



**REFERENCE:** 16/3/3/2/F4/5/3041/20  
**NEAS REFERENCE:** WCP/EIA/0000805/2020  
**ENQUIRIES:** RONDINE ISAACS  
**DATE OF ISSUE:** 08 June 2021

## **ENVIRONMENTAL AUTHORISATION**

**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): PROPOSED CLEARANCE OF INDIGENOUS VEGETATION TO ESTABLISH CULTIVATED LANDS ON ERVEN 2178 AND 2179, HOPEFIELD.**

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 NEMA and the EIA Regulations, 2014 (as amended), the competent authority herewith grants Environmental Authorisation to the applicant to undertake the list of activities specified in Section B below with respect to the preferred alternative as included in the EIA Report dated February 2021.

The granting of this Environmental Authorisation (hereinafter referred to as the “Environmental Authorisation”) is subject to compliance with the conditions set out in Section E below.

### **A. DETAILS OF THE HOLDER OF THIS ENVIRONMENTAL AUTHORISATION**

Arnelia Farms cc  
c/o Mr. Hans Hettasch  
P.O. Box 192  
**HOPEFIELD**  
7355

Tel.: (022) 723 1022  
E-mail: [hans@arnelia.co.za](mailto:hans@arnelia.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 Activity	Activity/Project Description
<b>Listing Notice 2 of the EIA Regulations, 2014 (as amended):</b>  <b>Activity 15:</b> <i>"The clearance of an area of 20 hectares or more of indigenous vegetation, excluding where such clearance of indigenous vegetation is required for-</i> <i>(i) the undertaking of a linear activity; or</i> <i>(ii) maintenance purposes undertaken in accordance with a maintenance management plan".</i>	More than 20ha of indigenous vegetation will be cleared.

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

The holder is herein authorised to undertake the following related to the listed activity:

The proposed development entails the clearance of indigenous vegetation to establish cultivated lands on Erven 2178 and 2179, Hopefield. Approximately 66ha of indigenous vegetation will be cleared.

The processing and packing facility for the cut plants will be increased by approximately 3000m<sup>2</sup>.

## C. LOCATION AND SITE DESCRIPTION

The listed activity will be undertaken on Erven 2178 and 2179, Hopefield.

Erven 2178 and 2179 are located to the north and east of Hopefield. Adjacent to and south of the property lies the municipal Waste Water Treatment Works, with small holdings and residential and commercial areas located further south and east of the property. Areas to the north include a large centre pivot irrigation farm, with smallholdings, small farms and a chicken farm, north and north west, of the property.

The SG 21-digit codes are:

Erf No. 2178: C04600040000217800000

Erf No. 2179: C04600040000217900000

Co-ordinates:

Latitude: 33° 02' 50.89" S

Longitude: 18° 20' 13.13" E

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

hereinafter referred to as "the site".

## D. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER (“EAP”)

Cederberg Conservation Services t/a FOOTPRINT Environmental Services  
c/o Mr. Sean Ranger  
P.O. Box 454  
**PORTERVILLE**  
6810

Cell: 083 294 8776  
Fax: (086) 655 8060  
E-mail: [sean.ranger1@gmail.com](mailto:sean.ranger1@gmail.com)

## E. CONDITIONS OF 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 the EIA Report dated February 2021 on the site as described in Section C above.
2. Authorisation of the activity is subject to compliance with the conditions set out in this Environmental Authorisation. The holder must ensure 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.
3. The holder must commence with, and conclude, 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.  
This Environmental Authorisation is granted for–
  - (a) A period of five (**5**) years, from the date of issue, during which period the holder must commence with the authorised listed activity; and
  - (b) A period of ten (**10**) years, from the date the holder commenced with an authorised listed activity, during which period the authorised listed activity for the construction phase, must be concluded.
4. The activity that has been authorised may only be carried out at the site described in Section C above in terms of the approved EMPr.
5. Any changes to, or deviations from the scope of the description set out in Section B and Condition 2 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 such information 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.

### Notification of authorisation and right to appeal

6. The holder of the authorisation must in writing, within 14 (fourteen) calendar days of the date of this decision –

- 6.1 notify all registered interested and affected parties ("I&APs") of –
  - 6.1.1 the outcome of the application;
  - 6.1.2 the reasons for the decision;
  - 6.1.3 the date of the decision; and
  - 6.1.4 the date of issue of the decision;
- 6.2 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);
- 6.3 draw the attention of all registered I&APs to the manner in which they may access the decision; and
- 6.4 provide the registered I&APs with:
  - 6.4.1 the name of the holder (entity) of this Environmental Authorisation,
  - 6.4.2 name of the responsible person for this Environmental Authorisation,
  - 6.4.3 postal address of the holder,
  - 6.4.4 telephonic and fax details of the holder,
  - 6.4.5 e-mail address, if any;
  - 6.4.6 the contact details (postal and/or physical address, contact number, facsimile and e-mail address) of the decision-maker and all registered I&APs in the event that an appeal is lodged in terms of the National Appeal Regulations, 2014 (as amended).

### **Commencement**

7. The listed activity, including site preparation, must not commence within 20 (twenty) calendar days from the date the applicant notified the registered I&APs of this decision.
8. In the event that an appeal is lodged with the Appeal Administrator, the effect of this Environmental Authorisation is suspended until such time as the appeal is decided. In the instance where an appeal is lodged the holder may not commence with the activity, including site preparation, until such time as the appeal has been finalised and the holder is authorised to do so.

### **Written notice to the competent authority**

9. A minimum of 7 (seven) calendar days' notice, in writing, must be given to the competent authority before commencement of land clearing activities. Commencement for the purpose of this condition includes site preparation.
  - 9.1 The notice must make clear reference to the site details and EIA Reference number given above.
  - 9.2 The notice must also include proof of compliance with the following conditions described herein:  
Conditions: 6, 7 and 14.

### **Management of activity**

10. The draft Environmental Management Programme ("EMPr") dated February 2021 (as compiled by Footprint Environmental Services) and submitted as part of the application for Environmental Authorisation is hereby approved and must be implemented.

11. An application for amendment to the EMPr must be submitted to the competent authority in terms of Chapter 5 of the EIA Regulations, 2014 (as amended) if any amendments are to be made to the outcomes of the EMPr, and these may only be implemented once the amended EMPr has been authorised by the competent authority.
12. The EMPr must be included in all contract documentation for all phases of implementation.
13. A copy of the Environmental Authorisation and the EMPr must be kept at the site where the listed activity will be undertaken. Access to the site referred to in Section C above must be granted and, the Environmental Authorisation and EMPr 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. The Environmental Authorisation and EMPr must also be made available for inspection by any employee or agent of the applicant who works or undertakes work at the site.

### **Monitoring**

14. The holder must appoint a suitably experienced Environment Control Officer ("ECO"), for the duration of the construction phase to ensure compliance with the provisions of the EMPr and the conditions contained in this Environmental Authorisation.

The ECO must–

- 14.1 be appointed prior to commencement of any construction activities commencing;
- 14.2 ensure compliance with the EMPr and the conditions contained herein;
- 14.3 keep record of all activities on site; problems identified; transgressions noted, and a task schedule of tasks undertaken by the ECO;
- 14.4 remain employed until all rehabilitation measures, as required for implementation due to construction damage, are completed;
- 14.5 provide the competent authority with copies of the ECO reports within 30 days of the project being finalized; and
- 14.6 conduct monthly site inspections during the construction phase.

### **Environmental audit reports**

15. The holder must, for the period during which the Environmental Authorisation and EMPr remain valid -
  - 15.1 ensure that the compliance with the conditions of the Environmental Authorisation and the EMPr is audited;
  - 15.2 submit an environmental audit report three months after commencement of the construction phase to the relevant competent authority; and
  - 15.3 thereafter submit an environmental audit report every five (5) years while the Environmental Authorisation remains valid.
16. The environmental audit reports must be prepared by an independent person and must address the objectives and contain all the information set out in Appendix 7 of the EIA Regulations, 2014 (as amended).

In addition to the above, the environmental audit report, must -

- 16.1 provide verifiable findings, in a structured and systematic manner, on–

- (a) the level of compliance with the conditions of the Environmental Authorisation and the EMPr and whether this is sufficient or not; and
  - (b) the extent to which the avoidance, management and mitigation measures provided for in the EMPr achieve the objectives and outcomes of the EMPr and highlight whether this is sufficient or not;
- 16.2 identify and assess any new impacts and risks as a result of undertaking the activity;
  - 16.3 evaluate the effectiveness of the EMPr;
  - 16.4 identify shortcomings in the EMPr;
  - 16.5 identify the need for any changes to the avoidance, management and mitigation measures provided for in the EMPr;
  - 16.6 indicate the date on which the construction work was commenced with and completed or in the case where the development is incomplete, the progress of the development and rehabilitation;
  - 16.7 include a photographic record of the site applicable to the audit; and
  - 16.8 be informed by the ECO reports.
17. The holder must, within 7 days of the submission of the environmental audit report to the competent authority, notify all potential and registered I&APs of the submission and make the report available to anyone on request and, where the holder has such a facility, be placed on a publicly accessible website.

### **Specific conditions**

18. Surface or ground water must not be polluted due to any actions on the site. The applicable requirements with respect to relevant legislation pertaining to water must be met.
19. An integrated waste management approach, which is based on waste minimisation and incorporates reduction, recycling, re-use and disposal, where appropriate, must be employed. Any solid waste must be disposed of at a waste disposal facility licensed in terms of the applicable legislation.
20. Should any heritage remains be exposed during excavations or any actions on the site, these must immediately be reported to the Provincial Heritage Resources Authority of the Western Cape, Heritage Western Cape (in accordance with the applicable legislation). 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 archaeological remains (including fossil bones and fossil shells); 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; rock art and rock engravings; shipwrecks; and graves or unmarked human burials.

A qualified archaeologist must be contracted where necessary (at the expense of the applicant and in consultation with the relevant authority) to remove any human remains in accordance with the requirements of the relevant authority.

21. The holder of the Environmental Authorisation must, at all times, ensure that the activities comply with the Noise Regulations in terms of the relevant legislation.
22. The requirements of the Occupational Health and Safety Act, 1993 (Act No. 85 of 1993), must be adhered to.

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

4. The manner and frequency for updating the EMPr is as follows:  
Amendments to the EMPr, other than those mentioned above, 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.
5. Non-compliance with a condition of this Environmental Authorisation or EMPr may render the holder liable to criminal prosecution.

## F. 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 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:           Attention: Mr. Marius Venter  
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 3721)  
Room 809  
8<sup>th</sup> Floor Utilitas Building, 1 Dorp Street, Cape Town, 8001

**Note:** For purposes of electronic database management, you are also requested to submit electronic copies (Microsoft Word format) of the appeal, responding statement and any supporting documents to the Appeal Authority to the address listed above and/ or via e-mail to [DEADP.Appeals@westerncape.gov.za](mailto: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 3721, E-mail [DEADP.Appeals@westerncape.gov.za](mailto:DEADP.Appeals@westerncape.gov.za) or URL <http://www.westerncape.gov.za/eadp>.



## G. 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)**

**DATE OF DECISION: 08 JUNE 2021**

CC: (1) Mr. Sean Ranger (Footprint Environmental Services)  
(2) Ms. Nazeema Duarte (Saldanha Bay Municipality)

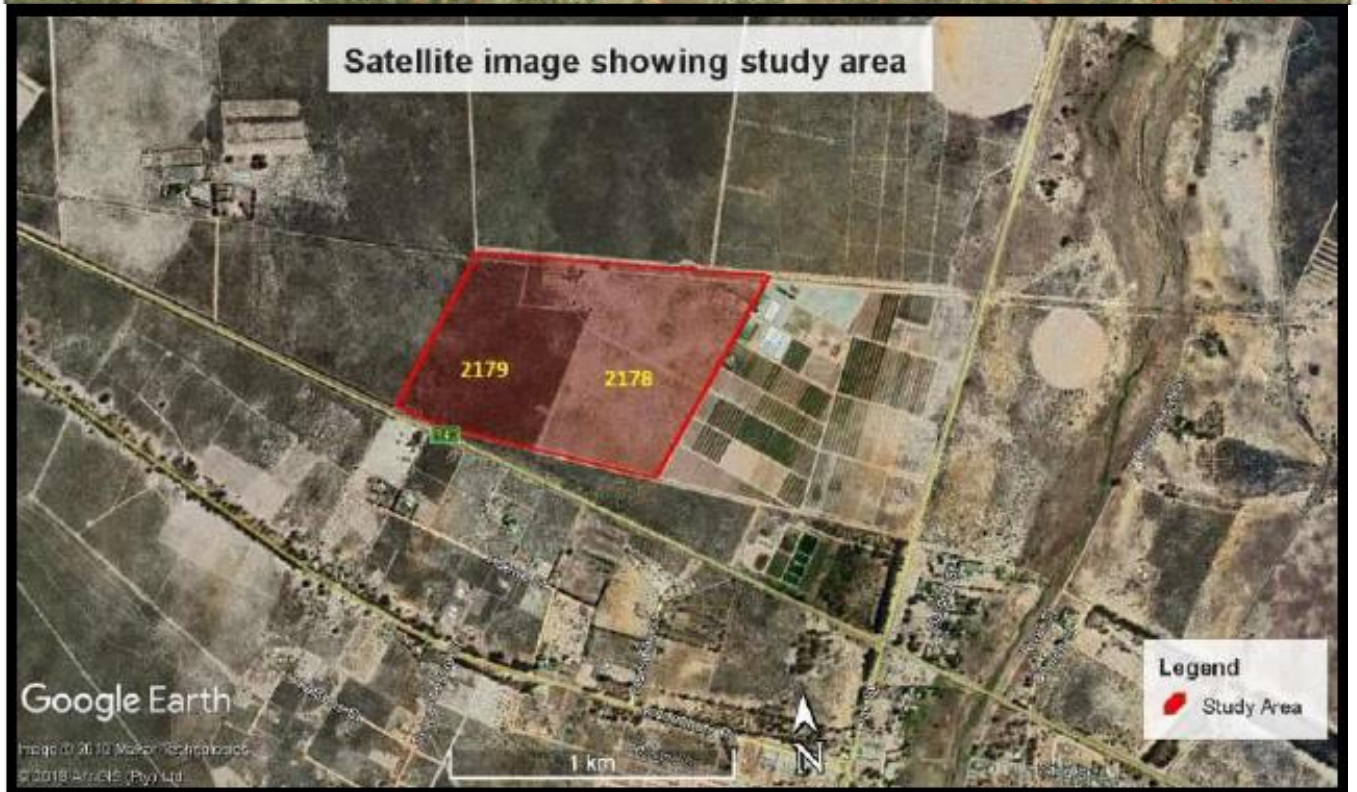
E-mail: [sean.ranger1@gmail.com](mailto:sean.ranger1@gmail.com)  
E-mail: [Nazeema.Duarte@sbm.gov.za](mailto:Nazeema.Duarte@sbm.gov.za)

---

**FOR OFFICIAL USE ONLY:**

**EIA REFERENCE NUMBER: 16/3/3/2/F4/5/3041/20**  
**NEAS EIA REFERENCE NUMBER: WCP/EIA/0000805/2020**

# ANNEXURE 1: LOCALITY PLAN



## ANNEXURE 2: SITE PLAN



## **ANNEXURE 3: REASONS FOR THE DECISION**

In reaching its decision, the competent authority, *inter alia*, considered the following:

- a) The information contained in the application form dated 18 September 2020, as received by the competent authority via electronic mail correspondence on 22 September 2020; the Scoping Report dated and received by the competent authority via electronic mail correspondence on 06 November 2020; the EIA Report dated February 2021, as received by the competent authority via electronic mail on 17 February 2021; and the EMPr submitted together with the EIA Report;
- b) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the NEMA;
- c) The comments received from I&APs and the responses provided thereon, as included in the EIA Report dated February 2021; and
- d) 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 which, according to the competent authority, were the most significant reasons for the decision is set out below.

### **1. Public Participation**

The Public Participation Process comprised of the following:

- A Background Information Letter was distributed via registered mail on 26 and 28 February 2020, respectively;
- Notices were placed on the site boundary;
- An advertisement was placed in the "Weslander" newspaper on 25 February 2020;
- Notifications were sent via e-mail and registered post on 21 August 2020 to announce the extension of the commenting period on the pre-application Scoping Report;
- A copy of the pre-application Scoping Report was placed at the Hopefield Public Library for the duration of the commenting period;
- The pre-application Scoping Report was made available from 04 March 2020 until 07 September 2020;
- E-mail notifications were sent on 04 and 05 October 2020 to announce the availability of the draft Scoping Report;
- Notifications were sent via e-mail on 27 October 2020 to remind registered I&APs about the closing date for comment on the draft Scoping Report;
- The draft Scoping Report was made available from 05 October 2020 until 05 November 2020;
- Notifications were sent via e-mail on 11 January 2021 to announce the availability of the draft EIA Report;
- Notifications were sent via e-mail on 07 February 2021 to remind registered I&APs about the closing date for comment on the draft EIA Report; and
- The draft EIA Report was made available from 12 January 2021 until 12 February 2021.

### **Authorities consulted**

The authorities consulted included the following:

- West Coast District Municipality;
- National Department of Agriculture, Forestry and Fisheries;
- Western Cape Department of Agriculture;

- Saldanha Bay Municipality;
- CapeNature;
- Department of Water and Sanitation; and
- Heritage Western Cape.

The competent authority is satisfied that the Public Participation Process that was followed met the minimum legal requirements. All the comments and responses that were raised were responded to and included in the EIA Report.

## 2. Alternatives

### Site alternatives:

The remaining areas on Erf No. 2176, as proposed by CapeNature, are not considered as a feasible alternative, since an Environmental Authorisation was issued in 2013 to develop the property. The initial site clearing on Erf No. 2176 commenced in January 2014 and has since followed a phased development process. The remaining natural areas (approximately 11.2ha) will be developed in future.

The remaining available areas on Erf No. 2176 are approximately 11.2ha in extent, whilst the developable area on Erf No. 2179 is approximately 30ha. Due to the current need for expansion at Arnelia, the holder wishes to develop the maximum area to ensure long term business sustainability and to secure and supply the foreign cut flower markets.

### Technology alternatives:

Drip irrigation is regarded as the most efficient form of irrigation and is the technology currently applied on the farm. Therefore, best practice in terms of resource use efficiency is already in place.

### Preferred alternative – herewith authorised:

The preferred alternative entails the clearance of indigenous vegetation to establish cultivated lands on Erven 2178 and 2179, Hopefield. Approximately 66ha of indigenous vegetation will be cleared.

The processing and packing facility for the cut plants will be increased by approximately 3000m<sup>2</sup>.

### "No-Go" Alternative:

This alternative entails maintaining the *status quo* and as such, the clearance of indigenous vegetation to establish cultivated lands on Erven 2178 and 2179, Hopefield will not take place. This alternative was not deemed as preferred as the holder will not be able to increase the productivity of the farm and will likely also not improve farm revenue. The forward planning policies of the Saldanha Bay Municipality identifies the site as suitable for intensive agricultural activities.

## 3. Impacts, assessment and mitigation measures

### 3.1 Activity Need and Desirability

The site is zoned for agriculture (Agriculture 1) and the proposed activity is therefore in line with the existing land use rights.

Arnelia is an operational cut flower agricultural farm. The farm specializes in fynbos and indigenous cut flowers, but also grow some exotic species. The cut flowers are sold internationally to various markets across the world. The market demand for cut fynbos flowers has improved significantly and the holder intends to develop the two remaining portions of the site to increase production volumes in response to this market demand. This

will require the clearance of approximately 66ha of indigenous vegetation and the ripping of the soil along the planted rows. The inter-row space is brush cut, thus retaining many of the geophytes present in extant indigenous vegetation.

All irrigation water for agricultural production is derived entirely from groundwater and the water is sourced from numerous boreholes located on the property. The establishment of cut flower cultivation lands requires an irrigated system and will thus require an amendment of the current Water Use License. The Water Use License Application is to use additional boreholes on the property from existing water allocations.

The processing and packing facility for the cut plants will be increased by approximately 3000m<sup>2</sup>. The expansion on the facility does not constitute an expansion of an agricultural facility as per the definitions of the Saldanha Bay Municipal Zoning Schemes.

The proposed development is characteristic and aligned with that of the surrounding land use practices of intensive agricultural production. The area is economically active due to its suitability for the cultivation of cut flowers for export.

The holder is also linked to various research institutions and the site is also frequently used for research purposes for the cut flower industry. The current operational practices allow for the land to lie fallow covered with a cover crop once a crop is harvested, to provide soils with the opportunity to rest and remain sustainably productive. This practice is well established on the site.

### 3.2 Botanical Impacts

A Botanical Assessment Report dated 24 September 2019 was compiled by Nick Helme Botanical Surveys to assess the potential botanical impacts associated with the proposed development.

Erf No. 2178 was the subject of a controlled burn about four years ago, whilst the vegetation on Erf No. 2179 has not been burnt for at least twelve years.

The area is classified as an Ecological Support Area 1 ("ESA" 1). ESAs are areas that are not essential for meeting biodiversity targets, but that play an important role in supporting the functioning of Protected Areas or Critical Biodiversity Areas ("CBAs") and are often vital for delivering ecosystem services. The vegetation type is classified as Hopefield Sand Fynbos which is listed as Vulnerable on a national basis due to habitat loss.

The 4ha area around the house on Erf No. 2179 has been brush cut regularly and possibly even ripped, presumably as a firebreak, but no other cultivation has taken place. A 0.8ha area in the northeast corner of Erf No. 2178 has also been disturbed, with what appear to be old nursery facilities.

Alien invasive vegetation is very limited and covers less than 2% of the site. There are a few scattered plants of *Acacia saligna*, patches of herbaceous weeds and some alien invasive annual grasses, mainly near the existing houses and along the northern perimeter.

The botanical sensitivity of 95% of the site is deemed to be medium to high on a regional basis, with 5% (two small patches) being previously disturbed and of low sensitivity.

Small and regionally insignificant populations of four plant species of conservation concern (*Leucospermum rodolentum*, *Macrostylis crasifolia*, *Helichrysum cochleariforme*, *Caesia sabulosa*) will be lost, before and after mitigation. The significance of this loss is low

to medium negative. Loss of CBAs will not occur, as none are mapped for the site. The development will, however, result in loss of 64ha of ESA1.

Loss of ecological connectivity in the area and associated habitat fragmentation will occur, but is unlikely to be a major ecological issue. This impact is likely to be low negative before and after mitigation.

The likely operational phase impacts of the proposed development are low negative before and after mitigation.

Mitigation measures in the EMPr include the phased clearance of indigenous vegetation, focusing only on areas that will become productive in the next production cycle.

### 3.3 Heritage impacts

Heritage Western Cape's correspondence dated 4 October 2019 in response to the Notice of Intent to Develop submitted, indicated that since there is no reason to believe that the proposed expansion of the Arnelia Farm will impact on any heritage resources, no further action under Section 38 of the National Heritage Resources Act (Act No. 25 of 1999) will be required. Therefore, the proposed development is not anticipated to result in any significant heritage impacts.

### 3.4 Dust, traffic and noise impacts

Potential dust, noise and visual impacts are anticipated during the construction phase. However, no significant potential traffic, dust, noise and visual impacts are anticipated as these impacts will be mitigated by the implementation of the mitigation measures included in the EMPr.

The development will result in both negative and positive impacts.

#### **Negative Impacts:**

- Loss of indigenous vegetation;
- Potential soil erosion due to surface runoff; and
- Potential establishment of alien invasive plant species.

#### **Positive impacts:**

- Some employment opportunities will be created during the construction and operational phases of the development;
- Contribution to the local economy; and
- Diversification and increase in agricultural activities on existing agricultural land.

#### **National Environmental Management Act Principles**

The National Environmental Management Act 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.

In view of the above, the NEMA principles, compliance with the conditions stipulated in this Environmental Authorisation, and compliance with the EMP, 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 listed activity can be mitigated to acceptable levels.

You are reminded of your general duty of care towards the environment in terms of Section 28(1) of the NEMA which states: *“Every person who causes, has caused or may cause significant pollution or degradation of the environment must take reasonable measures to prevent such pollution or degradation from occurring, continuing or recurring, or, in so far as such harm to the environment is authorised by law or cannot reasonably be avoided or stopped, to minimise and rectify such pollution or degradation of the environment.”*

-----END-----