



Western Cape
Government

Environmental Affairs and
Development Planning

Directorate: Development Management
(Region 1)

REFERENCE: 16/3/3/1/E4/5/1046/19
ENQUIRIES: Lorretta Osborne
DATE OF ISSUE: 2019 -09- 03

The Board of Directors
DGB Production (Pty) Ltd
P.O. Box 246
WELLINGTON
7654

Attention: Ms ME du Toit

Tel: (021) 864 5347
E-mail: heinien@dgb.co.za

Dear Madam

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") AND THE ENVIRONMENTAL IMPACT ASSESSMENT ("EIA") REGULATIONS 2014 (AS AMENDED) FOR THE PROPOSED ESTABLISHMENT OF VINEYARDS ON REMAINDER OF PORTION 16 OF FARM VAN ARIES KRAAL NO. 455, CALEDON

1. The final BAR and the letter dated 23 August 2019, as received by the Department on 26 August 2019, refer.
2. This letter serves as an acknowledgment of receipt of the aforementioned document by the Department.
3. The Department will notify you of its decision in respect of the application within the stipulated timeframe.
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.
6. The Department reserves the right to revise initial comments and request further information based on the information received.

Yours faithfully

**HEAD OF COMPONENT
ENVIRONMENTAL IMPACT MANAGEMENT SERVICES: REGION 1
DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING**

CC: (1) Ms M de Villiers (Cornerstone Environmental Consultants)
(2) StiffieC@twk.org.za (Theewaterskloof Municipality)
(3) JacquesJa@twk.org.za (Theewaterskloof Municipality)

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EIA REFERENCE: 16/3/3/1/E4/5/1046/19
NEAS REFERENCE: WCP/EIA/0000632/2019
ENQUIRIES: Lorretta Osborne
DATE OF ISSUE: 2020-01-06

The Board of Directors
DGB Production (Pty) Ltd
PO Box 140
GRABOUW
7160

Attention: Mr Henry Kotze

Cell: 083 320 8684
E-mail: HenryK@dgb.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, (AS AMENDED): CLEARING OF VEGETATION FOR THE ESTABLISHMENT OF VINEYARDS ON REMAINDER OF PORTION 16 OF FARM VAN ARIES KRAAL NO. 455, CALEDON

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

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

CC: (1) Ms M de Villiers (Cornerstone Environmental Consultants (Pty) Ltd) Fax: (086) 435 2174
(2) Mr J Jansen van Rensburg (Theewaterskloof Municipality) E-mail: JacquesJa@twk.org.za
(3) Mr F Kotze (Overberg District Municipality) Fax: (028) 425 1157
(4) Ms V Ligudu (Breede-Gouritz Catchment Management Agency) Fax: (023) 347 2012
(5) Mr G Jephthas (Department of Agriculture) Fax: (028) 425 2682
(6) Ms C Rampartab (CapeNature) E-mail: crampartab@capenature.co.za



EIA REFERENCE: 16/3/3/1/E4/5/1046/19
NEAS REFERENCE: WCP/EIA/0000632/2019
ENQUIRIES: Lorretta Osborne
DATE OF ISSUE: 2020 -01- 0 6

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): CLEARING OF VEGETATION FOR THE ESTABLISHMENT OF VINEYARDS ON REMAINDER OF PORTION 16 OF FARM VAN ARIES KRAAL NO. 455, CALEDON

With reference to your application for the abovementioned, find below the outcome with respect to this application.

DECISION

By virtue of the powers conferred on it by the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA") and the Environmental Impact Assessment ("EIA") Regulations, 2014 (as amended), the Competent Authority herewith **grants Environmental Authorisation** to the applicant to undertake the listed activities specified in Section B below with respect to the Preferred Site Alternative, described in the Basic Assessment Report ("BAR"), dated August 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

The Board of Directors
DGB Production (Pty) Ltd
Mr Henry Kotze
PO Box 140
GRABOUW
7160

Cell: 083 320 8684

E-mail: HenryK@dgb.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	Activities/Project Description
<p>Listing Notice 1 of 2014 –</p> <p>Activity Number: 27</p> <p><i>The clearance of an area of 1 hectare or more, but less than 20 hectares of indigenous vegetation, except where such clearance of indigenous vegetation is required for –</i></p> <p><i>(i) the undertaking of a linear activity; or</i> <i>(ii) maintenance purposes undertaken in accordance with a maintenance management plan.</i></p>	<p>The development entails the clearance of more than 1 hectare of indigenous vegetation for the establishment of vineyards.</p>
<p>Listing Notice 3 of 2014 –</p> <p>Activity Number: 12</p> <p><i>The clearance of an area of 300 square metres or more of indigenous vegetation except where such clearance of indigenous vegetation is required for maintenance purposes undertaken in accordance with a maintenance management plan.</i></p> <p>Western Cape</p> <p><i>i. Within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA or prior to the publication of such a list, within an area that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004;</i></p> <p><i>ii. Within critical biodiversity areas identified in bioregional plans;</i></p> <p><i>iii. Within the littoral active zone or 100 metres inland from high water mark of the sea or an estuarine functional zone, whichever distance is the greater, excluding where such removal will occur behind the development setback line on erven in urban areas;</i></p> <p><i>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</i></p> <p><i>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.</i></p>	<p>Remnants of Elgin Shale Fynbos, in excess of 300 square metres will be cleared as part of the development.</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 activity as it relates to the development:

The proposal entails the clearing of vegetation of two areas (Sites 1 and 2 as depicted in Annexure 2 of this Environmental Authorisation) with a development footprint of approximately 3.93 hectares on Remainder of Portion 16 of Farm Van Aries Kraal No. 455, Caledon. Two irrigation pipelines with diameters of 15mm and 90mm respectively, will be laid within the development footprint. The sites will be accessed via existing roads.

C. SITE DESCRIPTION AND LOCATION

The listed activities will be undertaken on Remainder of Portion 16 of Farm Van Aries Kraal No. 455, Caledon.

The SG21 digit code is: C01300000000045500016,

The co-ordinates of the development are:

Site 1: Latitude: 34° 12' 10.60" South
 Longitude: 19° 00' 48.67" East,

Site 2: Latitude: 34° 12' 05.68" South
 Longitude: 19° 00' 34.51" East,

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

Cornerstone Environmental Consultants (Pty) Ltd
% Ms M de Villiers
PO Box 12606
Die Boord
STELLENBOSCH
7613

Tel.: (021) 887 9099

Fax: (086) 435 2174

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 Preferred Site Alternative, described in the BAR dated August 2019 on the site as described in Section C above.

2. The Environmental Authorisation is valid for a period of **five years** from the date of issue within which commencement must occur.
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 clearing and construction activities. The notice must:
 - 6.1 make clear reference to the site details and EIA Reference number given above; and
 - 6.2 also 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 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 activities

- 9. The draft Environmental Management Programme ("EMPr") dated August 2019 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 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 activities, 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 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

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 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.

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 development areas must be clearly demarcated prior to commencement of clearing and construction activities. All areas outside the development footprint must be treated as no-go areas.

F. GENERAL MATTERS

1. Notwithstanding this Environmental Authorisation, the holder must comply with any other statutory requirements that may be applicable when undertaking the listed activities.
2. Non-compliance with a condition of this Environmental Authorisation or EMPr may render the holder liable to criminal prosecution.
3. If the holder does not commence with the listed activity within the period referred to in Condition 2, this Environmental Authorisation shall lapse for that activities, 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 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

- 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 ZAahir TOEFY

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

DATE OF DECISION: 19/12/2019

CC: (1) Ms M de Villiers (Cornerstone Environmental Consultants (Pty) Ltd) Fax: (086) 435 2174
(2) Mr J Jansen van Rensburg (Theewaterskloof Municipality) E-mail: JacquesJa@twk.org.za
(3) Mr F Kotze (Overberg District Municipality) Fax: (028) 425 1157
(4) Ms V Ligudu (Breede-Gouritz Catchment Management Agency) Fax: (023) 347 2012
(5) Mr G Jephthas (Department of Agriculture) Fax: (028) 425 2682
(6) Ms C Rampartab (CapeNature) E-mail: crampartab@capenature.co.za

ANNEXURE 1: LOCALITY MAP

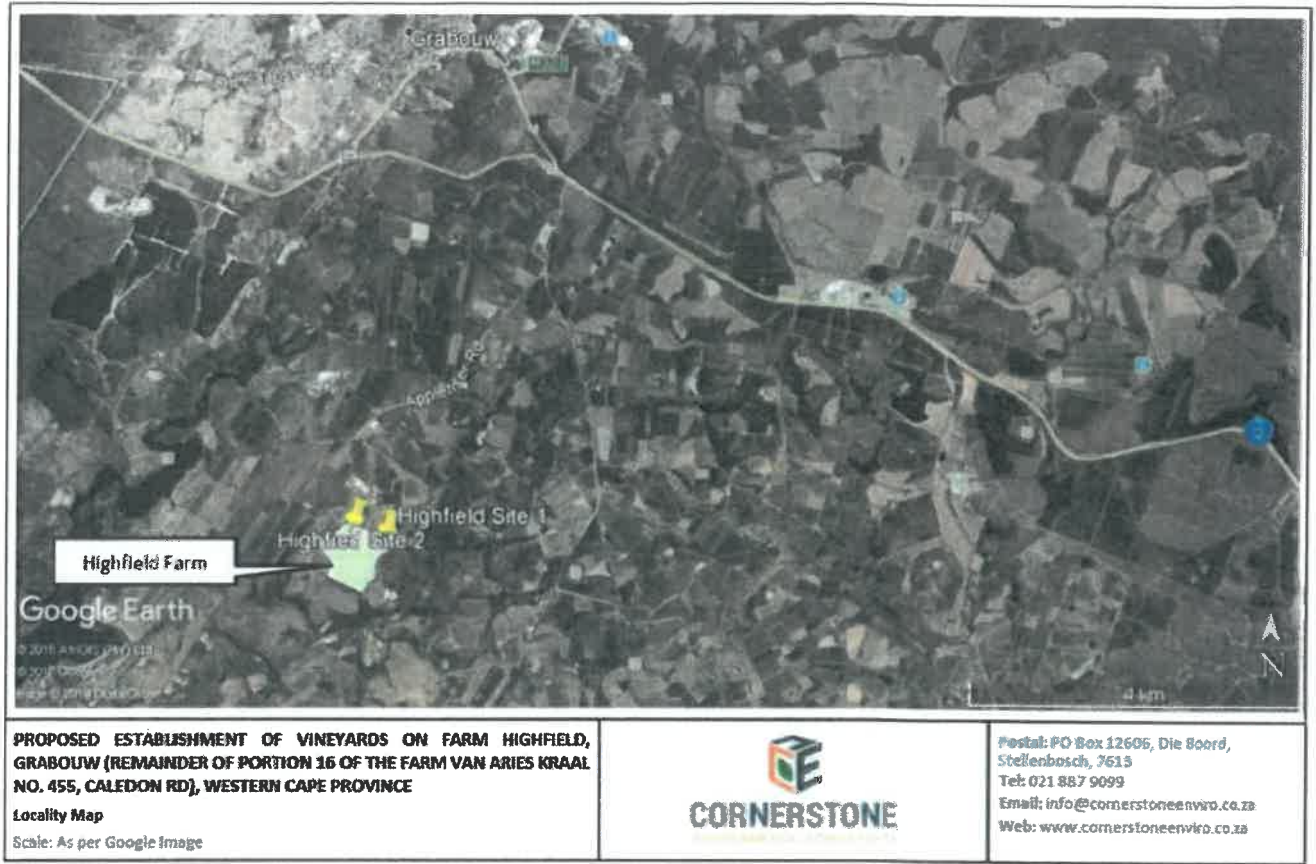


Figure 1: Locality map of Remainder of Portion 16 of Farm Van Aries Kraal No. 455, Caledon

ANNEXURE 2: SITE PLAN



Figure 2: Site Plan of the areas to be cleared for the establishment of vineyards on Remainder of Portion 16 of Farm Van Aries Kraal No. 455, Caledon

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 submitted on 19 June 2019, the BAR dated August 2019 and the EMPr submitted together with the BAR on 26 August 2019;
- 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 BAR dated August 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 during 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:

- Giving written notice to the owners and occupiers of land adjacent to the site where the listed activity is 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;
- Placing site notices on 18 April 2019;
- Placing a newspaper advertisement in the "Distrikspost" newspaper on 9 May 2019;
- Placing the draft BAR for public review at the Grabouw Library, and on the website of the Environmental Impact Assessment Practitioner on 13 May 2019;
- Circulating the pre-application BAR to I&APs for public review from 13 May 2019; and
- Circulating the in-process draft BAR for comment to I&APs for public review from 19 June 2019.

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, in order to adequately address the concerns raised.

The Competent Authority notes 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

The following alternatives were considered:

Preferred Site Alternative (Herewith authorised):

This alternative entails the clearing of vegetation of two areas (Sites 1 and 2 as depicted in Annexure 2 of this Environmental Authorisation) with a development footprint of approximately 3.93 hectares on Remainder of Portion 16 of Farm Van Aries Kraal No. 455, Caledon. Two irrigation pipelines with diameters of 15mm and 90mm respectively, will be laid within the development footprint. The sites will be accessed via existing roads.

From a botanical perspective and a freshwater perspective this alternative is preferred, since it takes into consideration the environmentally sensitive areas identified on the sites and allows for adequate "no-go" areas.

Site Alternative 2:

This alternative is similar to the Preferred Site Alternative and also includes Site 3, which will increase the development footprint to approximately 4.23 hectares.

From a botanical perspective, this alternative is not preferred, since it will encroach onto areas which are environmentally sensitive as a result of biodiversity features.

"No-Go" Alternative

The 'no-go' alternative was considered. However, it is not preferred since it will not provide an opportunity to increase the economic viability of the farm. In addition, the opportunity to conserve the sensitive areas on the farm will also be lost.

3. Impact Assessment and Mitigation measures

3.1 Activities need and desirability

The proposed development entails the establishment of vineyards on land zoned for Agriculture. Cultivation of the development area will increase the production capacity and economic viability of the farm, which in turn will sustain existing and future employment opportunities. Furthermore, the development is consistent with the surrounding land use and is therefore in line with the objectives of the Western Cape Provincial Spatial Development Framework.

3.2 Biodiversity and Biophysical Impacts

The study area originally supported Elgin Shale Fynbos classified as critically endangered in terms of Section 52 of the National Environmental Management Biodiversity Act, 2004 (Act No. 10 of 2004) ("NEMBA"). The two areas proposed for development have been cultivated before, but not during the preceding 10 years. There are no Critical Biodiversity Areas or Ecological Support Areas identified within Sites 1 and 2. According to the Botanical Assessment, compiled by Ms Johlene Krige dated 1 February 2019, the sites are of low biodiversity significance. The potential impacts on vegetation that may result from the proposed development will be mitigated by the implementation of the conditions of this Environmental Authorisation and the mitigation measures in the EMPr (accepted in Section E, Condition 9).

The proposed areas for cultivation are located adjacent to the Huis River and small tributaries thereof, which is in a largely modified ecological condition. In-stream dams are evident directly

south-east of Sites 1 and 2. Both the Huis River and the larger unnamed tributary are mapped in the Freshwater Ecosystem Priority Areas Wetland mapping as natural channeled valley bottom wetlands. Only minor drainage lines associated with the Huis River occurs within the proposed areas. According to the Freshwater Impact Assessment dated April 2019, compiled by Blue Science, Site 3 should remain undeveloped and should be rehabilitated. Various mitigation measures, including the adherence to buffers ranging from 10 metres to 30 metres along aquatic features on the property have been incorporated into the preferred site alternative and the sensitive/ no-go areas on the property. These mitigation measures are also included in the EMPr.

The development will result in both negative and positive impacts.

Negative Impacts:

- The development will result in the loss of natural vegetation.
- The proposed development will result in construction related impacts such as dust, noise and visual intrusion during the clearance of vegetation. However, these impacts will be mitigated to a satisfactory level.

Positive impacts:

- The agricultural potential in the immediate region will be increased.
- The development will contribute positively to local economic development in the area.
- Through implementation of the recommended mitigation measures, watercourses on site will potentially be better managed and rehabilitated.
- The preferred alternative takes into account the constraints and opportunities of the site and facilitates the conservation and buffering of significant botanical and freshwater features.

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, compliance with the EMP, 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 activity can be mitigated to acceptable levels.

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