



**REFERENCE:** 16/3/3/1/D5/11/0002/18  
**NEAS REFERENCE:** WCP/EIA/0000370/2018  
**ENQUIRIES:** Marianne Lesch  
**DATE OF ISSUE:** **28 MAR 2019**

The Director  
Riovista (Pty) Ltd  
PO Box 114  
**GOURITSMOND**  
6696

**Attention: Mr Wessel Smit**

Tel: (082) 781 2820  
E-mail: wessel@riovistafarm.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 REGULATIONS, 2014: PROPOSED DEVELOPMENT OF 5 SMALL TOURIST HOUSES ON REMAINDER OF PORTION 8, MELKHOUTEFONTEIN 449, GOURITSMOND, HESSEQUA MUNICIPALITY**

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, 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 summarized in the attached Environmental Authorisation.

Yours faithfully

**DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 3)**  
**DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING**

Copied to: Municipal Manager Hessequa Municipality Fax: (0)86 4015 118  
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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: PROPOSED DEVELOPMENT OF 5 SMALL TOURIST HOUSES ON REMAINDER OF PORTION 8, MELKHOUTEFONTEIN 449, GOURITSMOND, HESSEQUA MUNICIPALITY**

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 Alternative described in the Final Basic Assessment Report ("BAR"), dated July 2018 as prepared and submitted by the environmental assessment practitioner, Piet Groenewald Landscape Architect.

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

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

The Director  
c/o Mr Wessel Smit  
Riovista (Pty) Ltd  
PO Box 114  
**GOURITSMOND**  
6696

Tel: (082) 781 2820

E-mail: wessel@riovistafarm.co.za

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

## B. LIST OF ACTIVITIES AUTHORISED

Listed Activities	Activity/Project Description
<b>Environmental Impact Assessment Regulations Listing Notice 3 of 2014</b> (Government Notice No. 985 of 4 December 2014)	
Activity Number: <b>6</b> Activity Description:  <b>The development of resorts, lodges, hotels and tourism or hospitality facilities that sleeps 15 people or more.</b>  (f) In Western Cape: i. All areas outside urban areas; or ii. Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans.	5 small tourist houses of 120m <sup>2</sup> each, plus 18m <sup>2</sup> car port. The proposed activity will cover 0.5ha in total.
Activity Number: <b>12</b> Activity Description:  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.  <b>(a) In Eastern Cape, Free State, Gauteng, Limpopo, North West and Western Cape provinces:</b> 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. Within critical biodiversity areas identified in bioregional plans;	Area of development is 5000m <sup>2</sup> . (Clearance; 1200m <sup>2</sup> )

<p>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, excluding where such removal will occur behind the development setback line on even in urban areas; or</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.</p>	
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The abovementioned list is hereinafter referred to as **"the listed activities"**.

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

Alternative B: Preferred Design and Layout Alternative:

The proposal entails the development of 5 small tourist houses of 120m<sup>2</sup> each with an adjacent sheltered parking area of 18m<sup>2</sup> on the Farm Melkhoutfontein 449 on remainder of Portion 8. The area covered by all 5 units together with the necessary services infrastructure and open space is 0,5 ha.

An existing access road will be utilised which connects with the R325 to Mossel Bay Road.

### C. SITE DESCRIPTION AND LOCATION

The farm of 129,6ha is 7km from Gouritsmond. The site is more than 100m from the Gourits River and runs along the western shore of the Gourits River with access from the Mosselbaai Road.

Coordinates of all the proposed activities on the property or properties (sites):

**Latitude (S):**

34° 18' 21,04"

34° 18' 19,91"

**Longitude (E):**

21° 49' 17,01"

21° 49' 22,39"

Refer to Annexure 1 Locality map and Annexure 2: Site Development Plan.

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

## D. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER

Piet Groenewald Landscape Architect  
% Piet Groenewald  
PO Box 559  
**STILBAAI**  
6674

Tel : 028 754 1858  
Fax: 086 580 3073

## 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 following preferred Alternative B as described in Section B above:

The proposal entails the development of 5 tourist houses of 120m<sup>2</sup> each with an adjacent sheltered parking area of 18m<sup>2</sup> on the Farm Melkhoutfontein 449 on Remainder of Portion 8. The area covered by all 5 units together with the necessary services infrastructure and open space is 0,5 ha. An existing access road will be utilised which connects with the Mossel Bay road.

2. The non-operational component of the Environmental Authorisation is subject to the following:
  - 2.1. The holder must commence with all the listed activities and conclude the development activities (construction phase) within a period of **five (5) years** from the date of issue of this Environmental Authorisation.
3. The post construction rehabilitation and monitoring requirements must be finalised within a period of 12-months from the date the development activities (construction phase) are concluded.
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. The holder of the environmental authorisation must provide the Competent Authority with proof of compliance with the following specified conditions of authorisation within **sixty (60)** calendar days of the date of issue of this decision:

Conditions: **8** and **9**

7. **Seven (7)** calendar days' notice, in writing, must be given to the Competent Authority before commencement of construction activities.

The notice must also include proof of compliance with the following conditions described herein:

Conditions: **11** and **13**

**Note:** All notices to the Competent Authority must make clear reference to the site details and EIA Reference number given above.

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

8. The holder must in writing, within 14 (fourteen) calendar days of the date of this decision—
  - 8.1. notify all registered Interested and Affected Parties ("I&APs") of –
    - 8.1.1. the decision reached on the application;
    - 8.1.2. the reasons for the decision as included in Annexure 3;
    - 8.1.3. the date of the decision; and
    - 8.1.4. the date when the decision was issued.
  - 8.2. 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;
  - 8.3. draw the attention of all registered I&APs to the manner in which they may access the decision;
  - 8.4. provide the registered I&APs with the:
    - 8.4.1. name of the holder (entity) of this Environmental Authorisation,
    - 8.4.2. name of the responsible person for this Environmental Authorisation,
    - 8.4.3. postal address of the holder,
    - 8.4.4. telephonic and fax details of the holder,
    - 8.4.5. e-mail address, if any, of the holder,

- 8.4.6. contact details (postal and/or physical address, contact number, facsimile and e-mail address) of the decision-maker and all registered I&APs in the event that an appeal is lodged in terms of the 2014 National Appeals Regulations (as amended).
9. The listed activities, including site preparation, must not commence within thirty-nine (39) 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 (i.e. the listed activities, including site preparation, must not commence until the appeal is decided).

### ***Management of activity***

10. The activities must be implemented in accordance with an approved Environmental Management Programme ("EMPr").
11. The draft EMPr submitted as part of the application for Environmental Authorisation must be amended to address the following aspects, and re-submitted to the Competent Authority for approval, prior to commencement of construction activities.

The amended EMPr must—

- 11.1. meet the requirements outlined in Section 24N (2) & (3) of the National Environmental Management Act, 1998 (Act no 107 of 1998, as amended) and Appendix 4 of the Environmental Impact Assessment Regulations, 2014 (Government Notice R.982 of 4 December 2014, as amended);
- 11.2. incorporate all the conditions given in this Environmental Authorisation;
- 11.3. include all final designs for the proposed development and services layout;
- 11.4. detail the functions of the ECO and frequency of site inspections and reporting;
- 11.5. detail an implementation programme which sets out the construction phase of the proposed development and specifies the period required to conclude the respective activities (a date on which the activity will be deemed to have been concluded should be derived from such a programme);
- 11.6. detail an indigenous plant "search and rescue" methodology to identify all indigenous plant species and organisms found to occur at the property within the development footprint. Plant material must be collected and be utilised later in supplementary planting and landscaping, where appropriate, at the property;
- 11.7. incorporate an environmental auditing and monitoring schedule detailing the frequency of auditing compliance with environmental authorisation and environmental management programme and submission of environmental audit reports to the Competent Authority during the construction phase.

12. The final approved EMPr must be included in all contract documentation for all phases of implementation.

### **Monitoring**

13. The holder must appoint a suitably experienced environmental control officer ("ECO").

14. The ECO must–

14.1. be appointed prior to commencement of any vegetation clearing or construction activities commencing;

14.2. ensure compliance with the EMPr and the conditions contained herein;

14.3. keep record of all activities on site; problems identified; transgressions noted and a task schedule of tasks undertaken by the ECO;

14.4. remain employed until all development activities are concluded and the post construction rehabilitation and monitoring requirements are finalised.

15. 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 (if applicable).

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

### **Auditing**

17. The holder must, for the period during which the environmental authorisation and EMPr remain valid ensure the compliance with the conditions of the environmental authorisation and the EMPr, is audited.

18. The environmental audit report must be prepared and submitted to the Competent Authority, by an independent person with the relevant environmental auditing expertise.

The holder must, **within 7 days** of the submission of the environmental audit report 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).

19. The Environmental Audit Report must contain all the information required in **Appendix 7** of the Environmental Impact Assessment Regulations, 2014.

20. During the construction phase, the holder must undertake annual environmental audit(s) and submit these Environmental Audit Report(s) to the Competent Authority.



The final construction phase Environmental Audit Report(s) must be submitted to the Competent Authority within six (6) months of completion of construction;

21. During the operation phase, the holder must ensure that environmental audit(s) are performed as specified in the approved EMPr and submit these Environmental Audit Report(s) to the Competent Authority.

### **Specific Conditions**

22. 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 artefacts 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.

23. 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 conclude an authorised listed activity within the period referred to in Par 2.1 of Section E, this Environmental Authorisation shall lapse for that activity, and a new application for Environmental Authorisation must be submitted to the relevant Competent Authority.

If the holder wishes to extend a validity period specified in the Environmental Authorisation, an application for amendment in this regard must be made to the relevant Competent Authority prior to the expiry date of such a period.

**Note:**

- (a) Failure to lodge an application for amendment prior to the expiry of the validity period of the Environmental Authorisation will result in the lapsing of the Environmental Authorisation.
  - (b) It is an offence in terms of Section 49A(1)(a) of NEMA for a person to commence with a listed activity if the competent authority has not granted an Environmental Authorisation for the undertaking of the activity.
4. The holder is required to notify the Competent Authority where any detail with respect to the Environmental Authorisation must be amended, added, substituted, corrected, removed or updated.

In assessing whether it requires an amendment of the EA, 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.

The onus is on the holder to verify whether such changes to the environmental authorisation must be approved in writing by the relevant competent authority prior to the implementation thereof.

5. The manner and frequency for updating the EMPr is as follows:
- (a) Any further amendments to the EMPr, other than those mentioned above, must be approved in writing by the relevant competent authority.
  - (b) An application for amendment to the EMPr must be submitted to the Competent Authority if any amendments are to be made to the impact management outcomes of the EMPr. Such amendment(s) may only be implemented once the amended EMP has been approved by the competent authority.

The onus is however on the holder to confirm the legislative process requirements for the above scenarios at that time.

6. Where an amendment to the impact management outcomes of an EMPr is required before an environmental audit is required in terms of the environmental authorisation, an EMPr may be amended on application by the holder of the environmental authorisation.

***Compliance with Environmental Authorisation and EMPr***

7. Non-compliance with a condition of this environmental authorisation or EMPr is an offence in terms of Section 49A(1)(c) of the National Environmental Management Act, 1998 (Act no. 107 of 1998, as amended).

8. In the event that the Environmental Authorisation should lapse, it is an offence in terms of Section 49A(1)(a) of NEMA for a person to commence with a listed activity, unless the competent authority has granted an Environmental Authorisation for the undertaking of the activity.
9. Offences in terms of the NEMA and the Environmental Impact Assessment Regulations, 2010, will render the offender liable for criminal prosecution.

## **G. APPEALS**

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

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

By post:                      Western Cape Ministry of Local Government, Environmental Affairs  
and Development Planning  
Private Bag X9186  
CAPE TOWN  
8000

By facsimile: (021) 483 4174; or

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

**Note:** For purposes of electronic database management, you are also requested to submit electronic copies (Microsoft Word format) of the appeal, responding statement and any supporting documents to the Appeal Authority to the address listed above and/ or via e-mail to Jaap.DeVilliers@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 Jaap.DeVilliers@westerncape.gov.za or URL <http://www.westerncape.gov.za/eadp>.

#### H. DISCLAIMER

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

Your interest in the future of our environment is appreciated.

Yours faithfully

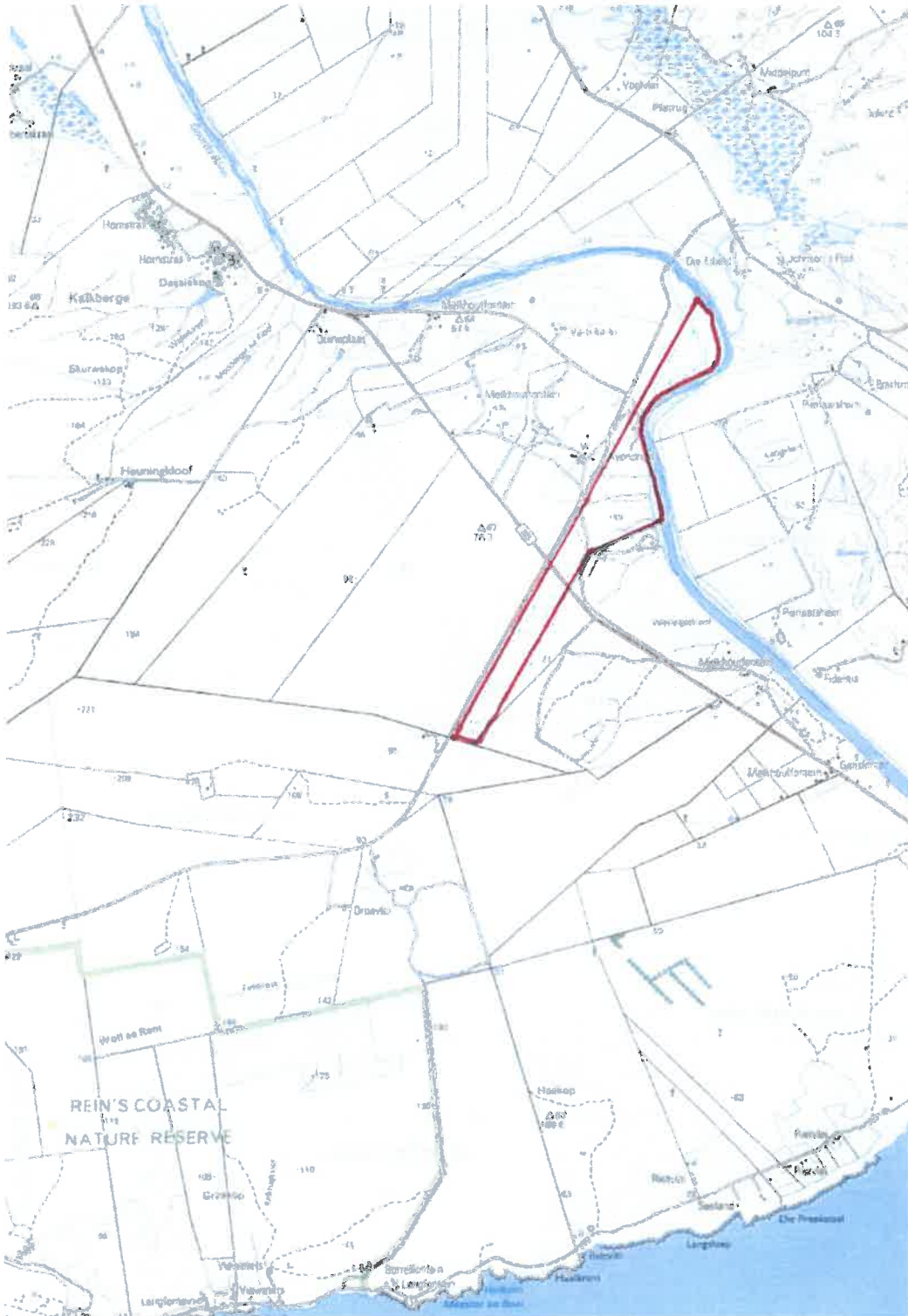


**MR. GAVIN BENJAMIN**  
**DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 3)**

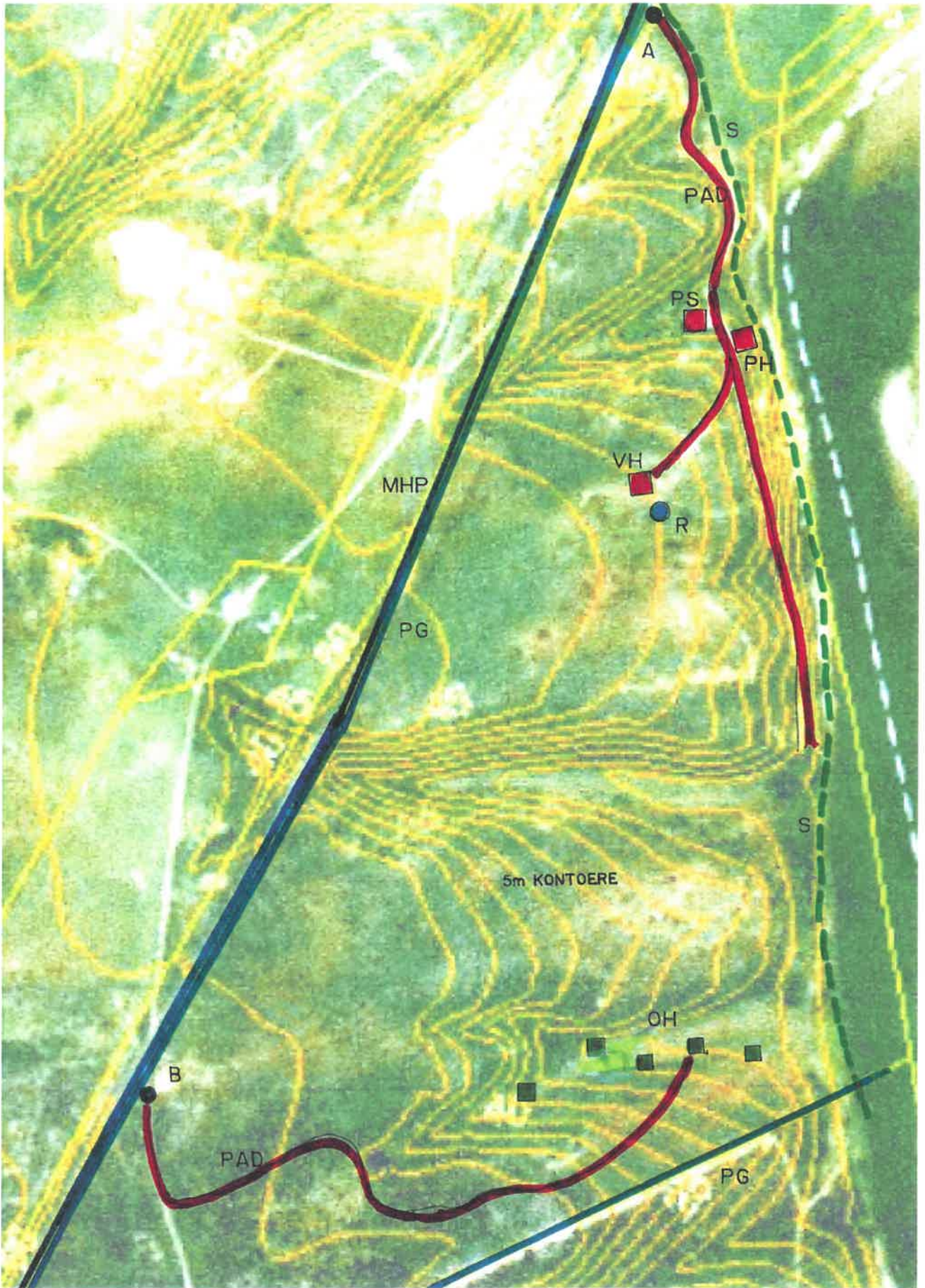
DATE OF DECISION: 27/03/2019

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**EIA REFERENCE NUMBER: 16/3/3/1/D5/11/0002/18**  
**NEAS EIA REFERENCE NUMBER: WCP/EIA/0000370/2018**



**ANNEXURE 1: LOCALITY MAP**



**ANNEXURE 2: SITE DEVELOPMENT PLAN**

### **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 21 February 2018, the Final Basic Assessment Report (BAR) dated July 2018 and the EMPr submitted together with the aforementioned Final BAR;
- b) Relevant information contained in the Departmental information base, including the Guidelines on Public Participation, 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 July 2018;
- 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 is regarded to fulfil the process requirements of the Environmental Impact Assessment Regulations, 2014.

Site notices notifying potential I&APs of the proposed application were placed on site and an advertisement was placed in the local newspaper (South Cape Forum) on 27 January 2017 notifying the public of the EIA process and providing an opportunity for Interested and Affected Parties (I&APs) to register and participate.

All the concerns raised by I&APs were responded to and adequately addressed during the public participation process. Specific management and mitigation measures have been considered in this Environmental Authorisation and in the EMPr to adequately address the concerns raised.

The Competent Authority concurs with the Environmental Assessment Practitioner's responses to the issues raised during the public participation process and has included appropriate conditions in this Environmental Authorisation and in the EMPr.

## 2. Alternatives

### (a) Alternative A:

This alternative entails the development of 5 tourist residential units of 120m<sup>2</sup> each with an adjacent sheltered parking area of 18m<sup>2</sup> on the Farm Melkhoutfontein 449 on remainder of Portion 8. The area covered by all 5 units together with the necessary services infrastructure and open space is 0,5 ha.

An existing access road will be utilised which connects with the Mossel Bay road.

All units grouped together on the same area, however this alternative has been excluded based on input from the botanical specialist.

### (b) Alternatives B: (**Preferred**)

This alternative entails the development of 5 tourist residential units of 120m<sup>2</sup> each with an adjacent sheltered parking area of 18m<sup>2</sup> on the Farm Melkhoutfontein 449 on remainder of Portion 8. The area covered by all 5 units together with the necessary services infrastructure and open space is 0,5 ha.

The sites of each of the five units are most suitable because of the nature of the natural features, namely soil, vegetation, topography, accessibility and service provision. All services can be provided.

This particular location with the five sites of the units are identified according to the Report of the botanist and therefore this proposal is the **preferred** alternative.

### (c) "No-Go" Alternative

The No-Go option would mean the status quo remains and that no units will be constructed.

This however is not the applicant's preferred option.

### (d) No Activity alternatives because the owner only wants to provide the 5 tourist residential units and nothing else.

## 3. Impact Assessment and Mitigation measures

### 3.1 Activity need and desirability

According to the submission the aspect of need & desirability was considered and reported on in the BAR, in particular the strategic context of the site in relation to the broader surrounding area. According to the aforementioned BAR specialists input, Biodiversity, EMP, Alternatives, Need and Desirability were included and motivated in light of the findings in the BAR. According to the BAR the site is located on farmland



outside the urban edge and as such there is no need to be included inside the urban edge. It is motivated in the BAR that tourism is identified as the sector with the greatest growth and development potential in the Eden District. The BAR further notes that the development of the proposed tourist residential units can be considered as a need to supplement the existing tourist facilities in the area. According to the BAR the need for such tourist facilities is demonstrated in the presence of similar facilities in the larger Garden Route area. The Gouritz area has already been identified as an important tourist area and the proposed activity will contribute to economic sustainability.

### 3.2 Biophysical

According to the BAR the proposed development site is located on a portion of farm land that is covered with veldgrass (90%) and 10% is described as Near Natural (areas with low to moderate level of alien invasive plants). The BAR notes that no threatened or protected plant species occur on the development site, except for the very little indigenous vegetation that are not sensitive to disturbance. According to the BAR the soil and topography is of a homogeneous character without any special features and no earth works will therefore be necessary. The site is not located within any drainage areas and no flood problems will be encountered. The BAR notes that proposed development will therefore not have any negative impact on the biophysical character of the site. This Department concurs with the description of the biophysical site specific attributes and is also of the opinion that the proposed development will not negatively impact on these.

### 3.3 Regional/ planning context

According to the Municipal IDP and SDF the development site is located within the rural area on farmland outside the urban edge and is compatible with surrounding rural land uses because of the low density.

The quality of the development will be of a high standard and unobtrusiveness will be ensured. The activity is not in conflict with regional conservation and no impacts on biodiversity is envisaged.

### 3.4 Services

The sewerage treatment facility has been amended to include a sewerage tank to be serviced by the. Hessequa Municipality. Written confirmation from the Municipality in respect of waste disposal and sewerage service has been provided.

### 3.5 Socio-economic

According to the BAR the activity will contribute to economic sustainability and It is anticipated that employment opportunities would be available to a limited number of people from the local communities during the construction phase. As such, income will be rendered for the owner, workers and Municipality.

## 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 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 provisions of the final EMPr, the Competent Authority is satisfied that the proposed listed activities will not conflict with the general objectives of integrated environmental management stipulated in Chapter 5 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) and that any potentially detrimental environmental impacts resulting from the listed activities can be mitigated to acceptable levels.

----- END -----