



**Western Cape
Government**

Environmental Affairs and
Development Planning

Directorate: Development Management
(Region 1)

REFERENCE: 16/3/3/1/B4/45/1055/18
ENQUIRIES: BERNADETTE OSBORNE
DATE OF ISSUE: 2019 -03- 11

The Board of Directors
Man Vintners (Pty) Ltd
PO Box 389
STELLENBOSCH
7599

Attention: Mr Hugo Coetzee

Cell: 083 290 7481
E-mail: hugo@manwines.co.za

Dear Sir

APPLICATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT ("EIA") REGULATIONS, 2014: THE WINE BOTTLING AND STORAGE FACILITY ON A PORTION OF FARM NO. 1311, LIEVLAND WINE ESTATE, STELLENBOSCH.

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

Yours faithfully

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

Cc: (1) Guillaume Nel / Euonell Visagie (Guillaume Nel Environmental Consultants)
(2) Schalk.vandermerwe@stellenbosch.gov.za (Stellenbosch Municipality)

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REFERENCE: 16/3/3/1/B4/45/1055/18
NEAS REFERENCE: WCP/EIA/0000479/2018
ENQUIRIES: Bernadette Osborne
DATE OF ISSUE: 2019 -03- 1 1

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: WINE CELLAR, BOTTLING AND STORAGE FACILITY ON A PORTION OF FARM NO. 1311, LIEVLAND WINE ESTATE, STELLENBOSCH.

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 Activity Alternative 4 and the preferred Technology Alternative described in the Basic Assessment Report ("BAR"), dated 7 November 2018.

In terms of the NEMA, viz, the EIA Regulations, 2014 (Listing Notice 1 of 2014 in Government Gazette No. 40772 of 7 April 2017) the Competent Authority hereby **adopts the Maintenance Management Plan** for the wine cellar, bottling and storage facility on a portion of Farm No. 1311, Lievland Wine Estate, Stellenbosch.

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

Man Vintners (Pty) Ltd
 c/o Mr Hugo Coetzee
 P O Box 389
STELLENBOSCH
 7599

Cell: 083 290 7481
 E-mail: hugo@manwines.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	Project Description
<p>Listing Notice 1 – Activity Number: 8 <i>The development and related operation of hatcheries or agri-industrial facilities outside industrial complexes where the development footprint covers an area of 2 000 square metres or more.</i></p>	<p>The wine cellar, bottling and storage facility will cover an area of more than 2 000 square metres.</p>
<p>Listing Notice 1 – Activity Number: 12 <i>The development of—</i> <i>(i) dams or weirs, where the dam or weir, including infrastructure and water surface area, exceeds 100 square metres; or</i> (ii) infrastructure or structures with a physical footprint of 100 square metres or more; <i>where such development occurs—</i> <i>(a) within a watercourse;</i> <i>(b) in front of a development setback; or</i> (c) if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse; — <i>excluding—</i> <i>(aa) the development of infrastructure or structures within existing ports or harbours that will not increase the development footprint of the port or harbour;</i> <i>(bb) where such development activities are related to the development of a port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies;</i> <i>(cc) activities listed in activity 14 in Listing Notice 2 of 2014 or activity 14 in Listing Notice 3 of 2014, in which case that activity applies;</i> <i>(dd) where such development occurs within an urban area;</i></p>	<p>The fire water booster pumping station and sections of the pipelines from the Waste Water Treatment Facility and the existing borehole will be located within 32m of an in-stream storage dam.</p>

<p>(ee) where such development occurs within existing roads, road reserves or railway lines; or</p> <p>(ff) the development of temporary infrastructure or structures where such infrastructure or structures will be removed within 6 weeks of the commencement of development and where indigenous vegetation will not be cleared.</p>	
<p>Listing Notice 1 – Activity Number: 19 The infilling or depositing of any material of more than 10 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock or more than 10 cubic metres from a watercourse;</p> <p>but excluding where such infilling, depositing, dredging, excavation, removal or moving-</p> <p>(a) will occur behind a development setback;</p> <p>(b) is for maintenance purposes undertaken in accordance with a maintenance management plan;</p> <p>(c) falls within the ambit of activity 21 in this Notice, in which case that activity applies.</p> <p>(d) occurs within existing ports or harbours that will not increase the development footprint of the port or harbour; or</p> <p>Where such development is related to the development of a port or harbor, in which case activity 26 in Listing Notice 2 of 2014 applies.</p>	<p>A section of the pipelines from the waste water treatment facility, the fire water boosting pump station and the existing borehole will be located within the in-stream storage dam and crosses the tributary.</p>
<p>Listing Notice 1 – Activity Number: 28 <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) will occur inside an urban area, where the total land to be developed is bigger than 5 hectares; or</p> <p>(ii) will occur outside an urban area, where the total land to be developed is bigger than 1 hectare;</p> <p><i>Excluding where such land has already been developed for residential, mixed, retail, commercial, industrial or institutional purposes.</i></p>	<p>The development is located outside the urban area, is zoned for agricultural use and is bigger than 1 hectare.</p>

The abovementioned list is hereinafter referred to as "**the listed activities**".

The holder is herein authorised to undertake the following preferred alternatives that includes the listed activities related to the development:

- The development of a wine bottling facility on approximately 1.5ha of land on Lielvand Wine Estate. The wine bottling facility will consist of two elongated and connected buildings, the first of which will serve as a cellar and bottling facility of approximately 1000m² and the second will be a storage building of approximately 2100m² both with a maximum height of 11m. The remainder of the area will be paved to ease the movement of cars and trucks uploading and offloading stock and will cover an area of approximately 5350m². An access road will be constructed on the existing dirt road to the north of the site and the existing access road from the R44 road will be closed. The bottling facility will have an annual capacity of approximately 3 million liters of wine and will consist of the following three sections:
 - The Cellar
Bulk wine will be delivered to the cellar per truck and is accepted within the cellar and stored in stainless steel tanks. The wine is then treated in order to ready it for the bottling process. The cellar will have a maximum tank storage capacity of 350 000L to 400 000L at any time.
 - Bottling Line
The wine is then pumped from the cellar to the bottling line where the glass bottles are filled according to the client's volume specifications which is most commonly 750ml. The bottling line will be able to bottle Lielvand's own wine range as well as other cellars' wines. Once the bottles are filled and corked or capped, the labels are pasted on the bottles and are placed in their cartons as per the client's specifications. The packed carton is loaded onto a pallet and moved to the storage area per forklift.
 - Storage Area
The packed wine bottles are kept in the storage area before it is sent to the client. The method of transportation of the wine will be as per the client's specifications, either by truck or by cargo container.
- The development of a waste water treatment facility to treat wash and waste water from the facility before it is released into the irrigation dam. The facility will have an overflow which will slowly release the treated water from the waste water treatment facility into the irrigation dam. The outfall pipe in the dam will be supported by scour protection (gabions) to ensure that erosion of the dam wall does not occur.
- The development of a fire water booster pumping station next to the in-stream storage dam. A section of the pipeline from the fire water booster pumping station will be located in the dam.
- The development of a pipeline from the existing borehole to a new elevated tank at the bottling facility. A section of this pipeline will cross the tributary.

C. SITE DESCRIPTION AND LOCATION

The listed activities will be undertaken on a portion of Farm No. 1311, Lielvand Wine Estates, Stellenbosch, at the following co-ordinates:

	Latitude (S)	Longitude (E)
Coordinates	33° 50' 23.20" South	18° 52' 41.44" East

The SG digit code is: C05500000000131100000

Refer to Annexure 1: Locality Map and Annexure 2: Site Plan.

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

D. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER

Guillaume Nel Environmental Consultants
c/o Guillaume Nel / Euronell Visagie
PO Box 2632
PAARL
7620

Tel: (021) 870 1874
Fax: (021) 870 1873

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 Activity Alternative 4 and the preferred Technology Alternative described in the Basic Assessment Report ("BAR"), dated 7 November 2018 on the site as described in Section C above.
2. The holder must commence with the listed activities on the site within a period of **five years** from the date issue of this Environmental Authorisation is valid.
3. The development must be concluded within **ten years** from the date of commencement of the listed activities.
4. The holder shall be responsible for ensuring compliance with the conditions by any person acting on his/her behalf, including an agent, sub-contractor, employee or any person rendering a service to the holder.
5. Any changes to, or deviations from the scope of the alternative described in section B above must be accepted or approved, in writing, by the Competent Authority before such changes or deviations may be implemented. In assessing whether to grant such acceptance/approval or not, the Competent Authority may request information in order to evaluate the significance and impacts of such changes or deviations, and it may be necessary for the holder to apply for further authorisation in terms of the applicable legislation.

Written notice to the Competent Authority

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

Conditions: 7, 8 and 12

Notification and administration of appeal

7. The holder must in writing, within 14 (fourteen) calendar days of the date of this decision–
 - 7.1 notify all registered Interested and Affected Parties ("I&APs") of –
 - 7.1.1 the outcome of the application;
 - 7.1.2 the reasons for the decision as included in Annexure 3;
 - 7.1.3 the date of the decision; and
 - 7.1.4 the date when the decision was issued.
 - 7.2 draw the attention of all registered I&APs to the fact that an appeal may be lodged against the decision in terms of the National Appeals Regulations, 2014 detailed in Section F below;
 - 7.3 draw the attention of all registered I&APs to the manner in which they may access the decision;
 - 7.4 provide the registered I&APs with:
 - 7.4.1 the name of the holder (entity) of this Environmental Authorisation,
 - 7.4.2 name of the responsible person for this Environmental Authorisation,
 - 7.4.3 postal address of the holder,
 - 7.4.4 telephonic and fax details of the holder,
 - 7.4.5 e-mail address, if any, of the holder,
 - 7.4.6 the contact details (postal and/or physical address, contact number, facsimile and e-mail address) of the decision-maker and all registered I&APs in the event that an appeal is lodged in terms of the 2014 National Appeals Regulations.
8. The listed activities, including site preparation, may not commence within 20 (twenty) calendar days from the date the applicant notified the registered I&APs of this decision. In the event that an appeal is lodged with the Appeal Authority, the effect of this Environmental Authorisation is suspended until the appeal is decided.

Management of activity

9. The draft Environmental Management Programme ("EMPr") submitted as part of the application for Environmental Authorisation is hereby approved and must be implemented.
10. The Maintenance Management Plan ("MMP") adopted as part of this Environmental Authorisation must be implemented.
11. The EMPr must be included in all contract documentation for all phases of implementation.

Monitoring

12. The holder must appoint a suitably experienced environmental control officer ("ECO"), or site agent where appropriate, before commencement of any land clearing or construction activities to ensure compliance with the provisions of the EMPr, MMP and the conditions contained herein.

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

Auditing

15. In terms of Regulation 34 of the NEMA EIA Regulations, 2014, the holder must conduct environmental audits to determine compliance with the conditions of the Environmental Authorisation, the EMPr and submit Environmental Audit Reports to the Competent Authority. The Environmental Audit Report must be prepared by an independent person and must contain all the information required in Appendix 7 of the NEMA EIA Regulations, 2014 (as amended).

The holder must undertake an environmental audit quarterly for the duration of the construction phase and submit Environmental Audit Reports to the Competent Authority once every six months during the construction phase. The final Environmental Audit Report must be submitted to the Competent Authority six months after operation commenced.

The holder must, within 7 days of the submission of each of the above-mentioned reports to the Competent Authority, notify all potential and registered I&APs of the submission and make the report available to anyone on request and on a publicly accessible website (if applicable).

Specific Conditions

16. Should any heritage remains be exposed during excavations or any other actions on the site, these must immediately be reported to the Provincial Heritage Resources Authority of the Western Cape, Heritage Western Cape. Heritage remains uncovered or disturbed during earthworks must not be further disturbed until the necessary approval has been obtained from Heritage Western Cape.

Heritage remains include: meteorites, archaeological and/or palaeontological remains (including fossil shells and trace fossils); coins; indigenous and/or colonial ceramics; any articles of value or antiquity; marine shell heaps; stone artifacts and bone remains; structures and other built features with heritage significance; rock art and rock engravings; and/or graves or unmarked human burials including grave goods and/or associated burial material.

17. A qualified archaeologist and/or palaeontologist must be contracted where necessary (at the expense of the holder) to remove any heritage remains. Heritage remains can only be disturbed by a suitably qualified heritage specialist working under a directive from the relevant heritage resources authority.

F. GENERAL MATTERS

1. Notwithstanding this Environmental Authorisation, the holder must comply with any other statutory requirements that may be applicable when undertaking the listed 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 a listed activity within the period referred to in Condition 2, this Environmental Authorisation shall lapse for that activity, and a new application for Environmental Authorisation must be submitted to the Competent Authority. If the holder wishes to extend the validity period of the Environmental Authorisation, an application for amendment in this regard must be made to the Competent Authority prior to the expiry date of the Environmental Authorisation.
4. The holder must submit an application for amendment of the Environmental Authorisation to the Competent Authority where any detail with respect to the Environmental Authorisation must be amended, added, substituted, corrected, removed or updated. If a new holder is proposed, an application for Amendment in terms of Part 1 of the EIA Regulations must be submitted.

Please note that an amendment is not required if there is a change in the contact details of the holder. In this case, the Competent Authority must only be notified of such changes.

5. The manner and frequency for updating the EMPr is as follows:
Amendments to the EMPr, must be done in accordance with Regulations 35 to 37 of the EIA Regulations 2014 (as amended) or any relevant legislation that may be applicable at the time.

G. APPEALS

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

1. An appellant (if the holder of the decision) must, within 20 (twenty) calendar days from the date 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
8th Floor Utilitas Building, 1 Dorp Street, Cape Town, 8001

Note: For purposes of electronic database management, you are also requested to submit electronic copies (Microsoft Word format) of the appeal, responding statement and any supporting documents to the Appeal Authority to the address listed above and/ or via e-mail to 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. ZAATHIR TOEFY

DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)

DATE OF DECISION: 11/03/2019

Cc: (1) Guillaume Nel / Euronell Visagie (Guillaume Nel Environmental Consultants)
(2) Schalk.vandermerwe@stellenbosch.gov.za (Stellenbosch Municipality)

Fax: (021) 870 1873

ANNEXURE 1: LOCALITY MAP



Lievland Wine Farm, Farm 1311, Stellenbosch	 environmental consultants Tel: (021) 870 1874 Fax: 086 6933 802 Cell: 072 1571 321	 Figure 1
Locality Map		



Lievland Wine Farm, Farm 1311, Stellenbosch	 environmental consultants Tel: (021) 870 1874 Fax: 086 6933 802 Cell: 072 1571 321	 Figure 2
Aerial Image		

ANNEXURE 3: REASONS FOR THE DECISION

In reaching its decision, the Competent Authority considered, inter alia, the following:

- a) The information contained in the Application Form dated 3 August 2018, and the EMPr submitted together with the final Basic Assessment Report on 7 November 2018;
- b) Relevant information contained in the Departmental information base, including the Guidelines on Public Participation and Alternatives (dated March 2013);
- c) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the National Environmental Management Act, 1998 (Act No. 107 of 1998);
- d) The comments received from I&APs and responses to these, included in the final Basic Assessment Report received on 7 November 2018; and
- e) The balancing of negative and positive impacts and proposed mitigation measures.

No site visits were conducted. The Competent Authority had sufficient information before it to make an informed decision without conducting a site visit.

All information presented to the Competent Authority was taken into account in the consideration of the application for Environmental Authorisation. A summary of the issues that were considered to be the most significant for the decision is set out below.

1. Public Participation

The public participation process included:

- identification of and engagement with I&APs;
- giving written notice to the owners and occupiers of land adjacent to the site where the listed activities are to be undertaken, the municipality and ward councilor, and the various organs of state having jurisdiction in respect of any aspect of the listed activities on 31 May 2018;
- the placing of a newspaper advertisement in the 'Die Eikestadnuus' on 31 May 2018;
- notice boards were placed at the site where the listed activities are to be undertaken;
- making the pre-application draft BAR available to I&APs for public review from 1 June 2018; and
- making the in-process draft BAR available to I&APs for public review from 24 August 2018.

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

2. Alternatives

The following alternatives were considered:

Activity Alternative 1

This alternative entails the development of a wedding venue with a ceremony hall with kitchen, toilets and a large porch on 1ha of land. This alternative was not preferred for the following reasons:

- It would increase the traffic volumes to the farm on a regular basis and would require expensive upgrades to the existing road network. Furthermore, not enough open space is available to cater for the anticipated volume of parking spaces.
- The noise impact would be substantial as the activity would be largely confined to weekends and late nights which is not supported by the existing residents to the north of the site.
- The rezoning of the site from agriculture to an un-associated land use may not be supported by the Department of Agriculture.

Activity Alternative 2

This alternative entails the development of a small residential estate with 40 units on approximately 1ha of land. Each erf would be 200m² in size and would be zoned Single Residential. Two internal spine roads will connect the erven with access taken from the north from the existing dirt road. This alternative was not preferred for the following reasons:

- Upgrades to the new access road at Wiesenhof and internal roads would be required. Furthermore, authorisation of an upgraded access to the site from the Department of Transport and Public Works for a residential development on the farm would most probably not be supported, as the existing access is already classified as dangerous;
- Keeping in mind that the farm is a working farm with trucks frequently entering the farm and the fact that visitors to the cellar are in abundance, securing the safety of the future residents on the farm would be problematic.
- No visual impact is expected as the site is not visible from the R44, however the sense of place of the farm would be compromised by a medium to high density residential development located at the entrance to the wine farm. Locating the estate to the south of the farm would lessen this impact, however this is not possible as the area is currently actively cultivated.
- The site is located outside the urban edge of Stellenbosch and is therefore not designed for urban development within the Stellenbosch Municipality's Spatial Development Plan.
- Rezoning of the site from agricultural use to residential may not be supported by the Department of Agriculture.

Activity Alternative 3

This alternative entails the development of an energy plant which would aim to generate electricity to the homestead, cellar and cottages and the remaining electricity would be placed back into Eskom's grid. This alternative was not preferred for the following reasons:

- The site does not get enough sunlight throughout the day to optimally generate electricity due to it being located along the foothills of the Hottentots Holland Mountain range and is mostly buffered from strong winds, making wind energy generation difficult.
- It would be too costly for the developer to implement and would not result in optimal electricity generation.

Activity Alternative 4 (preferred layout herewith authorised)

This alternative entails the development of a wine bottling facility on approximately 1.5ha of land on Lieland Wine Estate. The wine bottling facility will consist of two elongated and connected buildings, the first of which will serve as a cellar and bottling facility of approximately 1000m² and the second will be a storage building of approximately 2100m² both with a maximum height of 11m. The remainder of the area will be paved to ease the movement of cars and trucks uploading and offloading stock and

will cover an area of approximately 5350m². An access road will be constructed on the existing dirt road to the north of the site and the existing access road from the R44 road will be closed. The bottling facility will have an annual capacity of approximately 3 million liters of wine and will consist of the following three sections:

- The Cellar

Bulk wine will be delivered to the cellar per truck and is accepted within the cellar and stored in stainless steel tanks. The wine is then treated in order to ready it for the bottling process. The cellar will have a maximum tank storage capacity of 350 000L to 400 000L at any time.

- Bottling Line

The wine is then pumped from the cellar to the bottling line where the glass bottles are filled according to the client's volume specifications which is most commonly 750ml. The bottling line will be able to bottle Lievland's own wine range as well as other cellars' wines. Once the bottles are filled and corked or capped, the labels are pasted on the bottles and are placed in their cartons as per the client's specifications. The packed carton is loaded onto a pallet and moved to the storage area per forklift.

- Storage Area

The packed wine bottles are kept in the storage area before it is sent to the client. The method of transportation of the wine will be as per the client's specifications, either by truck or by cargo container.

- The development of a waste water treatment facility to treat wash and waste water from the facility before it is released into the irrigation dam. The facility will have an overflow which will slowly release the treated water from the waste water treatment facility into the irrigation dam. The outfall pipe in the dam will be supported by scour protection (gabions) to ensure that erosion of the dam wall does not occur.
- The development of a fire water booster pumping station next to the in-stream storage dam. A section of the pipeline from the fire water booster pumping station will be located in the dam.
- The development of a pipeline from the existing borehole to a new elevated tank at the bottling facility. A section of this pipeline will cross the tributary.

This alternative was preferred since it will support the existing activities on site in terms of similar land use and expansion of the services and products provided by the farm. This will have a positive economic impact not only to the farm, but on the local economic development of Stellenbosch and the Cape Winelands Region.

Technology Alternative (preferred technology herewith authorised)

This alternative entails the development of a small-scale on-site waste water treatment facility to treat wash and waste water from the development before it is released into the irrigation dam. The waste water treatment facility will have an overflow which will slowly release treated water from the plant. The outfall pipe in the irrigation dam will be supported by scour protection (gabions) to prevent erosion of the irrigation dam wall. This alternative was preferred since it will increase the quality of the irrigation water that is used for the vineyards and will eliminate possible odours.

The No-Go Alternative

This alternative represents the current status quo, the cellar pumping untreated water into the irrigation dams, using the land as grazing pastures for cattle, or being planted with grape vines to increase the production of the farm. This alternative was not preferred for the following reasons:

- The continued negative impact on the quality of the irrigation water;
- It is not considered an optimal use of the land; and
- The opportunity cost for not developing the bottling facility outweighs the cost of planting vineyards.

3. Impact Assessment and Mitigation measures

3.1 Activity need and desirability

The development will create employment opportunities during the construction and operational phase and will contribute to the local economy. The wine bottling and storage facility is in line with the surrounding agricultural land uses as the site is surrounded by vineyards and a cellar which is located to the south. The development will be a more efficient use of the land and the small-scale on-site waste water treatment facility will increase the quality of the irrigation water that is used for the vineyards.

3.2 Biophysical Impacts

The site has been transformed by cultivation and is classified as "No Natural" according to the Western Cape Biodiversity Spatial Plan. Historically the site contained Boland Granite Fynbos vegetation which is classified as vulnerable. The development will have no significant impacts on terrestrial biodiversity and this was confirmed by CapeNature in their letter dated 25 July 2018. A tributary of the Klapmuts River flows approximately 200m to west of the site, through the irrigation storage dam to which the treated wash and waste water from the waste water treatment facility will flow. A second tributary of the Klapmuts river flows approximately 80m east of the eastern border of the development along the foothills of the Simonsberg. A Water Use Licence Application ("WULA") in terms of the National Water Act, 1998 (Act 38 of 1998) has been submitted to the Department of Water and Sanitation, which will further investigate the watercourse related impacts.

Furthermore, a MMP has also been compiled to address routine maintenance activities taking place in the affected stretch of the watercourse. The maintenance of the structures authorised in this Environmental Authorisation forms part of this MMP. It must be noted that the accepted maintenance activities only relate to the activities described in the MMP. Should any new activities and associated infrastructure, not included in the MMP, require maintenance and if any of the applicable listed activities are triggered, an Environmental Authorisation must be obtained prior to the undertaking of such activities. It remains the responsibility of the proponent to determine if any other listed activities are triggered and to ensure that the necessary Environmental Authorisation is obtained.

The fact that the MMP is adopted by the Competent Authority does not absolve the applicant from its general "duty of care" set out in Section 28(1) of the NEMA, which states that *"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."* (Note: When interpreting their "duty of care" responsibility, cognisance must be taken of the principles of sustainability contained in Section 2 of NEMA).

The development will result in both negative and positive impacts.

Negative Impacts:

- The development could have potential visual impacts and a negative impact on the watercourse present on the site. These impacts will however be mitigated to an acceptable level through the implementation of the EMPr and the Conditions of this Environmental Authorisation.

Positive impacts:

- The development is located on a site which has been completely transformed through cultivation.

- The development will create employment opportunities during the construction and operational phases and will contribute to the local economy.
- The development will be a more efficient use of the land and the small-scale on-site waste water treatment facility will increase the quality of the irrigation water that is used for the vineyards.

4. National Environmental Management Act Principles

The National Environmental Management Principles (set out in section 2 of the NEMA, which apply to the actions of all organs of state, serve as guidelines by reference to which any organ of state must exercise any function when taking any decision, and which must guide the interpretation, administration and implementation of any other law concerned with the protection or management of the environment), *inter alia*, provides for:

- the effects of decisions on all aspects of the environment to be taken into account;
- the consideration, assessment and evaluation of the social, economic and environmental impacts of activities (disadvantages and benefits), and for decisions to be appropriate in the light of such consideration and assessment;
- the co-ordination and harmonisation of policies, legislation and actions relating to the environment;
- the resolving of actual or potential conflicts of interest between organs of state through conflict resolution procedures; and
- the selection of the best practicable environmental option.

5. Conclusion

In view of the above, the NEMA principles, compliance with the conditions stipulated in this Environmental Authorisation, and compliance with the EMPr, the Competent Authority is satisfied that the proposed listed 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.

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