



REFERENCE: 16/3/3/1/F1/11/2048/17

ENQUIRIES: AYESHA HAMDULAY

DATE: 2018-04-13

The Board of Directors
Lourens Agri (Pty) Ltd t/a Tipustep (Pty) Ltd
P O Box 45
ELGIN
7180

Attention: Mr P. Jordaan

Tel.: (021) 848 9823

Fax: (086) 638 2015

Dear Sir

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) ("NEMA") AND THE ENVIRONMENTAL IMPACT ASSESSMENT ("EIA") REGULATIONS, 2014 (AS AMENDED): THE PROPOSED EXPANSION OF AN EXISTING DAM ON PORTION 16 OF THE FARM MATJESFONTEIN NO. 217, PIKETBERG

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

Yours faithfully



MR ZAAHIR TOEFY

DIRECTOR: DEVELOPMENT MANAGEMENT – REGION 1

Copied to: Ms S. de Kock
Mr W. Wagner

(EAP: Cederberg Environmental Assessment Practice)
(Bergrivier Municipality)

Fax: (087) 234 3434
Fax: (022) 913 1406



EIA REFERENCE: 16/3/3/1/F1/11/2048/17

NEAS REFERENCE: WCP/EIA/0000336/17

ENQUIRIES: AYESHA HAMDULAY

DATE: 2018 -04- 13

ENVIRONMENTAL AUTHORISATION

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 (AS AMENDED): THE PROPOSED EXPANSION OF AN EXISTING DAM ON PORTION 16 OF THE FARM MATJESFONTEIN NO. 217, PIKETBERG

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 activity specified in section B below with respect to the preferred Alternative that is described in the Basic Assessment Report ("BAR") received by this Department on 07 December 2017.

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

Lourens Agri (Pty) Ltd t/a Tipustep (Pty) Ltd
C/O Mr P. Jordaan
P O Box 45
ELGIN
7180

Tel.: (021) 848 9823
Fax: (086) 638 2015

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

B. LISTED ACTIVITY AUTHORISED

Listed Activity	Project Description
<p>Government Notice No. R.983 (as amended):</p> <p>Activity number: 50</p> <p>Activity Description: <i>"The expansion of facilities or infrastructure for the off-stream storage of water, including dams and reservoirs, where the combined capacity will be increased by 50 000 cubic metres or more."</i></p>	<p>The development proposal entails the expansion of the existing farm dam on Portion 16 of the Farm Matjiesfontein No. 217, Piketberg</p>

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

The holder is herein authorised to undertake the following alternative that includes the listed activity relating to the development:

The expansion of an existing off-stream farm dam on Portion 16 of the Farm Matjiesfontein No. 217, Piketberg.

The existing dam's storage capacity is approximately 600m³ and will be expanded to accommodate a storage capacity of approximately 350 000m³. The existing wall height of approximately 2.5m will be enlarged by 7.5m to accommodate an approximately 10m high dam wall. This will enable the dam to cover a surface area of approximately 3.2ha.

The Farm Matjiesfontein No. 217, Piketberg has an existing abstraction point in the Bergrivier and two existing pump stations. A 315mm diameter pipeline of approximately 200m length will connect the proposed dam to one of the existing pump stations.

The development proposal will require the Eskom powerline that traverse the site to be diverted southward around the enlarged dam within an existing orchard plantation. The length of the diversion will be approximately 445m long.

The existing farm road will serve as a haul road for the development proposal.

C. SITE DESCRIPTION AND LOCATION

The listed activity will be undertaken on Portion 16 of the Farm Matjiesfontein No. 217, Piketberg.

The SG 21 digit code is: C05800000000021700016

The co-ordinates for the property are given below:

Property	Latitude (S)	Longitude (E)
Midpoint of Portion 16 of the Farm Matjesfontein No. 217, Piketberg	33° 03' 21.51" South	18° 50' 31.89" East

Refer to Annexure 1: Locality Plan.

Refer to Annexure 2: Site Map.

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

D. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER

Cederberg Environmental Assessment Practice
C/O Susan de Kock
P O Box 27
CITRUSDAL
7340

Tel.: 022 921 3785

Fax: 0872 34 34 34

E. CONDITIONS OF ENVIRONMENTAL AUTHORISATION

Scope of Authorisation

1. The holder is authorised to undertake the listed activity specified in Section B above in accordance with and restricted to the preferred alternative described in Section B above.
2. The holder must commence with the listed activity within the stipulated validity period which this Environmental Authorisation is granted for, or this Environmental Authorisation shall lapse and a new application for Environmental Authorisation must be submitted to the competent authority.
3. This Environmental Authorisation is granted for–
 - 3.1. A period of five (5) years, from the date of issue, during which period the holder must commence with the authorised listed activity; and
 - 3.2. A period of ten (10) years, from the date the holder commenced with the authorised listed activity, during which period the authorised listed activity for the development phase, must be concluded.
4. The listed activity that has been authorised must only be carried out on the site described in Section C above in terms of the approved Environmental Management Programme ("EMPr").
5. The holder shall be responsible for ensuring compliance with the conditions by any person acting on his behalf, including an implementing agent, sub-contractor, employee or any person rendering a service to the holder.

6. Any changes to, or deviations from the scope of the alternative described in section B above must be approved, in writing, by the Competent Authority before such changes or deviations may be implemented. In assessing whether or not to grant such approval, the Competent Authority may request information in order to evaluate the significance and impacts of such changes or deviations, and it may be necessary for the holder to apply for further authorisation in terms of the applicable legislation.

Written Notice to the Competent Authority

7. A written notice of seven **(7)** calendar days must be given to the Competent Authority before construction work can be commenced with.
 - 7.1. The notice must make clear reference to the site details and EIA Reference number given above.
 - 7.2. The notice must include proof of compliance with the following conditions described herein:

Conditions: 8, 13 and 25

Notification of Environmental Authorisation and Administration of Appeal

8. The holder must in writing, within **(14)** fourteen calendar days of the date of this decision–
 - 8.1. notify all registered Interested and Affected Parties ("I&APs") of –
 - 8.1.1. the decision reached on the application;
 - 8.1.2. the reasons for the decision as included in Annexure 3;
 - 8.1.3. the date of the decision; and
 - 8.1.4. the date when the decision was issued.
 - 8.2. draw the attention of all registered I&APs to the fact that an appeal may be lodged against the decision in terms of the National Appeal Regulations, 2014 (as amended) detailed in Section G below;
 - 8.3. draw the attention of all registered I&APs to the manner in which they may access the decision;
 - 8.4. provide the registered I&APs with the:
 - 8.4.1. name of the holder (entity) of this Environmental Authorisation,
 - 8.4.2. name of the responsible person for this Environmental Authorisation,
 - 8.4.3. postal address of the holder,
 - 8.4.4. telephonic and fax details of the holder,
 - 8.4.5. e-mail address, if any, of the holder,
 - 8.4.6. contact details (postal and/or physical address, contact number, facsimile and e-mail address) of the decision-maker and all registered I&APs in the event that an appeal is lodged in terms of the National Appeals Regulations, 2014 (as amended).

Commencement

9. The listed activity, including site preparation, must not be commenced with within (20) twenty calendar days from the date the applicant notified the registered I&APs of this decision.
10. 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

11. The EMPr (submitted with the BAR to this Department on 07 December 2017) is hereby approved and must be implemented.
12. The EMPr must be included in all contract documentation for all phases of implementation.

Monitoring

13. The holder must appoint a suitably experienced Environmental Control Officer ("ECO") before the listed activity can be commenced with, to ensure compliance with the EMPr and the conditions contained herein.
14. A copy of the Environmental Authorisation, EMPr, ECO reports, audit reports and compliance monitoring reports must be kept at the contractor's site office, and must be made available to anyone on request.
15. Access to the site referred to in Section C must be granted, and the environmental reports mentioned above must be produced, to any authorised official representing the Competent Authority who requests to see the reports for the purposes of assessing and/or auditing compliance with the conditions contained herein.

Auditing

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

The holder must appoint an independent environmental auditor to undertake an environmental audit once a year and submit Environmental Audit Reports to the Competent Authority within one calendar month of undertaking the environmental audits until the completion of the authorised development. The first environmental audit must be undertaken within three (3) months of the authorised listed activity being commenced with. The final Environmental Audit Report must be submitted to the Competent Authority within one calendar month of the final environmental audit being undertaken.

The holder must, within (7) seven calendar days of the submission of the Audit Report to the Competent Authority, notify all potential and registered I&APs of the submission and make the Audit Report available to anyone on request.

Specific Conditions

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

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

18. A qualified archaeologist and/or paleontologist must be contracted where necessary (at the expense of the holder) to remove any heritage remains. Heritage remains can only be disturbed by a suitably qualified heritage specialist working under a directive from the relevant heritage resources authority.
19. The Western Cape is currently experiencing a severe drought and has been declared a disaster area. In light of the current water crisis being experienced in the Western Cape, water must be used wisely during all phases of development. No potable water must be used as far as possible for construction activity during the development phase and alternative methods to save water must be implemented.
20. An integrated waste management approach, which is based on waste minimisation and incorporates reduction, recycling, re-use and disposal, where appropriate, must be employed.
21. The holder of the Environmental Authorisation must ensure that adequate training is provided in the appropriate language to all on-site personnel, to help ensure that the conditions of the Environmental Authorisation are complied with and the EMPr requirements are met;
22. The exact boundary of the development footprint must be clearly demarcated before the authorised listed activity can be commenced with. All construction work must, as far as possible, be limited to within the authorised development footprint.
23. All earthworks and soil disturbance for the development proposal, including all material sourced for the proposed dam wall expansion, must be limited to the development footprint.
24. The construction area, including the dam walls must be rehabilitated upon completion of the development phase.
25. Prior to departure/closure from the site, the contractor must ensure that all rubble, debris, cement deposits/residue, effluent, wash-off, building materials, builder's infrastructure, signage, machinery *etc.*, associated with the development proposal and contractors' camp site are removed and the affected areas are cleaned appropriately.

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 for criminal prosecution.
3. If the holder does not commence with the listed activity within the period referred to in Condition 3, this Environmental Authorisation shall lapse, 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 lodged with the Competent Authority.

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

G. APPEALS

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

1. An appellant (if the holder of the decision) must, within 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 at 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 the 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 successor in any instance where construction or operation subsequent to construction is temporarily or permanently stopped for reasons of non-compliance with the conditions as set out herein or any other subsequent document or legal action emanating from this decision.

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

Yours faithfully



MR ZAAHIR TOEFY

DIRECTOR: DEVELOPMENT MANAGEMENT – REGION 1

DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

DATE OF DECISION: 13/04/2018

Copied to: Ms S. de Kock
Mr W. Wagner

(EAP: Cederberg Environmental Assessment Practice)
(Bergvliet Municipality)

Fax: (087) 234 3434
Fax: (022) 913 1406

FOR OFFICIAL USE ONLY:

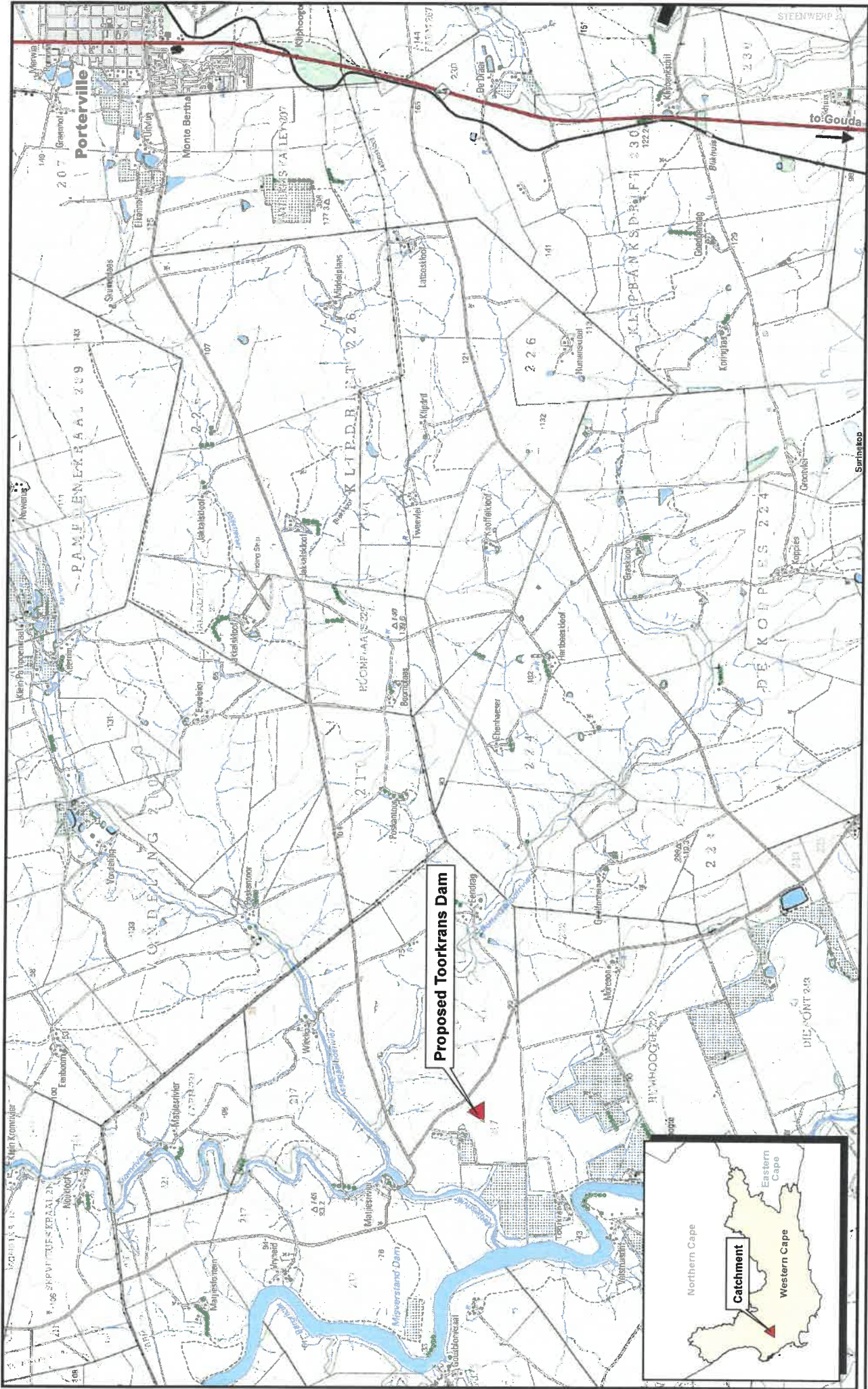
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16/3/3/1/F1/11/2048/17

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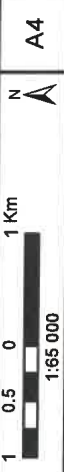
WCP/EIA/0000336/2017

ANNEXURE 1: LOCALITY PLAN



Toorkrans Dam

Locality map

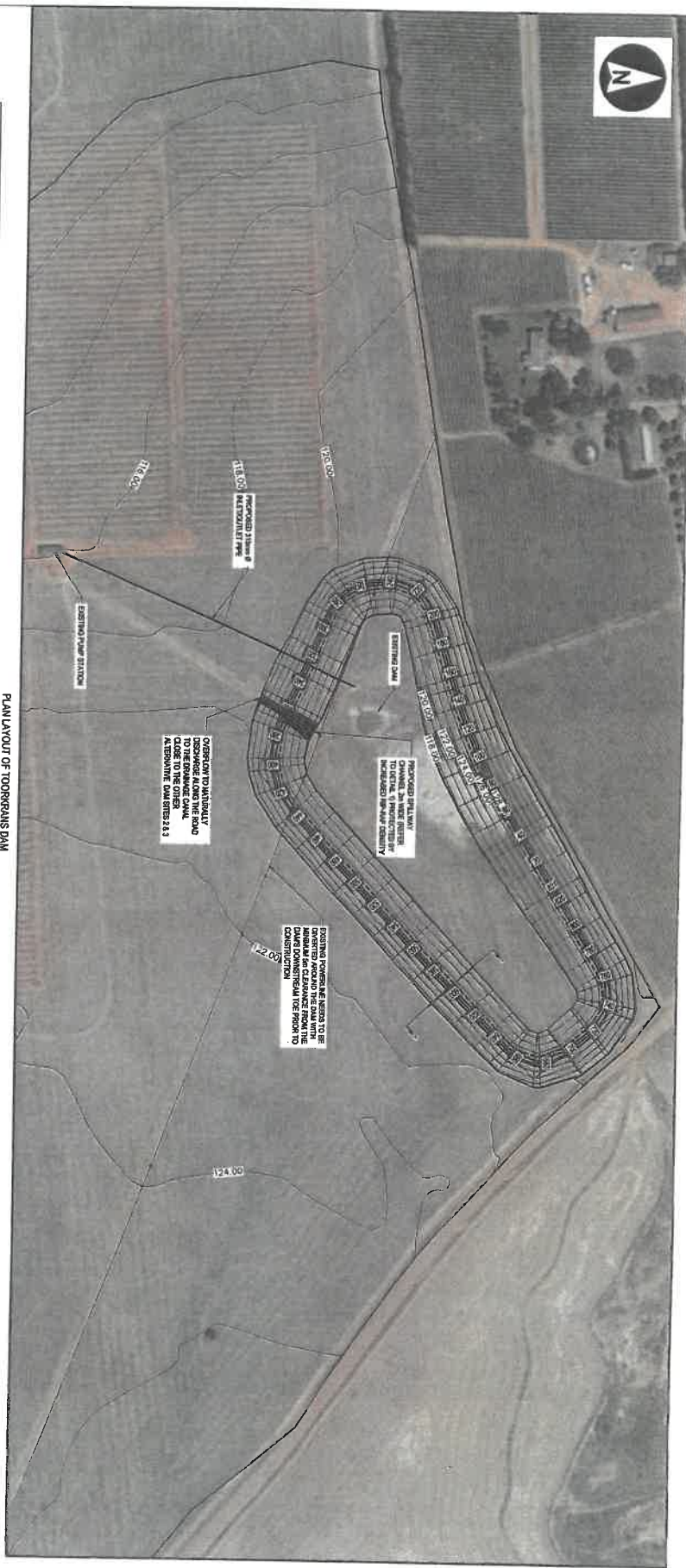


Drawing No. CC141000 - L01



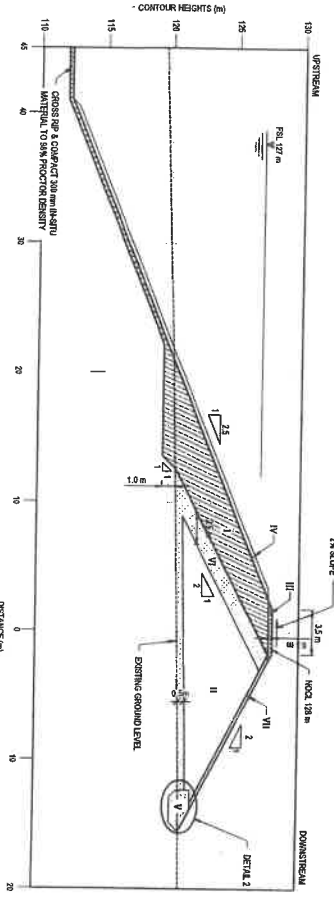
CC141000-Enlargement of Lourens Agri Dam
L:\109 GIS\mxd\L01_LocalityMap.mxd

ANNEXURE 2: SITE MAP

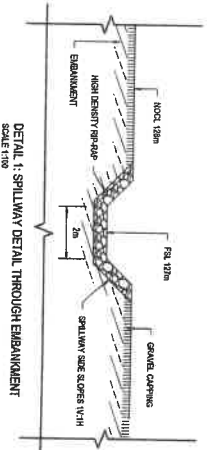


PLAN LAYOUT OF TOORRANS DAM
SCALE 1:1000

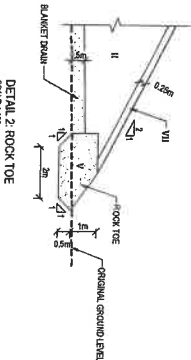
ZONES	MATERIAL
I - CORE	SELECTED INTERMEDIATE GRAVEL (GAV) OBTAINED FROM DAM BASIN
II - GENERAL	UNSELECTED COARSE INTERMEDIATE GRAVEL FROM DAM BASIN
III - GRAVEL CAPPING	SELECTED GRAVEL OBTAINED FROM DAM BASIN
IV - SAND	300 mm SELECTED COARSE GRAVEL AND ROCK OBTAINED FROM THE DAM BASIN
V - ROCK TOE	ALLUVIAL SAND, GRAVEL AND ROCK FROM DAM BASIN
VI - CRANEY & SANDWICH GRAVEL	CONVENTIONAL SAND OBTAINED FROM DAM BASIN
VII - TOPSOIL	ALTERNATING LAYERS OF TOPSOIL AND GENERAL FILL FROM DAM BASIN



SECTION A-A
SCALE 1:200



DETAIL 1: SPILLWAY DETAIL THROUGH EMBANKMENT
SCALE 1:100



DETAIL 2: ROCK TOE
SCALE 1:100

TOORRANS DAM

PLAN LAYOUT AND SECTIONS

No.	DATE	REVISION	DESCRIPTION
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			

NOTES

FOR INFORMATION

ALL DIMENSIONS AND LEVELS TO BE COMPARED TO THE ORIGINAL DRAWING. THE DIMENSIONS AND LEVELS TO BE COMPARED TO THE ORIGINAL DRAWING SHALL BE DETERMINED BY CONSULTING THE ORIGINAL DRAWING.



THE MASTER FILED AT INGEPOP OFFICE BEARS THE ORIGINAL SIGNATURE OF APPROVAL

DESIGNED BY	DRAWN BY	CHECKED BY	DATE
A. MOHAMMED	A. MOHAMMED	D.J. HASEN	JUNE 2017
PROJECT NO.	CC141000		
DRAWING SIZE	A1		
SCALE	AS SHOWN		
PROJECT NO.	CC141000-101		
REV/NO	A		

TOORRANS DAM	127m
1. FILL	127m
2. FILL	127m
3. FILL	127m
4. FILL	127m
5. FILL	127m
6. FILL	127m
7. FILL	127m
8. FILL	127m
9. FILL	127m
10. FILL	127m
11. FILL	127m
12. FILL	127m

ADDITIONAL NOTES

- CONSTRUCTION METHODS TO COMPLY WITH SAAS 130/06
- UNSATURATED SETTLEMENT ALLOWANCE OF 2% OF WALL HEIGHT TO BE MAINTAINED FOR A PERIOD OF 10 YEARS MUST BE AT 125.5m
- CONTOUR INTERVAL 1.0m

ANNEXURE 3: REASONS FOR THE DECISION

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

- a) The information contained in the Application Form received by this Department on 23 October 2017, and the EMPr submitted together with the BAR on 07 December 2017;
- b) Relevant information contained in the Departmental information base, including the Guidelines on Public Participation, Need and Desirability and Alternatives (dated March 2013);
- c) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the NEMA;
- d) The comments received from I&APs and the responses thereto, included in the BAR;
- e) The balancing of negative and positive impacts and proposed mitigation measures; and
- f) No site visit was conducted. The Competent Authority had sufficient information before it to make an informed decision without conducting a site visit.

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

1. Public Participation

The PPP undertaken during the formal EIA Application process:

- An advertisement was published in 'Die Weslander' on 14 September 2017;
- Site notices were erected at the site where the listed activity is to be undertaken;
- A notification letter was sent to all registered I&APs on the availability of the consultation BAR for review and comment from 27 October 2017 to 27 November 2017;
- A copy of the consultation BAR was placed at the Porterville Library;
- Copies of the consultation BAR were provided to representatives of the relevant State Departments and other Organs of State for their review and comment.
- A copy of the consultation BAR was submitted to the Competent Authority to request comment as required in terms of Regulations 32(a)(aa) and (bb) and 40(3) of GN R982 (as amended).

The following authorities were provided with an opportunity to comment on the development proposal:

- The Benede-Bergrivier Irrigation Board;
- The Bergrivier Municipality;
- The Cape Winelands District Municipality;
- The Department of Water and Sanitation;
- The Department of Agriculture, Forestry and Fisheries;
- Western Cape Government: Agriculture;
- Heritage Western Cape; and
- Cape Nature.

Eskom granted an approval for the diversion of the existing De Hoek Farmers 2 11kV powerline in a letter dated 08 November 2017 for a period of twelve (12) calendar months.

The EAP adequately responded to the comments made on the BAR by, *inter alia*, making reference to relevant provisions in the EMPr, specialist recommendations contained in the specialist reports appended to the BAR and the mitigation hierarchy used to address potential impacts. Where impacts could not altogether be avoided, they will be mitigated to acceptable levels.

2. Alternatives

A total of three site alternatives were considered. Following a review of the geotechnical investigation report compiled by INGEROP, the site alternatives 2 and 3 were eliminated as these site alternatives will not provide a large catchment area without removing existing orchard fields and are also unsuitable without the use of expensive lining with HDPE or clay. The two site alternatives that were eliminated are located on a lower-lying area and would require excessive pumping in order to irrigate the higher-lying cultivated land on the two properties. The preferred alternative will result in a reduction of pumping costs through gravity-fed irrigation and will allow the applicant to utilize their enlistment of water allocation under the Benede-Bergrivier Irrigation Board more effectively.

Preferred Alternative (Herewith Authorised)

The expansion of an existing farm dam on Portion 16 of the Farm Matjiesfontein No. 217, Piketberg.

The existing dam's storage capacity is approximately 600m³ and will be enlarged to accommodate a storage capacity of approximately 350 000m³. The existing wall height of approximately 2.5m will be enlarged by 7.5m to accommodate an approximately 10m high dam wall. This will enable the dam to cover a surface area of approximately 3.2ha.

The Farm Matjiesfontein has an existing abstraction point in the Bergrivier and two existing pump stations. A 315mm diameter pipeline of approximately 200m in length will connect the proposed dam to one of the existing pump stations.

The development proposal will require the Eskom powerline that traverses the site to be diverted southward around the enlarged dam within an existing orchard plantation. The length of the diversion will be approximately 445m long.

The existing farm road will serve as a haul road for the development proposal.

No-Go Alternative

The No-Go Option means abandoning the proposal of expanding the dam on the site. As such, an adequate water supply would not be assured for irrigating cultivated lands and the applicant will not utilize their enlistment of water allocation under the Benede-Bergrivier Irrigation Board effectively.

3. Key Factors Affecting the Decision

In reaching its decision to grant authorisation for the proposed development, this Department took into account the following:

3.1 Planning Context

The relevant local authority will determine whether or not the development proposal requires the submission of a land use application to permit the development proposal.

3.2 Municipal Services

The development proposal does not require water, wastewater treatment and refuse removal services from the Municipality.

3.3 Biodiversity Impacts

The development is proposed on cultivated farm lands. Historically, the site was covered by Critically Endangered Swartland Shale Renosterveld. However, the site has been transformed by agricultural activities and no natural vegetation remains on the site.

3.4 Freshwater Impacts

There are no wetlands or watercourses (permanent or ephemeral/seasonal) within the site. A highly degraded ephemeral watercourse is present east of the proposed site.

In view of the above, the potential negative impact of the development proposal on water resources will be negligible.

3.5 Heritage Resources

The applicant will comply with Conditions 17 and 18 of this Environmental Authorisation. This will help to ensure the protection of any heritage resources that may be encountered on the site.

3.6 Dust and Noise Impacts

The applicant is required to implement the dust and noise control measures contained in the EMPr. The implementation of these measures will help to ensure that the potential dust and noise impacts of the development proposal are adequately mitigated.

3.7 Socio-economic

The proposed development will allow for the creation of some temporary employment opportunities during the development phase as well as skills acquisition.

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

Negative impacts include:

- Potential safety related impacts from construction vehicles on road users, adjacent properties and contractors;
- Potential damage to roads by large trucks and other heavy construction vehicles;
- Potential traffic congestion during the development phase;
- Some visual scarring, particularly, but not limited to the development phase; and
- Some noise and dust impacts.

The Competent Authority took into consideration the abovementioned negative impacts and although some impacts cannot altogether be prevented/avoided, they can be mitigated/reduced to acceptable levels.

Positive impacts include:

- The proposed development will create some temporary employment opportunities during the development phase; and
- The enlarged dam will make the crops on the farm less vulnerable to droughts, thereby helping to improve job security for the workers on the farm.

4. National Environmental Management Act, 1998 (Act No. 107 of 1998) Principles

The National Environmental Management Principles (set out in section 2 of the NEMA, which apply to the actions of all Organs of State, serve as guidelines by reference to which any Organ of State must exercise any function when taking any decision, and which must guide the interpretation,

administration and implementation of any other law concerned with the protection or management of the environment), *inter alia*, provides for:

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

5. Conclusion

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

-----END-----