aarde Valley, Hermanus	C0130000000058700104
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The co-ordinates of the site is given below:

Site	Latitude (S)	Longitude (E)
Portion 104 of the Farm No. 587, Hemel and Aarde Valley, Hermanus	34° 22' 6.9096" S	19° 14' 48.1776" E

Refer to Annexure 1: Locality Map. Refer to Annexure 2: Site Development Plans.

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

D. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER

Lornay Environmental Consulting
Michelle Naylor
33 Shearwater Crescent
Vermont
HERMANUS
7201

Cell: 083 245 6556
Email: michelle@lornay.co.za

E. CONDITIONS OF ENVIRONMENTAL 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 Alternative described in Section B above.
2. The holder must commence with, and conclude, the listed activities 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 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 behalf, including an implementing 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 approved in writing by the Competent Authority before such changes or deviations may be implemented. In assessing whether or not to grant such approval, 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 written notice of seven (7) calendar days must be given to the Competent Authority before construction work can be commenced with.
 - 5.1. The notice must make clear reference to the site details and EIA Reference number given above.
 - 5.2. The notice must include proof of compliance with the following conditions described herein:

Conditions: 6, 7, 11 and 20

Notification of Environmental Authorisation 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 decision reached on 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;
 - 6.4. provide the registered I&APs with the:
 - 6.4.1. 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,
 - 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 National Appeals Regulations, 2014 (as amended).

Commencement

7. The Listed Activities, including site preparation, must not be commenced with within (20) twenty calendar days from the date the applicant notifies the registered I&APs of this decision.
8. 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 Activities

9. The draft Environmental Management Programme (“EMPr”) (submitted as part of the final BAR on 14 March 2022), is hereby approved and must be implemented.
10. The Environmental Authorisation and EMPr must be included in all contract documentation for all phases of implementation.

Monitoring

11. The holder must appoint a suitably experienced Environmental Control Officer (“ECO”) before the Listed Activities can be commenced with, to ensure compliance with the EMPr and the conditions contained herein. The ECO must submit ECO reports on a quarterly basis for the duration of the construction phase.
12. A copy of the Environmental Authorisation, EMPr, ECO reports, audit reports and compliance monitoring reports must be kept at the contractor’s site office and must be made available to any authorised official of the Competent Authority on request.
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 the reports for the purposes of assessing and/or auditing compliance with the conditions contained herein.

Auditing

14. In terms of Regulation 34 of the EIA Regulations, 2014 (as amended), the holder must conduct environmental audits to determine compliance with the conditions of the Environmental Authorisation and the EMPr. Environmental audit reports must be compiled and be submitted to the Competent Authority. Environmental audit reports must be prepared by an independent person and must contain all the information required in Appendix 7 of the EIA Regulations, 2014 (as amended).
15. The audit reports must be compiled and subsequently submitted to the Department in the following manner:
 - 15.1. An audit report must be submitted to the Competent Authority within **six (6) months** of the commencement of the construction phase; and
 - 15.2. A final audit report must be submitted within **three (3) months** of the development being completed.
16. The audit report must indicate compliance status with the conditions of this Environmental Authorisation, and the EMPr and make recommendations for improved environmental management.
17. The holder must, within **seven (7) calendar days** of the submission of the audit report to the Competent Authority, notify all registered I&APs of the submission and make the audit report available to any registered I&AP on request.

Specific Conditions

18. Should any heritage remains be exposed during excavations or any other actions on the site, this 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 disturbed further until the necessary approval has been obtained from Heritage Western Cape.

Heritage remains include, *inter alia*, meteorites, archaeological and/or paleontological 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.
19. A qualified archaeologist and/or paleontologist 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.
20. The construction footprint must be demarcated prior to the commencement of construction activities. All areas outside the construction footprint must be demarcated as "no-go" areas.

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 any Condition of this Environmental Authorisation or EMPr may render the holder liable for criminal prosecution.
3. If the holder does not commence with the Listed Activities within the period referred to in Condition 3, this Environmental Authorisation shall lapse. If the holder wishes to extend the validity

period of the Environmental Authorisation, an application for amendment in this regard must be lodged with the Competent Authority.

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.
5. Please note that an amendment of the Environmental Authorisation is not required for a change in the contact details of the holder. In such a case, the Competent Authority must only be notified of such changes.
6. The manner and frequency for updating the EMPr must be as follows:
 - 6.1. Amendments to the EMPr must be made in accordance with Regulations 35 to 37 of GN No. R.982 (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 twenty (20) 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 twenty (20) 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 twenty (20) 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 at 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 the 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 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 greatly appreciated.

Yours faithfully

MS. MARE-LIEZ OOSTHUIZEN
ACTING DIRECTOR: DEVELOPMENT MANAGEMENT – REGION 1
DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

DATE OF DECISION: 24 JUNE 2022

CC: Ms. Liezl De Villiers (Overstrand Municipality)
Ms. Michelle Naylor (Lornay Environmental Consulting (Pty) Ltd)

E-mail: ldevilliers@overstrand.gov.za
E-mail: michelle@lornay.co.za

FOR OFFICIAL USE ONLY:

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ANNEXURE 1: LOCALITY MAP



ANNEXURE 2: SITE DEVELOPMENT PLANS



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 Department on 14 January 2022, and the EMPr submitted together with the final BAR for decision-making on 14 March 2022;
- b) Relevant information contained in the Departmental information base, including the Guidelines on Public Participation, Need and Desirability and Alternatives (dated March 2013);
- c) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the NEMA;
- d) The comments received from I&APs and the responses thereto, included in the BAR; and
- e) The balancing of negative and positive impacts and proposed mitigation measures.

No site visit was 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

- Identification of and engagement with I&APs;
- Fixing two site notices at conspicuous places along the fence of the site on 15 November 2021;
- Giving written notice to potential I&APs, owners, interest groups and occupiers of land adjacent to the site, the Ward councilor, ratepayers association, the Municipality, Organs of State and State Departments having jurisdiction in respect of any aspect of the activity;
- The placing of a newspaper advertisement in the 'Hermanus Times' on 17 November 2021;
- Making the pre-application BAR available to I&APs for comment from 15 November 2021 to 15 December 2021; and
- Making the draft BAR available to I&APs for comment from 26 January 2022 to 25 February 2022.

The Department is satisfied that the PPP that was followed met the minimum legal requirements. All the comments raised, and responses thereto were included in the comments and responses report.

Specific management and mitigation measures have been considered in this Environmental Authorisation and in the EMPr to adequately address significant concerns raised.

2. Alternatives

The site alternative proposed on Portion 103 of the Farm No. 587, Hemel and Aarde Valley, Hermanus was scoped out from further assessment following comment from both the Overstrand Local Municipality and CapeNature during the pre-application process. Subsequently, two layout alternatives were proposed on Portion 104 of the Farm No. 587, Hemel and Aarde Valley, Hermanus. Layout alternative 1 clustered the tourist accommodation units closer together, while the second alternative positioned the tourist accommodation units further apart. The number and the size of tourist accommodation units was the same in both alternatives, with the only difference being their position on the site and the associated difference in footprint related to the service infrastructure. In addition to this, the Western Cape Government: Transport and Public Works requested that an alternative access point be considered, as the proposed access does not conform to the applicable traffic legislation. The access road was consequently moved northwards (towards De Bos Dam).

Preferred Development Alternative (Herewith Authorised)

The preferred alternative will entail the clearance of indigenous vegetation for cultivation purposes and the development of tourist accommodation units and a manager's dwelling unit on Portion 104 of the Farm No. 587, Hemel and Aarde Valley, Hermanus. The development proposal comprises the following:

- The clearance of approximately 16.35ha of indigenous vegetation for the development of new vineyards;
- The development of four (4) overnight tourist accommodation units of approximately 120m² each (sleeping more than 16 persons);
- The development of one (1) manager's dwelling unit of approximately 250m²; and
- An access road at 0.34km off Karwyderskraal Road (Minor Road 4010).

The tourist accommodation units will be solar powered (roof mounted solar panels). Water will be sourced from the onsite borehole, as per existing allocations. Sewage will be piped to on-site closed conservancy tanks (serviced by the municipality).

This alternative was preferred, as the tourist accommodation units are clustered together, therefore making access and the extension of services easier, which reduces the risk of sprawl of activities to natural areas.

'No-Go' Alternative

The 'No-Go' option is not preferred. The property is already developed as a well-established wine estate in a popular wine and tourism area of the Hemel and Aarde Valley. The benefits associated with the proposed development will not be realised, if the 'No-Go' alternative is implemented.

3. Key Factors Affecting the Decision

3.1 Need and Desirability

The property is zoned Agricultural Zone 1 and the expansion of the cultivation area is therefore permitted in terms of the land use rights of the property. A consent use for the establishment of overnight tourist accommodation is required and underway. The Overstrand Municipality has indicated in comment dated 11 December 2021 that the proposed development is in line with the Overstrand Additional Dwellings Guidelines (2009). This guideline makes provision for rural owners in the agricultural environment to generate additional income from their land units other than standard farming practices. The Overstrand municipality has confirmed in correspondence (dated 14 January 2022) that sufficient capacity exists to provide the proposed development with sewage treatment and solid waste disposal services. Electricity to the buildings will be provided by solar panels. There are approved water rights for the subject property which is currently undergoing an amendment process with the water authority to accommodate the name change of the property.

3.2 Heritage Resources

The correspondence from Heritage Western Cape (dated 2 February 2022), confirmed that no further action under Section 38 of the National Heritage Resources Act, 1999 (Act No. 25 of 1999) is required.

Additionally, the applicant will comply with Conditions 20 and 21 of this Environmental Authorisation. This will help to ensure the protection of any heritage resources that may be encountered on the site.

3.3 Terrestrial Biodiversity Impacts

According to the Terrestrial Biodiversity Impact Assessment Report (compiled by Jacques van Rensburg of Nature Works Environmental Consultancy, dated 15 January 2022), the development proposal will result in the permanent loss of degraded to highly degraded Elim Ferricrete Fynbos, which is classified as a Critically Endangered ecosystem in terms of the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004) ("NEM:BA"), List of Threatened Ecosystems in Need of Protection, December 2011). According to the Western

Cape Bioregional Spatial Plan, the proposed tourist accommodation units will be located within an area that has been classified as a degraded Critically Biodiversity Area 2 ("CBA2"). Clustering the tourist accommodation units together will result in minimal disturbance to natural vegetation. The manager's dwelling unit and areas proposed for the vineyards will be located within a degraded area, since it has been previously ploughed. The Terrestrial Biodiversity specialist supports the proposed development from a terrestrial ecological perspective, with the implementation of the proposed mitigation measures. The impacts on indigenous vegetation as a result of the proposed development has been rated as being of low negative significance after mitigation.

The development proposal will result in both negative and positive impacts.

Negative impacts include:

- Construction related impacts, such as dust, noise and visual intrusion during the construction phase.

Positive impacts include:

- The creation of temporary employment opportunities during the construction phase;
- Removal of alien vegetation; and
- The proposed development will increase the financial viability of the farm.

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

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