



REFERENCE: 16/3/3/1/B2/36/1015/19
ENQUIRIES: D'mitri Matthews
DATE OF ISSUE: 2019 -06- 2 6

The Board of Directors
Aan de Pokkekraal Boerdery (Pty) Ltd
P. O. Box 748
WORCESTER
6849

Attention: Mr. P. D. le Roux

Tel.: (023) 349 1767
Fax: (086) 432 4777

Dear Sir


ACKNOWLEDGEMENT OF RECEIPT OF THE FINAL BASIC ASSESSMENT REPORT ("BAR") IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) ("NEMA") ENVIRONMENTAL IMPACT ASSESSMENT ("EIA") REGULATIONS 2014 (AS AMENDED) FOR THE PROPOSED AGRICULTURAL DEVELOPMENT ON PORTION 3 OF FARM BOKKEKRAAL NO. 378, GOUDINI VALLEY

1. The final BAR dated June 2019, as received by this Department on 20 June 2019, refers.
2. This letter serves as an acknowledgement of receipt of the aforementioned document by this Department.
3. This Department will consider the BAR in accordance with the prescribed timeframes and advise you accordingly.
4. Kindly quote the abovementioned reference number in any future correspondence in respect of the application.
5. Please note that the activity may not commence prior to an Environmental Authorisation being granted by the Department. It is an offence in terms of Section 49A(1)(a) of the 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. Failure to comply with the requirements of Section 24F of the NEMA will result in the matter being referred to the Environmental Compliance and Enforcement Directorate of this Department. A person convicted of an offence in terms of the above is liable to a fine not exceeding R10 million or to imprisonment for a period not exceeding 10 years, or to both such fine and imprisonment.

6. This Department reserves the right to revise or withdraw any comments or request further information from you based on any information received.

Yours faithfully



HEAD OF COMPONENT

ENVIRONMENTAL IMPACT MANAGEMENT SERVICES: REGION 1

DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

CC: (1) Ms. A. Grobler (Landscape Dynamics)
(2) Mr. J. Steyn (Breede Valley Municipality)

Fax: (086) 685 3822
Fax: (023) 348 2709



EIA REFERENCE: 16/3/3/1/B2/36/1015/19
NEAS REFERENCE: WCP/EIA/0000582/2019
ENQUIRIES: D'mitri Matthews
DATE OF ISSUE: 2019 -10- 0 1

The Board of Directors
Aan de Pokkekraal Boerdery (Pty) Ltd
P. O. Box 748
WORCESTER
6849

Attention: Mr. P. D. S. Le Roux

Tel.: (023) 349 1767

Fax: (086) 432 4777

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, (AS AMENDED): AGRICULTURAL DEVELOPMENT ON PORTION 3 OF FARM BOKKEKRAAL NO. 378, GOUDINI VALLEY

1. With reference to the above application, the Department hereby notifies you of its decision to **grant** Environmental Authorisation, attached herewith, together with the reasons for the decision.
2. In terms of Regulation 4 of the Environmental Impact Assessment Regulations, 2014, (as amended), you are instructed to ensure, within 14 days of the date of the 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 National Appeal Regulations, 2014 (as amended), which prescribes the appeal procedure to be followed. This procedure is summarized in the attached Environmental Authorisation.

Yours faithfully


MR. ZAHIR TOEFY

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

CC: (1) Ms. A. Grobler (Landscape Dynamics) Fax: (086) 685 3822
(2) Mr. J. Steyn (Breede Valley Municipality) Fax: (023) 348 2709
(3) Ms. E. Rossouw (BGCMMA) Fax: (023) 347 2012
(4) Ms. P. Huntly (CapeNature) Fax: (021) 866 1523
(5) Mr. R. Roscher (Department of Agriculture) Fax: (023) 342 6779



EIA REFERENCE: 16/3/3/1/B2/36/1015/19
NEAS REFERENCE: WCP/EIA/0000582/2019
ENQUIRIES: D'mitri Matthews
DATE OF ISSUE:

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, (AS AMENDED): AGRICULTURAL DEVELOPMENT ON PORTION 3 OF FARM BOKKEKRAAL NO. 378, GOUDINI VALLEY

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 Alternative 2, described in the Basic Assessment Report ("BAR"), dated June 2019.

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

Aan de Pokkekraal Boerdery (Pty) Ltd
% Mr. P. D. S. le Roux
P. O. Box 748
WORCESTER
6849

Tel.: (023) 349 1767
Fax: (086) 432 4777

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
<p>EIA Regulations Listing Notice 1: Activity Number 27: 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—</p> <p>(i) the undertaking of a linear activity; or (ii) maintenance purposes undertaken in accordance with a maintenance management plan.</p>	<p>The proposal entails the clearance of 16ha of indigenous vegetation for the establishment of lucerne pastures.</p>
<p>EIA Regulations Listing Notice 3: Activity Number 12: The clearance of an area of 300 square metres or more of indigenous vegetation except where such clearance of indigenous vegetation is required for maintenance purposes undertaken in accordance with a maintenance management plan.</p> <p>i. Western Cape</p> <p>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;</p> <p>ii. Within critical biodiversity areas identified in bioregional plans;</p> <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 or even 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>	<p>The proposal entails the clearance of 16 ha of endangered indigenous vegetation.</p>

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 related to the development:

The proposal entails the cultivation of approximately 16ha of indigenous vegetation to establish Lucerne pastures. The collection of mature fruits with seeds from the population of *Leocadendron chamaelea* will be undertaken prior to the clearance of indigenous vegetation. The mature fruits with seeds will be donated to the Millennial Seed Bank Partnership for future use.

C. SITE DESCRIPTION AND LOCATION

The listed activities will be undertaken on Portion 3 of Farm Bokkekraal No. 378, Goudini Valley, at the following co-ordinates:

The boundary co-ordinates for the development are:

Latitude (S)	Longitude (E)
33° 40' 58.00"	19° 21' 35.30"
33° 41' 01.55"	19° 21' 40.87"
33° 41' 18.22"	19° 21' 27.83"
33° 41' 06.23"	19° 21' 19.06"

The SG digit code is: C08500000000037800003

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

Landscape Dynamics Environmental Consultants
% Ms. A. Grobler
P. O. Box 947
Groenkloof
PRETORIA
0027

Tel.: (012) 460 6043

Fax: (086) 685 3822

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, Alternative 2, as described in the BAR dated June 2019 at the site as described in Section C above.
2. The holder must commence with the listed activities on site within a period of **five (5) years** from the date of issue of this Environmental Authorisation.

3. The development must be concluded within **10 years** from the date of commencement of the first listed activity.
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. The notice must:
 - 6.1 make clear reference to the site details and EIA Reference number given above; and
 - 6.2 include proof of compliance with the following conditions described herein:

Conditions: 7, 8, 11 and 17

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 (as amended) detailed in Section G below;
 - 7.3 draw the attention of all registered I&APs to the manner in which they may access the decision; and
 - 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; and

7.4.6 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).

8. The listed activities, including site preparation, must not commence within 20 (twenty) calendar days from the date the applicant notifies the registered I&APs of this decision. In the event that an appeal is lodged with the Appeal Authority, the effect of this Environmental Authorisation is suspended until the appeal is decided i.e. the listed activities, including site preparation, must not commence 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 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"), or site agent where appropriate, before commencement of any land clearing or construction activities to ensure compliance with the EMPr and the conditions contained herein.
12. A copy of the Environmental Authorisation, EMPr, 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 on a publicly accessible website.
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 it for the purposes of assessing and/or monitoring compliance with the conditions contained herein.

Auditing

14. In terms of Regulation 34 of the NEMA EIA Regulations, 2014 (as amended), the holder must conduct environmental audits to determine compliance with the conditions of the Environmental Authorisation, 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 ECO must conduct fortnightly site audits. Monthly ECO Audit Reports must be submitted to the Competent Authority for the duration of the clearing 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

15. 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 paleontological 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.

16. 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.
17. The collection of mature fruits with seeds from the population of *Leocadendron chamaelea* must be undertaken prior to the clearance of indigenous vegetation. Proof of the collection of mature fruits with seeds must be provided to the Department prior to clearance activities commencing.

F. GENERAL MATTERS

1. Notwithstanding this Environmental Authorisation, the holder must comply with any other statutory requirements that may be applicable when undertaking the listed activities.
2. Non-compliance with a condition of this Environmental Authorisation or EMPr may render the holder liable to criminal prosecution.
3. If the holder does not commence with the listed activities within the period referred to in Condition 2, this Environmental Authorisation shall lapse for that activity, and a new application for Environmental Authorisation must be submitted to the Competent Authority. If the holder wishes to extend the validity period of the Environmental Authorisation, an application for amendment in this regard must be made to the Competent Authority prior to the expiry date of the Environmental Authorisation.
4. The holder must submit an application for amendment of the Environmental Authorisation to the Competent Authority where any detail with respect to the Environmental Authorisation must be amended, added, substituted, corrected, removed or updated. If a new holder is proposed, an application for Amendment in terms of Part 1 of the EIA Regulations, 2014 (as amended) must be submitted.

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

5. The manner and frequency for updating the EMPr is as follows:
Amendments to the EMPr must be done in accordance with Regulations 35 to 37 of the 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 on which 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 on which 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 Organs 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 Organs of State must submit their responding statements, if any, to the appeal authority and the appellant within 20 (twenty) calendar days from the date of receipt of the appeal submission.
4. The appeal and the responding statement must be submitted to the address listed below:

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

By facsimile: (021) 483 4174; or

By hand: Attention: Mr Marius Venter (Tel: 021 483 2659)
Room 809
8th Floor Utilitas Building, 1 Dorp Street, Cape Town, 8001

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

5. A prescribed appeal form as well as assistance regarding the appeal processes is obtainable from Appeal Authority at: Tel. (021) 483 2659, E-mail DEADP.Appeals@westerncape.gov.za or URL <http://www.westerncape.gov.za/eadp>.

H. DISCLAIMER

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

Your interest in the future of our environment is appreciated.

Yours faithfully



MR. ZAHRIR TOEFY

DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)

DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

DATE OF DECISION: 01/10/2019

CC: (1) Ms. A. Grobler (Landscape Dynamics)
(2) Mr. J. Steyn (Breede Valley Municipality)
(3) Ms. E. Rossouw (BGCMA)
(4) Ms. P. Huntly (CapeNature)
(5) Mr. R. Roscher (Department of Agriculture)

Fax: (086) 685 3822
Fax: (023) 348 2709
Fax: (023) 347 2012
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Fax: (023) 342 6779

ANNEXURE 1: LOCALITY MAP



Figure 1: Locality map.

ANNEXURE 2: SITE DEVELOPMENT PLAN

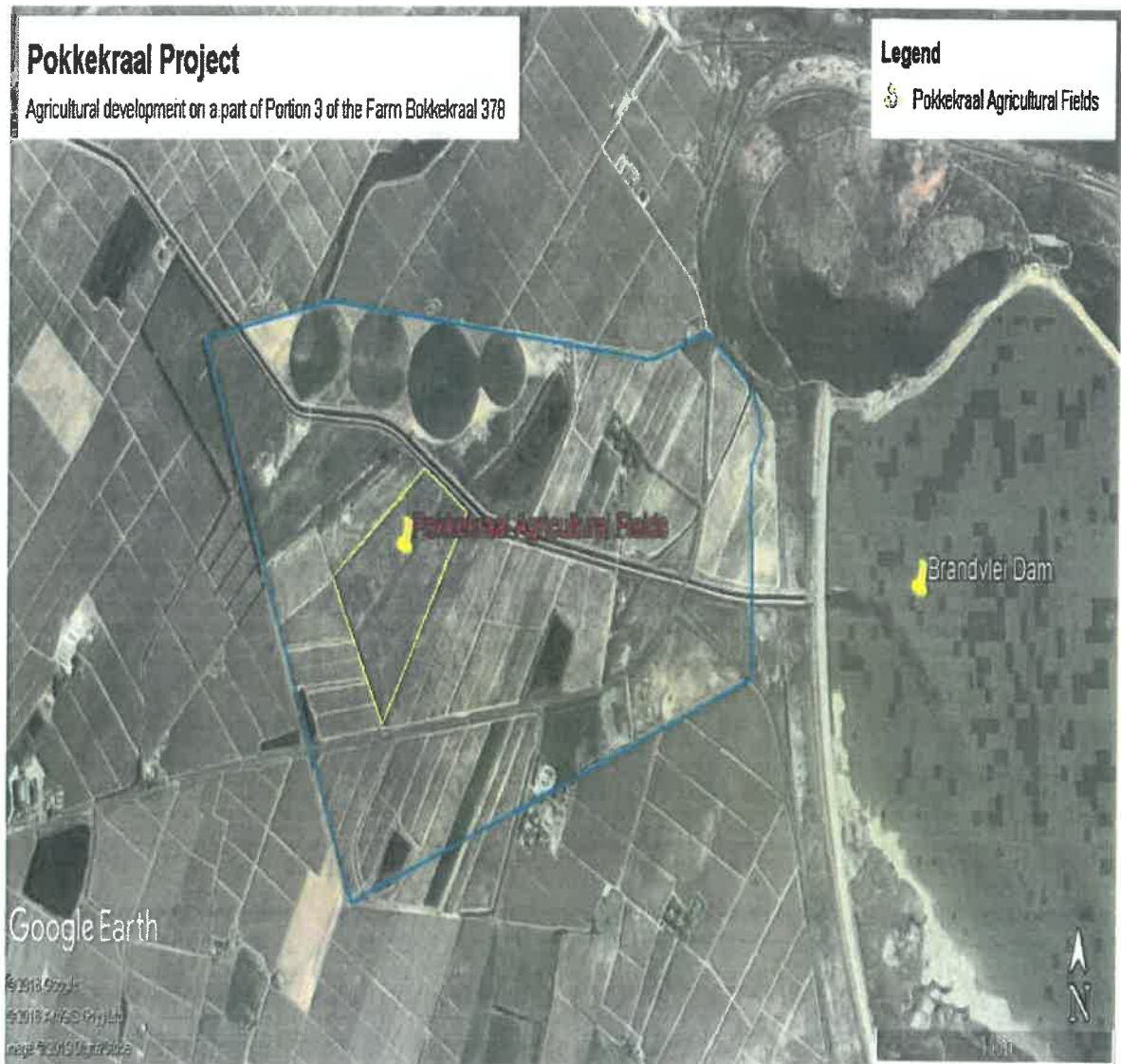


Figure 2: Area to be cleared (yellow polygon).

ANNEXURE 3: REASONS FOR THE DECISION

In reaching its decision, the Competent Authority considered, amongst others, the following:

- a) The information contained in the Application Form dated 6 March 2019, the final BAR dated June 2019 and the EMPr submitted together with the final BAR;
- 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 NEMA;
- d) The comments received from I&APs and responses to these, included in the BAR dated June 2019; 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;
- fixing notice boards at the sites where the listed activities are to be undertaken on 6 February 2018;
- the placing of a newspaper advertisement in the 'Worcester Standard' on 15 February 2018;
- giving written notice to the owners and occupiers of land adjacent to the site where the listed activities are to be undertaken, the municipality and ward councillor, and the various Organs of State having jurisdiction in respect of any aspect of the listed activities, on 15 and 19 March 2019; and
- making the draft BAR available to I&APs for public review from 15 March 2019.

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 proposal entails the clearing of indigenous vegetation for the establishment of lucerne pastures. The alternatives investigated are described below.

Alternative 1:

This alternative entails the clearance of approximately 15,5ha of indigenous vegetation and to fence off and conserve a population of *Leocadendron chamaelea* on an area of 0,5ha in the southern section of the site.

This alternative is not preferred because the area to be conserved is small, isolated and has no ecological connectivity to any biodiversity corridors, any other natural areas or similar vegetation types. The management of the 0,5ha area requires controlled burning, which will put the surrounding agricultural fields at risk of being burnt. The 0,5ha area requires a high moisture content to sustain the *Leocadendron chamaelea* population, which requires additional irrigation infrastructure to be installed, since subsurface flows are captured by underground drainage systems within agricultural fields. It is therefore questionable whether the *Leocadendron chamaelea* population can be successfully conserved.

Alternative 2 (Herewith Authorised):

The proposal entails the cultivation of approximately 16ha of indigenous vegetation to establish Lucerne pastures. The collection of mature fruits with seeds from the population of *Leocadendron chamaelea* will be undertaken prior to the clearance of indigenous vegetation. The mature fruits with seeds will be donated to the Millennial Seed Bank Partnership for future use.

This alternative is preferred because it will allow the farmer to use the land to its full potential on an area, which has been previously ploughed. In addition, the surrounding agricultural fields will not be at risk of getting burnt during controlled burns of the 0,5ha area described in Alternative 1. There will be no need to install irrigation infrastructure to sustain the moisture content of the 0,5ha area containing the *Leocadendron chamaelea*.

"No-Go" Alternative

The "no-go" option to not clear the 16ha area was considered and is not preferred because development of this area is essential to the growth and sustainability of the farm. Furthermore, if the site is to be conserved, it will require extensive financial input to rehabilitate the site to an improved condition. Since the site has a moderate species richness, mainly comprising of pioneer species (due to it being previously ploughed) and since the site is completely isolated, there is no assurance of it being rehabilitated successfully.

3. Impact Assessment and Mitigation measures

3.1 Activity Need and Desirability

The property is currently zoned for agricultural use. The proposed site was previously cultivated and is completely surrounded by cultivated land. The proposed development will expand the applicant's area under cultivation and will increase the economic viability of the farm by increasing its agricultural potential and sustaining existing and future employment opportunities on the farm. Furthermore, the development is consistent with the surrounding land use within the Goudini Valley area.

3.2 Biodiversity and Biophysical Impacts

According to the Botanical Assessment dated March 2017, compiled by A. le Roux of Enviroguard Ecological Services cc, the site comprises Breede Alluvium Fynbos, an ecosystem listed as endangered in terms of Section 52 of the National Environmental Management Biodiversity Act, 2004 (Act No. 10 of 2004) ("NEMBA"). The site was previously ploughed and cultivated with serradella and oat hay, approximately 18 years ago. When cultivation of the site ceased, plant

material was harvested annually for use as bedding for cattle. The vegetation on the site is dominated by pioneer and successional plant species. The site has no ecological connectivity to any biodiversity corridors, any other natural areas or similar vegetation types. It is deemed to be an isolated island of semi-natural secondary successional vegetation surrounded by agricultural land. In addition, due to the continued harvesting of the vegetation for farm management purposes, the area is not expected to change any further in terms of succession. An area of approximately 0,5ha in the southern part of the site contains *Leocadendron chamaelea*, which is a Species of Conservation Concern. The conservation and continued survival of this population of *Leocadendron chamaelea* is uncertain because of its isolated nature, impacts of agricultural drainage systems over the larger area and consequent lack of appropriate ecological drivers, such as fire and subsurface water. Initially, implementation of a plant relocation plan was considered. This would however not be viable since the plants do not tolerate severe root-disturbance. It is therefore recommended that mature fruits with seeds from the population of *Leocadendron chamaelea* be collected and provided to the Millennial Seed Bank Partnership for future use, as required. Through the implementation of the EMPr (accepted in Section E, Condition 9) and the harvesting of mature fruits with seeds from the population of *Leocadendron chamaelea* (Condition 17), the impact on indigenous vegetation will be limited.

The development will result in both negative and positive impacts.

Negative Impacts:

- The proposed development will impact on indigenous vegetation however, the vegetation on site is in a secondary successional stage, which comprises grass species and pioneer shrubs and has moderate species richness. In addition, adequate mitigation measures have been included in the EMPr to mitigate impacts associated with the development.
- A small isolated population of *Leocadendron chamaelea* will be lost as part of the development, however, mature fruits with seeds from the population will be harvested for future use within a natural context.

Positive impacts:

- The development will promote local economic development.
- Employment opportunities will be created during the construction phase and operational phases.
- The economic viability of the farm will be increased.

4. National Environmental Management Act Principles

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

- the effects of decisions on all aspects of the environment to be taken into account;
- the consideration, assessment and evaluation of the social, economic and environmental impacts of activities (disadvantages and benefits), and for decisions to be appropriate in the light of such consideration and assessment;
- the co-ordination and harmonisation of policies, legislation and actions relating to the environment;

- the resolving of actual or potential conflicts of interest between organs of state through conflict resolution procedures; and
- the selection of the best practicable environmental option.

5. Conclusion

In view of the above, the NEMA principles, compliance with the conditions stipulated in this Environmental Authorisation, and compliance with the EMPr, the Competent Authority is satisfied that the proposed listed activities will not conflict with the general objectives of integrated environmental management stipulated in Chapter 5 of the NEMA and that any potentially detrimental environmental impacts resulting from the listed activities can be mitigated to acceptable levels.

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