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The Board of Directors
Dippenaar Boerdery
P.O. Box 10
RIEBECK WEST
7306

Attention: Mr. R. Dippenaar

Cell: 082 523 9803
E-mail: alwynjd@mweb.co.za

Dear Sir

APPLICATION 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 DEVELOPMENT OF THE SANDGAT DAM, ENLARGEMENT OF THE BALANCING DAM AND ASSOCIATED INFRASTRUCTURE ON FARM NO. 1033, (THE REMAINDER OF FARM LANGEKLOOF NO. 487), MALMESBURY.

1. With reference to the above application, the competent authority 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 instructed to ensure, within 14 days of the date of the Environmental Authorisation, that all registered interested and affected parties are provided with access to and reasons for the decision, and that all registered interested and affected parties 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 procedure to be followed in the event of appeals being lodged. This procedure is summarised in the attached Environmental Authorisation.

Yours faithfully

MR. ZAAHIR TOEFY
DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)
DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

Copies:

- (1) Ms. S. de Kock (The ECO Balance Planning Co)
- (2) Mr. A. Zaayman (Swartland Municipality)
- (3) Mr. D. Daniels (DWS)

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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 DEVELOPMENT OF THE SANDGAT DAM, ENLARGEMENT OF THE BALANCING DAM AND ASSOCIATED INFRASTRUCTURE ON FARM NO. 1033, (THE REMAINDER OF FARM LANGEKLOOF NO. 487), MALMESBURY.

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 5 May 2023.

In terms of the NEMA and the EIA Regulations, 2014 (as amended), the competent authority hereby **adopts the Maintenance Management Plan ("MMP")** dated 18 March 2022, as compiled by Ms. Kim Marais of FEN Consulting for the proposed maintenance or management works to be undertaken within the watercourses.

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

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% Mr. R. Dippenaar
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7306

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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
<p>Listing Notice 1 of the EIA Regulations, 2014 (as amended):</p> <p>Activity 12: <i>"The development of-</i></p> <ul style="list-style-type: none"> <i>(i) dams or weirs, where the dam or weir, including infrastructure and water surface area, exceeds 100 square metres; or</i> <i>(ii) infrastructure or structures with a physical footprint of 100 square metres or more;</i> <p><i>where such development occurs-</i></p> <ul style="list-style-type: none"> <i>(a) within a watercourse;</i> <i>(b) in front of a development setback; or</i> <i>(c) if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse; -</i> <p><i>excluding-</i></p> <ul style="list-style-type: none"> <i>(aa) the development of infrastructure or structures within existing ports or harbours that will not increase the development footprint of the port or harbour;</i> <i>(bb) where such development activities are related to the development of a port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies;</i> <i>(cc) activities listed in activity 14 in Listing Notice 2 of 2014 or activity 14 in Listing Notice 3 of 2014, in which case that activity applies;</i> <i>(dd) where such development occurs within an urban area;</i> <i>(ee) where such development occurs within existing roads, road reserves or railway line reserves; or</i> <i>(ff) the development of temporary infrastructure or structures where such infrastructure or structures will be removed within 6 weeks of the commencement of development and where indigenous vegetation will not be cleared".</i> 	<p>The proposed Sandgat dam is greater than 100m² and is located within or partially within a watercourse.</p>
<p>Activity 19: <i>"The infilling or depositing of any material of more than 10 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 10 cubic metres from a watercourse;</i></p> <p><i>but excluding where such infilling, depositing, dredging, excavation, removal or moving -</i></p> <ul style="list-style-type: none"> <i>(a) will occur behind a development setback;</i> <i>(b) is for maintenance purposes undertaken in accordance with a maintenance management plan;</i> 	<p>More than 10m³ of material will be removed/deposited from the tributary for the development of the dam.</p>

<p>(c) falls within the ambit of activity 21 in this Notice, in which case that activity applies;</p> <p>(d) occurs within existing ports or harbours that will not increase the development footprint of the port or harbour; or</p> <p>(e) where such development is related to the development of a port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies".</p>	
<p>Activity 27: 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—</p> <p>(i) the undertaking of a linear activity; or</p> <p>(ii) maintenance purposes undertaken in accordance with a maintenance management plan.</p>	<p>More than 1ha but less than 20ha of indigenous vegetation will be cleared.</p>
<p>Listing Notice 2 of the EIA Regulations, 2014 (as amended):</p> <p>Activity 16: "The development of a dam where the highest part of the dam wall, as measured from the outside toe of the wall to the highest part of the wall, is 5 metres or higher or where the highwater mark of the dam covers an area of 10 hectares or more".</p>	<p>The proposed dam will have a wall height of more than 5m.</p>
<p>Listing Notice 3 of the EIA Regulations, 2014 (as amended):</p> <p>Activity 12: The clearance of an area of 300 square metres or more of indigenous vegetation except where such clearance of indigenous vegetation is required for maintenance purposes undertaken in accordance with a maintenance management plan.</p> <p>i. Western Cape</p> <p>i. Within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA or prior to the publication of such a list, within an area that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004;</p> <p>ii. Within critical biodiversity areas identified in bioregional plans;</p> <p>iii. Within the littoral active zone or 100 metres inland from high water mark of the sea or an estuarine functional zone, whichever distance is the greater, excluding where such removal will occur behind the development setback line on erven in urban areas;</p> <p>iv. On land, where, at the time of the coming into effect of this Notice or thereafter such land was zoned open space, conservation or had an equivalent zoning; or</p> <p>v. On land designated for protection or conservation purposes in an Environmental Management Framework adopted in the</p>	<p>More than 300m² of indigenous located within the West Coast Shale Renosterveld ecosystem (critically endangered) will be cleared as a result of the proposed dam.</p>

<i>prescribed manner, or a Spatial Development Framework adopted by the MEC or Minister.</i>	
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The abovementioned list is hereinafter referred to as “the listed activities”.

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

The proposal entails the proposed development of the Sandgat Dam, the enlargement of the existing balancing dam and associated infrastructure located on Farm No. 1033 (RE of Langekloof No. 487), Malmesbury.

The proposed development will comprise of the following:

- the development of the Sandgat Dam with an estimated storage capacity of 177 828m³, a wall height of 8.9m and a development footprint area of approximately 8.5ha;
- the development of unlined earth channels along the proposed Sandgat Dam abutments to divert water from the catchment around the Sandgat Dam to discharge into the downstream reach of the watercourse.
- the enlargement of the existing balancing dam to 10 000m³ with a wall height of 3m and a development footprint area of approximately 2.6ha (after expansion);
- a new 250mm diameter polyvinyl chloride (PVC) pipeline (approximately 1.4km in length) connecting the existing abstraction works on the Berg River to the new mobile pump abstraction works on the unnamed tributary of the Berg River. From here it will connect to the proposed Sandgat Dam ;
- a new mobile pump on the unnamed tributary of the Berg River from where the existing lawful use water will be pumped to the proposed Sandgat Dam;
- a new pump station at Sandgat Dam (footprint of 4m X 4m); and
- a new 160mm diameter PVC pipeline from the proposed Sandgat Dam to the Balancing Dam (approximately 1.7km in length).
- two bypass earth channels are proposed along the along the proposed Sandgat Dam abutments . These channels will divert water from the catchment around the Sandgat Dam and discharge into the downstream reach of the watercourse.

The proposed Sandgat dam will be filled by means of pumping winter enlistment water from the Berg River. The proposed dam will be located within an unnamed minor tributary of the Berg River and will have an estimated storage capacity of 177 828³. The dam wall will be approximately 8.9m in height, and the full supply level will be approximately 8.5ha.

A MMP has been compiled for maintenance management works to be undertaken in the watercourses.

C. LOCATION AND SITE DESCRIPTION

The listed activities will be undertaken on Farm No.1033 (RE of Langekloof No. 487) Malmesbury, approximately 10km north-east of Riebeeck West. The Balancing dam occurs on a hilltop on a very flat area while the proposed Sandgat Dam occurs on a gentle east facing slope that slopes towards the Berg River.

The proposed dam is situated within an unnamed ephemeral tributary of the Berg River.

The SG 21 digit code is:

Farm and Portion	SG 21 Code
Farm No. 1033 (RE Langekloof No. 487), Malmesbury	C0460000000048700000

Co-ordinates:

Proposed Sandgat Dam	Latitude	Longitude
A	33° 16' 14.94" S	18° 55' 48.9" E
B	33° 16' 12.9" S	18° 55' 51.6" E
C	33° 16' 10,8" S	18° 55' 54.9" E
D	33° 16' 10,5" S	18° 56' 4.14" E
E	33° 16' 8.94" S	18° 56' 9.3" E
F	33° 16' 12.96" S	18° 56' 10.68" E
G	33° 16' 18.6" S	18° 56' 11.4" E
H	33° 16' 18,9" S	18° 56' 11.4" E
I	33° 16' 18,9" S	18° 56' 8.58" E
J	33° 16' 15.84" S	18° 56' 0.18" E
K	33° 16' 15.6" S	18° 55' 51.72" E

Proposed enlarged Balancing Dam	Latitude	Longitude
A	33° 15' 54.48" S	18° 55' 16.08" E
B	33° 15' 54.36" S	18° 55' 21.3" E
C	33° 15' 58.5" S	18° 55' 21.3" E
D	33° 15' 58.68" S	18° 55' 4.8" E

Proposed new pumphouse	Latitude	Longitude
	33° 16' 11.7" S	18° 56' 11.34" E

Proposed new mobile pump	Latitude	Longitude
	33° 16' 0.78" S	18° 56' 59.16" E

Proposed 250mm pipeline connecting mobile pump with Sandgat Dam	Latitude	Longitude
A	33° 16' 11.7" S	18° 56' 11.28" E
B	33° 16' 13.8" S	18° 56' 47.16" E
C	33° 16' 0.9" S	18° 56' 58.62" E
D	33° 16' 1.02" S	18° 57' 4.44" E

Proposed 160mm pipeline connecting the Sandgat Dam with the Balancing Dam	Latitude	Longitude
A	33° 15' 56.7" S	18° 55' 21.36" E
B	33° 15' 52.14" S	18° 55' 26.46" E
C	33° 15' 57" S	18° 55' 56.88" E
D	33° 16' 4.38" S	18° 56' 10.32" E
E	33° 16' 8.1" S	18° 56' 10.44" E
F	33° 16' 11.7" S	18° 56' 11.34" E

Coordinates of proposed northern bypass channel	Latitude	Longitude
A	33° 16' 15.42" S	18° 55' 44.64" E
B	33° 16' 14.04" S	18° 55' 46.08" E
C	33° 16' 13.5" S	18° 55' 48.12" E
D	33° 16' 8.88" S	18° 55' 53.16" E
E	33° 16' 9.36" S	18° 55' 59.88" E
F	33° 16' 8.82" S	18° 56' 7.26" E
G	33° 16' 8.22" S	18° 56' 9.6" E
H	33° 16' 12.24" S	18° 56' 11.52" E

Coordinates of proposed southern bypass channel	Latitude	Longitude
A	33° 16' 15.66" S	18° 55' 45.06" E
B	33° 16' 16.8" S	18° 55' 49.02" E
C	33° 16' 16.98" S	18° 55' 54.78" E
D	33° 16' 17.46" S	18° 55' 59.82" E
E	33° 16' 19.44" S	18° 56' 5.58" E
F	33° 16' 20.1" S	18° 56' 8.34" E
G	33° 16' 19.32" S	18° 56' 11.94" E
H	33° 16' 13.62" S	18° 56' 11.76" E

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

hereinafter referred to as "the site".

D. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER ("EAP")

The ECO Balance Planning Co.
 % Ms. Susan de Kock
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 UPINGTON
 8800

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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 alternative, described in the EIA Report dated 5 May 2023 on the site as described in Section C above.
2. Authorisation of the activities 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 activities 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 (**10**) years, from the date of issue, during which period the holder must commence with the authorised listed activities; 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 activities, must be concluded.
4. The activities that have 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 activities, 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 development 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, 11, 16, 23.1 and 24.1

Management of activity

10. The draft Environmental Management Programme ("EMPr") dated 5 May 2023 (as compiled by The ECO Balancing Co.) and submitted as part of the application for

Environmental Authorisation is herewith approved on condition that the following amendments are made and implemented:

- 10.1. The following recommendations included in the Freshwater Ecological Assessment dated October 2020 as compiled FEN Consulting, must be included in the EMPr:
 - 10.1.1. Fresh concrete and cement mortar must not be mixed near the unnamed tributary. It must be mixed in the laydown area/construction camp, may not be mixed on bare soil, and must be contained within a lined, bound or bunded portable mixer. Consideration must be given to the use of ready mix concrete;
 - 10.1.2. No mixed concrete may be deposited directly onto the ground within the unnamed tributary or the dam basin. A batter board or other suitable platform/mixing tray is to be provided onto which any mixed concrete can be deposited whilst it awaits placing;
 - 10.1.3. A washout area must be designated outside of the unnamed tributary, and wash water must be treated on-site or discharged to a suitable sanitation system. Wash water may not be discharged into the wetland;
 - 10.1.4. Empty cement bags must be disposed of through the hazardous substance waste stream;
 - 10.1.5. Concrete spillage outside of the demarcated area must be promptly removed and taken to a suitably licensed waste disposal site;
 - 10.1.6. The new bypass channels must be excavated in such a way to avoid any sharp angles that could erode during operation;
 - 10.1.7. The tie in with the existing downstream channel is planned to be a right angle. This must be reconsidered and a more natural alignment must be created to avoid unnecessary turbulent flows and increase potential of erosion;
 - 10.1.8. The channels must not be excavated as a straight-line channel, but rather to meander in order to reduce the velocity of flows and create microhabitat pockets during operations;
 - 10.1.9. In order to prevent erosion of the diversion embankment it must be lined with rip rap (rocks sourced on the farm) which will also allow for the establishment of vegetation. Alternatively, only short sections where erosion is expected to occur must be lined;
 - 10.1.10. Where the proposed bypass channels tie into the downstream unnamed tributary, the slope must be gradual and vegetated. Should erosion be observed in this area, the area must then either be lined with Armorflex or rip rap to prevent any future erosion;
 - 10.1.11. An alien invasive species vegetation management plan must be compiled by a suitably qualified specialist and implemented to ensure there is no further encroachment and proliferation thereof within the bypass channels as well as the downstream portion of the unnamed tributary;
 - 10.1.12. A minimum anticipated 1.66 ha of riparian habitat must be reinstated, which will offset the loss of the 1.33 hectares of the unnamed tributary to ensure there is no net loss of the riparian habitat as a result of the new Sandgat dam. This must be done by a suitably qualified freshwater specialist. A botanist, in consultation with a suitably qualified freshwater specialist to ensure that vegetation promotes the conveyance of water to the downstream watercourses;
 - 10.1.13. The pipeline alignment must follow the existing roads as far as possible (and ideally be placed within the road reserve) and avoid unnecessarily crossing the unnamed tributary;
 - 10.1.14. During the excavation of trenches through the unnamed tributary, the excavated soil must be stockpiled upgradient of the trench;
 - 10.1.15. Mixing of the lower and upper layers of the excavated soil should be kept to a minimum in order to ensure the subsurface flow of water is not impacted and the underlying clay layer is reinstated. The excavated soil must be used to backfill the trenches, immediately after installation of

- the pipeline, the soil must be replaced in the same layers as which it was extracted;
- 10.1.16. The stockpiles must not exceed 2 m in height;
 - 10.1.17. The infilled trenches must be level with the surrounding area and compacted to prevent alteration to the flow patterns, formation of preferential flow paths or erosion from occurring;
 - 10.1.18. The construction footprint must be limited to the width of the trench and an additional 5 m buffer (to allow for the stockpiled soil and movement of personnel and construction equipment);
 - 10.1.19. The area must be rehabilitated after the completion of the construction phase, including revegetation thereof with indigenous wetland vegetation. In addition, eradication of alien vegetation within the footprint area must be undertaken;
 - 10.1.20. Care must be taken to not impact the Berg River riparian habitat during connection of the pipeline to the existing abstraction facility;
 - 10.1.21. Suitable signage and demarcation must be used to ensure no unauthorised personnel may access the area surrounding the abstraction facility;
 - 10.1.22. Excavation works for the 250 mm pipeline must be undertaken by hand within the delineated riparian zone of the Berg River;
 - 10.1.23. All good housekeeping practices must be implemented to ensure dust suppression and prevention of the formation of preferential flow pathways that could impact the stormwater drainage in the surrounding landscape; and
 - 10.1.24. The management of alien invasive species must be managed through the development of an Alien Invasive Species Management Plan. This must be compiled by a suitably qualified botanical specialist and must include the annual removal of alien invasive species. The Alien Invasive Species Management Plan must be compiled prior to the commencement of development activities.
11. The amended EMPr must be submitted to the competent authority before the commencement of any land clearing activities.
 12. The MMP dated 18 March 2022 and compiled by FEN Consulting, as incorporated in the EMPr, must be implemented.
 13. An application for amendment to the EMPr (other than those amendments required above) 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.
 14. The EMPr, including the MMP, must be included in all contract documentation for all phases of implementation.
 15. A copy of the Environmental Authorisation and the EMPr must be kept at the site where the listed activities 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

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

The ECO must–

- 16.1 be appointed prior to commencement of any development activities commencing;
- 16.2 ensure compliance with the EMPr and the conditions contained herein;
- 16.3 keep record of all activities on site; problems identified; transgressions noted, and a task schedule of tasks undertaken by the ECO;
- 16.4 remain employed until all rehabilitation measures, as required for implementation due to development damage, are completed; and
- 16.5 provide the competent authority with copies of the ECO reports within 30 days of the project being finalised.

Environmental audit reports

17. The holder must, for the period during which the Environmental Authorisation and EMPr remain valid -
 - 17.1 ensure that the compliance with the conditions of the Environmental Authorisation and the EMPr is audited;
 - 17.2 submit an environmental audit report three (3) months after commencement of the development phase to the relevant competent authority;
 - 17.3 submit an environmental audit report six (6) months after completion of the development phase to the relevant competent authority; and
 - 17.4 submit an environmental audit report every five (5) years while the Environmental Authorisation remains valid.
18. 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 -

- 18.1 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;
 - 18.2 identify and assess any new impacts and risks as a result of undertaking the activity;
 - 18.3 evaluate the effectiveness of the EMPr;
 - 18.4 identify shortcomings in the EMPr;
 - 18.5 identify the need for any changes to the avoidance, management and mitigation measures provided for in the EMPr;
 - 18.6 indicate the date on which the development work was commenced with and completed or in the case where the development is incomplete, the progress of the development and rehabilitation;
 - 18.7 include a photographic record of the site applicable to the audit; and
 - 18.8 be informed by the ECO reports.
19. 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

20. 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.

21. 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.
22. 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.

23. The following recommendations provided in the Botanical Impact Assessment Report dated November 2021, as compiled by Greg Nicholson of Capensis, must be implemented:
 - 23.1. A search and rescue of all Species of Conservation Concern ("SCC") and other translocatable species from within the dam basin, must be undertaken by a suitably qualified botanical specialist before the commencement of development/land clearing activities. This must focus on the SCC and all bulb and succulent species. Seed must also be collected from all suitable shrubs species, with a focus on the SCC.
 - 23.2. The Sandgat dam wall and all downstream habitat that contains indigenous vegetation must be restored with renosterveld species to ensure that the area is representative of renosterveld habitat.
24. The following recommendations provided by CapeNature in their comments dated 7 June 2023, must be implemented:
 - 24.1. The Rehabilitation Plan dated 19 January 2022, as compiled by Capensis needs to be amended to include an assessment of suitable translocation sites for renosterveld species of conservation concern. The updated Botanical Rehabilitation Plan must reflect the revised implementation dates and must be implemented.
 - 24.2. Regarding storage, the Rehabilitation Plan must indicate measures that need to be taken to avoid fungal infection and prevent the stored material being fed on by mammals and insects. This is vital especially for the species of conservation concern.
25. Development activities must take place within the drier months (October - April) during low flow conditions or when non-perennial streams are not likely to be flowing.

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. If the holder does not commence with the listed activities within the period referred to in Condition 3, this Environmental Authorisation shall lapse for the 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 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.
4. 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:
 - 5.1. 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.
6. 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
8th Floor Utilitas Building, 1 Dorp Street, Cape Town, 8001

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

5. A prescribed appeal form as well as assistance regarding the appeal processes is obtainable from Appeal Authority at: Tel. (021) 483 3721, E-mail 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 development or operation subsequent to development 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: 18 AUGUST 2023

Copies to:

(1) Ms. S. de Kock (The ECO Balance Planning Co)

(2) Mr. A. Zaayman (Swartland Municipality)

(3) Mr. D. Daniels (DWS)

E-mail: susandekock@oranjenet.net

E-mail: zaaymana@swartland.org.za

E-mail: danielsD@dws.gov.za

FOR OFFICIAL USE ONLY:

EIA REFERENCE NUMBER: 16/3/3/2/F5/16/2053/21

NEAS EIA REFERENCE NUMBER: WCP/EIA/0001281/2023

ANNEXURE 1: LOCALITY MAP

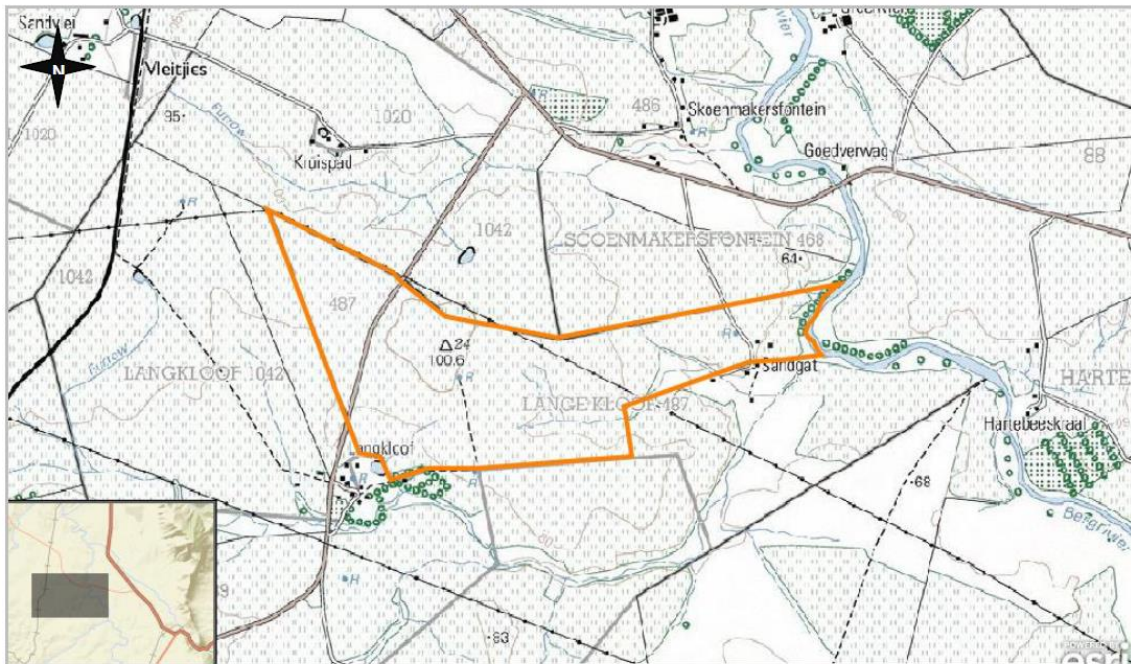


Figure 5. The property boundaries in orange of Farm No. 1033 (RE of Langekloof No. 487) Malmesbury on a 1:50 000 topocadastral map (Source: CFM).

ANNEXURE 2: SITE DEVELOPMENT PLAN OF SANDGAT DAM AND THE BALANCING DAM

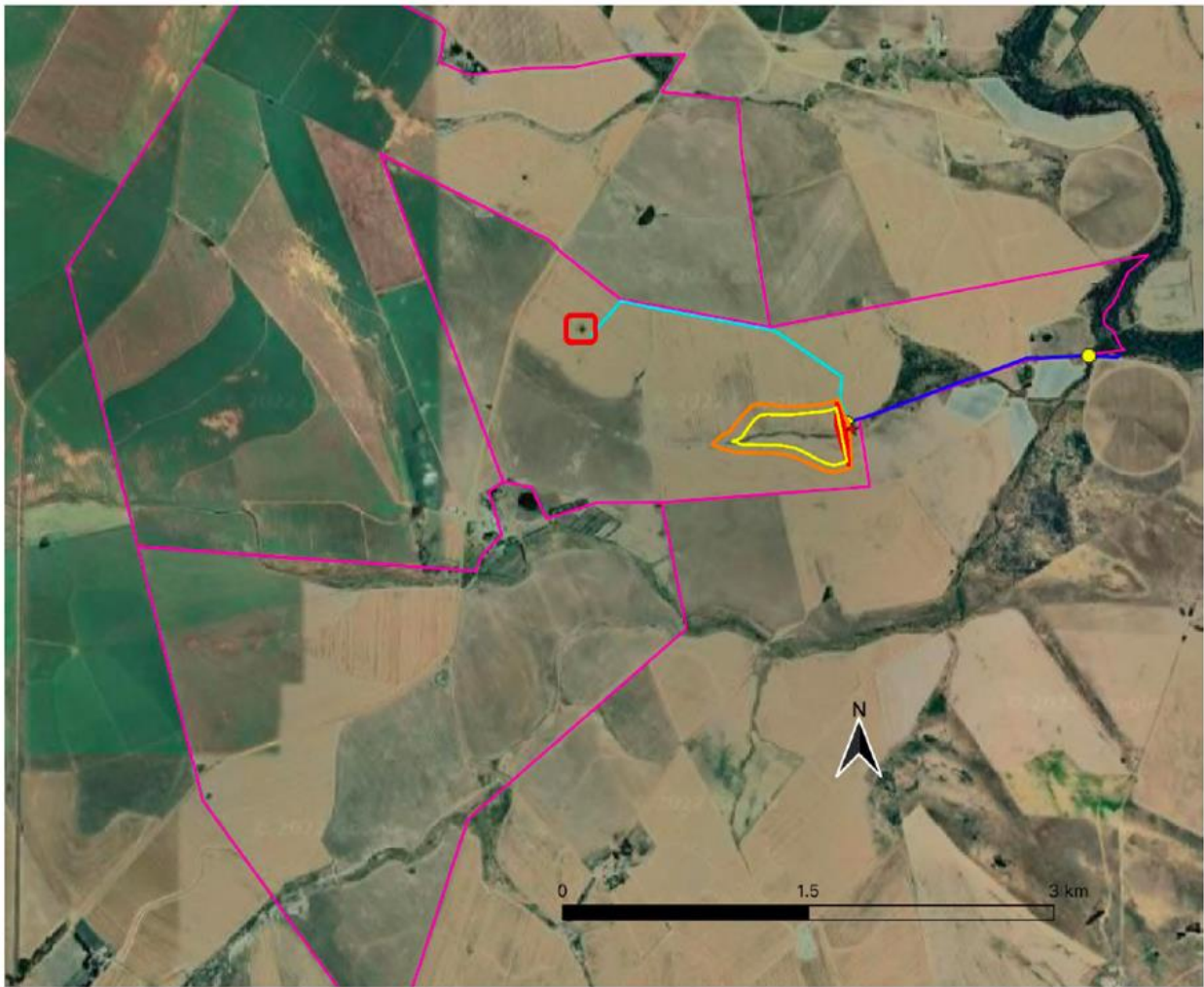


Figure 2: Location and proposed layout of the Sandgat Dam and associated infrastructure. Sandgat Dam = yellow; dam wall = red; bypass channels = orange; balancing dam = red; 250 mm pipeline = dark blue; 160 mm pipeline = light blue; pump staitons = yellow dots; property boundary = pink (Source: Google Earth).

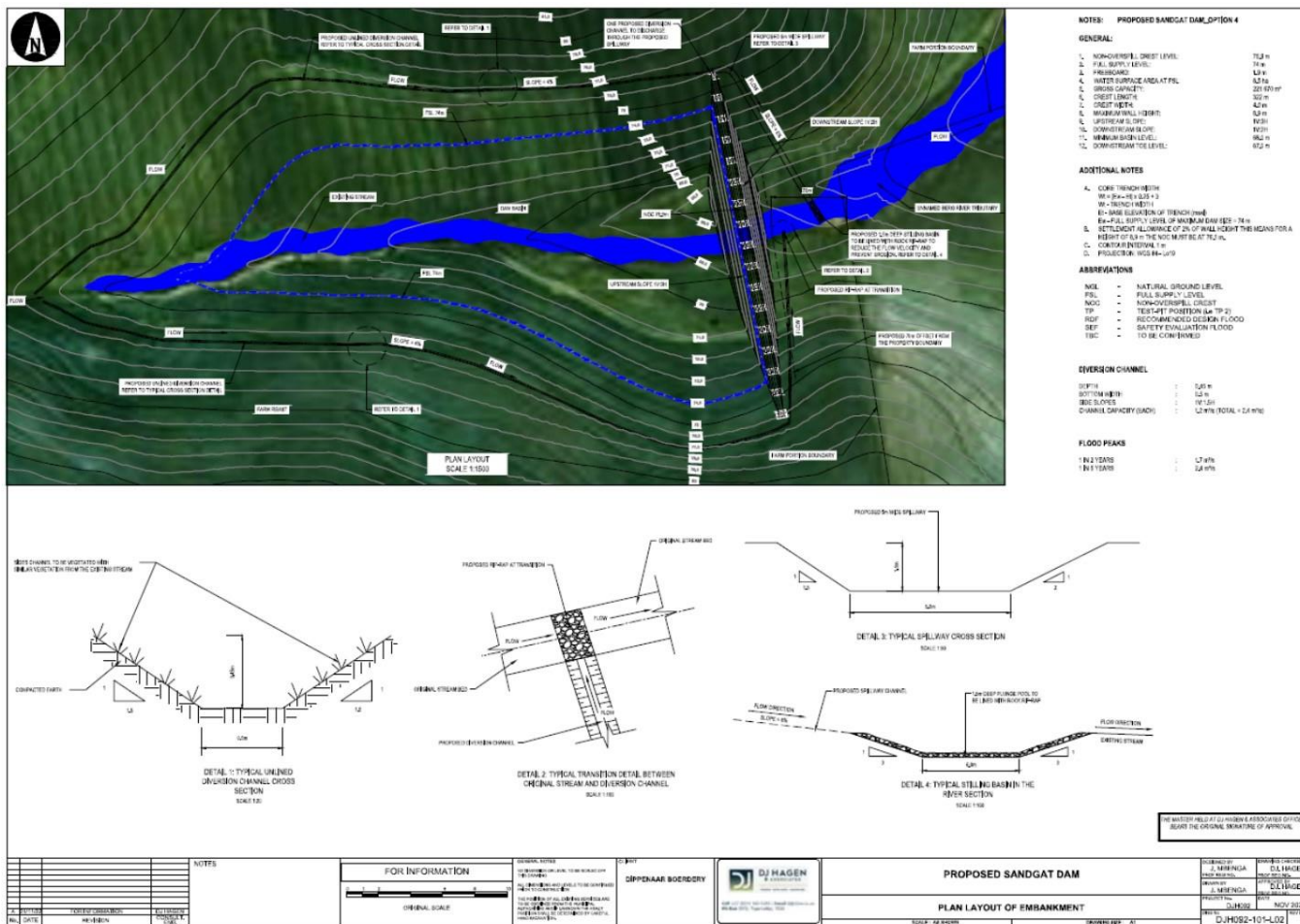


Figure 6. The estimated footprint at full supply level (9.54ha) plus earthfill embankment (0.36ha) of the proposed Sandgat Dam (dark blue). The proposed bypass channels are indicated in lighter blue north and south of the dam footprint.

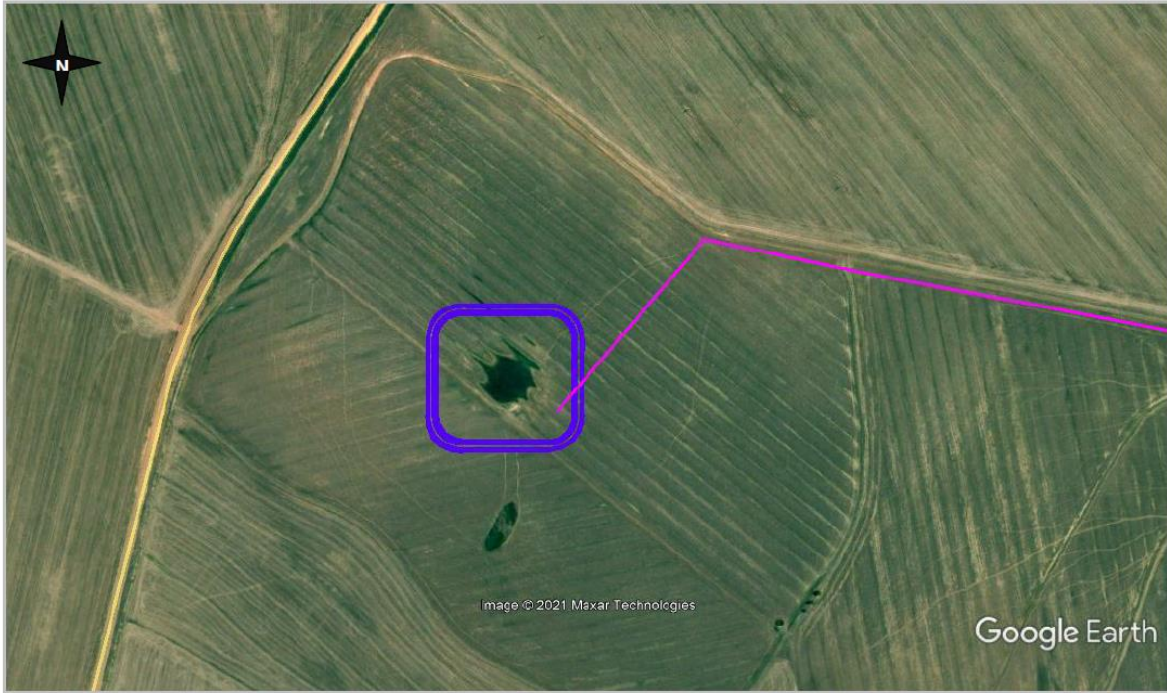


Figure 7. The existing Balancing Dam indicated on a Google Earth image dated 19 November 2009. The anticipated enlarged footprint is indicated as a blue polygon.

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, as received by the competent authority on 15 October 2021; the final Scoping Report dated and received by the competent authority on 23 November 2021; the final EIA Report dated and received by the competent authority on 5 May 2023; the EMPr submitted together with the final EIA Report; and the additional information received by the competent authority on 8 June 2023, 27 July 2023 and 15 August 2023;
- 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 final EIA Report dated 5 May 2023; 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:

- Letters were posted on 10 August 2021 to advise I&APs about the availability of the pre-application Scoping Report;
- A notice was placed on site on 10 August 2021;
- E-mails were sent on 10 August 2021 to advise I&APs about the availability of the pre-application draft Scoping Report for public review from 10 August 2021 until 10 September 2021;
- An advertisement was placed in the "Swartland Gazette" newspaper on 10 August 2021;
- E-mails were sent on 19 May 2021 to advise registered I&APs about the availability of the draft Scoping Report;
- The draft Scoping Report and an Executive Summary were made available to Interested and Affected Parties on 15 October 2021;
- The draft Scoping Report was made available for public review from 15 October 2021 until 15 November 2021;
- E-mails were sent on 11 April 2022 to announce the availability of the draft EIA Report from 11 April 2022 until 16 May 2022;
- The revised draft EIA Report was made available from 31 March 2023 until 4 May 2023; and
- E-mails were sent on 5 May 2023 to inform I&APs that the final EIA Report has been submitted to the competent authority. I&APs were provided with an opportunity to peruse the Comments and Responses Report.

Authorities consulted

The authorities consulted included the following:

- Western Cape Department of Agriculture;
- Department of Water and Sanitation;
- Heritage Western Cape;
- CapeNature;
- Department of Agriculture, Forestry & Fisheries;
- Swartland Municipality; and
- Lower Berg River Irrigation Board.

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

Four locations/sites were investigated for the proposed Sandgat dam, *i.e.*, Location Alternative 1, 2, and 3 and 4.

Location Alternative 1 and Location Alternative 4 (in-stream) are both preferred location alternatives from an engineering perspective. These two location alternatives are proposed within an unnamed tributary of the Berg River on the same location on Remainder of Lange Kloof No. 487, Malmesbury.

Location Alternative 1 and Location Alternative 4

Location Alternative 1 and Location Alternative 4 are the preferred location alternatives for the following reasons:

- Both are located approximately 70m west of the geological contact zone (which may cause leaking problems should the dam be located above this contact zone).
- Acceptable geological conditions are present.
- Sufficient construction material is available within the dam basin (which will prevent disturbance in other areas in order to obtain construction material).
- Both Location Alternatives will have a smaller negative impact on mapped Ecological Support areas ("ESA") compared to the Location Alternative 2.
- Both Location Alternatives are much closer to the identified 30ha almond cultivation site which will reduce pumping cost associated with irrigation during the operational phase.

Based on the findings of the botanical impact assessment, Location Alternative 4 was considered as the preferred location alternative.

Location Alternative 2

Location Alternative 2 is located on the Remainder of Lange Kloof No. 489 (Malmesbury). This alternative was not preferred, as it entails the transformation of a larger portion of the identified ESA which would result in a greater impact on the receiving environment.

Location Alternative 3:

Location Alternative 3 is an off-stream channel alternative located on Farm No. 1033 (Remainder of Farm Lange Kloof No 487, Malmesbury and entails the enlargement of the existing balancing dam to the target storage capacity of 260 200m³. This alternative was not deemed as preferred since an off-channel dam alternative would be too costly and was not considered practically possible.

Sandgat Dam Design Alternatives for Location Alternative 4

Sandgat Design Alternative 1

Wall height: 9.2m
Area at Full Supply Level: 9.53ha
Storage Capacity: 260 200m³

Sandgat Design Alternative 2:

Wall height: 9.3m
Area at Full Supply Level: 9.35ha
Storage Capacity: 260 200m³

Sandgat Design Alternative 3:

Wall height: 8.9m
Area at Full Supply Level: 9.54ha
Storage Capacity: 260 200m³

Sandgat Design Alternative 4 (Preferred and herewith authorised)

Wall height: 8.5m
Area at Full Supply Level: 9.5ha
Storage Capacity: 177 828m³

Design Alternative 4 is preferred as the proposal has been revised based on the description of the activity authorised in the Water Use Licence and the confirmed Existing Lawful Use.

The proposal includes the installation of a new 250mm diameter PVC pipeline connecting the existing abstraction works on the Berg River to the new mobile pump located along the unnamed tributary of the Berg River. From here it will lead to the proposed Sandgat Dam and the total length is estimated at approximately 1.4km. The route alternative was revised based on the findings of the botanical assessment compiled by Greg Nicholson of Capensis dated November 2021. The botanist recommended that the eastern section of the 250mm pipeline be moved to the south side of the farm fence to avoid an area of land covered by intact Atlantis Sand Fynbos.

The proposal includes the following:

- the development of unlined earth channels along the proposed Sandgat Dam abutments to divert water from the catchment around the Sandgat Dam to discharge into the downstream reach of the watercourse.
- the enlargement of the existing balancing dam to 10 000m³ with a wall height of 3m and a development footprint area of approximately 2.6ha (after expansion);
- a new 250mm diameter PVC pipeline (approximately 1.4km in length) from the existing abstraction works on the Berg River to new mobile pump abstraction works on the unnamed tributary of the Berg River. It will then connect to the proposed Sandgat Dam;
- a new mobile pump on the unnamed tributary of the Berg River from where the Existing Lawful Use water will be pumped to the proposed Sandgat Dam;
- a new pump station at Sandgat Dam (footprint of 4m X 4m); and
- a new 160mm diameter PVC pipeline from the proposed Sandgat Dam to the Balancing Dam (approximately 1.7km in length).

A MMP has been compiled for the maintenance or management works to be undertaken within the watercourses. Maintenance, management or repair activities are required during the development and operational phases of the development and will include the following:

General activities:

- Clearing and removal of sediment;
- Desilting of the dam;
- Repairing of concrete;
- Accumulation of sediment associated with embankment repairs and the diversion channels;
- No new road ways to be created traversing the tributary to remove sedimentation; and
- dredging of the in-stream dam to manage siltation.

Emergency repairs:

- Repairs to infrastructure (e.g. dam wall, spillway, pipelines etc.) to ensure the dam storage capacity and integrity of the dam is not compromised; and
- Removal of material that has built up due to flooding/sedimentation.

Management of alien invasive plant species clearing:

- Clearance of alien invasive vegetation from the watercourse to reduce maintenance requirements as they relate to erosion and sedimentation; and
- Managing indigenous species to improve hydrological flow of tributary.

Rehabilitation and restoration activities for maintaining ecological infrastructure:

- Actively rehabilitate riparian zones and revegetate the proposed bypass channels through planting of local indigenous species as advised by the botanical specialist.

“No-Go” Alternative:

This alternative implies that the dam will not be developed. This alternative was rejected as no additional water storage will be created and the farm will be dependent on the flow of the Berg River throughout the year. The “no-go” alternative is not preferred as the proposed development

dam is required for the irrigation of almond crops and is necessary for the continuous production of crops primarily during the summer months, when water flow within rivers is low.

3. Impacts, assessment and mitigation measures

3.1 Activity Need and Desirability

The site is zoned Agriculture and as such, the proposed development is aligned with the current land use approval of the property.

The proposed development is aligned with the Existing Lawful Water Use Rights of the property, as approved in the Water Use License (Licence No.: 01/G10F/BCI/12761). The proposal includes bypass channels to divert surface run-off water from the catchment around the Sandgat Dam to ensure the Ecological Water Requirements releases is met for the natural ecology downstream of the dam.

The Water Use License approved by the Department of Water and Sanitation includes the enlargement of the balancing dam as a new storage dam with a storage capacity of 10 000m³ to store the existing lawful water. The additional storage to be provided by the dam will provide an opportunity to reduce the dependence on summer flow, when the river is in a stressed condition, and to store and use winter water for summer irrigation.

The development of the dam will enable the holder to improve farming operations and increase the agricultural produce. This in turn will improve the livelihoods of the holder and farm workers. This may also result in additional job opportunities as well as securing existing jobs for those already employed by the farm.

3.2 Botanical impacts

A Botanical Impact Assessment Report dated November 2021 was compiled by Greg Nicholson of Capensis to assess the botanical impacts of the proposed development.

The Botanical Impact Assessment Report states that according to the Vegetation Map of South Africa, Lesotho and Swaziland (SANBI, 2018) , the vegetation type occurring in the study area is Swartland Shale Renosterveld, with Atlantis Sand Fynbos nearby. The dams and the pipeline connecting them fall within Swartland Shale Renosterveld, whereas the pipeline between the Sandgat Dam and the Berg River passes through a patch of Atlantis Sand Fynbos.

The drainage line that falls within the proposed Sandgat Dam basin contains a small amount of degraded vegetation that falls within the Swartland Shale Renosterveld vegetation type. The degraded renosterveld vegetation that will be lost due to the proposed dam construction is approximately 0.3 ha. At least four species of conservation concern ("SCC") occur on the site, but due to the extremely limited area in which these species occur and the low numbers of individuals of each species, the future viability of these populations is very doubtful. Although the site is localised, it still contains Critically Endangered species and three other SCC within a Critically Endangered ecosystem.

Loss of this habitat would result in a high negative impact without mitigation and low negative impact post mitigation. The botanist recommended that a Search and Rescue operation is undertaken along with the implementation of a rehabilitation plan, to ensure the renosterveld habitat and species that are lost, will persist in another part of the site post development.

A rehabilitation plan has been developed and is included as an addendum to the EMPr. With the implementation of the EMPr and the recommendations made by the botanical specialist, the impact significance rating will be reduced to low negative. CapeNature are in agreement with the findings and recommendations of the specialist and their recommendations have been included in conditions of this Environmental Authorisation.

The mitigation measures for search and rescue and the appointment of a botanist to compile a translocation plan, has been included in the conditions of this Environmental Authorisation and the draft EMPr.

3.3 Freshwater Impacts

A Freshwater Ecological Assessment dated October 2020 was compiled by Ms. Kim Marais of FEN Consulting (Pty) Ltd to assess the freshwater impacts associated with the proposed development.

Based on the findings of the assessment, it is noted that the proposed development will result in the loss of 1.33ha of riparian habitat. However, the proposal includes the development of two bypass channels that would serve to reinstate this loss. The impact of the abstraction of water from the Berg River was not considered as part of the assessment as the proposal is aligned with the ELU of the property.

The present ecological status of the Berg River at the site can be broadly described as being largely to seriously modified, with the main impacts resulting from the upstream flow water quality impacts. The tributaries have been modified by the surrounding land uses and are in a moderately to largely modified ecological state. Most of the indigenous vegetation along these watercourses has been removed.

A MMP has been compiled to address the maintenance and management of the works to be undertaken within the watercourses. The freshwater specialist's recommendations have been included in the conditions of this Environmental Authorisation. The draft EMPr will be amended to include these recommendations as per Condition 10 of this Environmental Authorisation.

3.4 Geotechnical Impacts

A geotechnical field investigation was undertaken by DJ Hagen & Associates on 4 August 2020.

According to the Geotechnical Report dated 25 August 2020, the founding conditions of the dam is shale rock, which is considered acceptable, although the depth to the rock within the tributary section is up to 7m. The Geotechnical Report confirmed that there appears to be sufficient core, sand filter and general fill on site to construct the dam.

The initial location of the proposed Sandgat dam (on the property boundary of Farm No. 1033, Malmesbury (Remainder of Lange Kloof No. 487, Malmesbury) fell above the geological contact zone of these two formations. It is expected that this contact zone may contribute to leakage within the dam foundation as the contact may be faulted/fractured. Based on this finding, it is noted that the preferred location alternative for the proposed dam was moved approximately 70m upstream to avoid the geological contact zone.

3.5 Cumulative Impacts

With increased demand for food and increased pressure on agricultural margins, there is a growing need for farmers to not only rely on dryland agriculture, but also supplement by means of irrigation in order to increase productivity. This increased pressure/increased demand to create storage capacity has an impact on *inter alia*:

- Direct loss of watercourse habitat through inundation and construction;
- Loss of habitat downstream due to changes in the hydrological drivers;
- Loss of instream flow; and
- Changes to watercourse structure function and service provision.

The cumulative impacts associated with the proposed development entails the anticipated loss of 1.33ha of riparian habitat. However, the overall significance of this loss is considered as limited and no net loss of riparian habitat is anticipated by the development of the bypass channels and rehabilitation of these channels to support riparian characteristics.

No additional cumulative impacts to the catchment yield in the Berg River are anticipated, due to the bypass channels catching and conveying runoff water from the surrounding catchment to the downstream reaches of the unnamed tributary. Water stored within the Sandgat dam is solely from water abstracted from the Berg River based on the existing lawful abstraction rights for Farm No. 1033 (Remainder of Langekloof No. 487), Malmesbury.

3.6 Heritage Impacts

A Heritage Impact Assessment ("HIA") Report was compiled by ACO Associates cc, dated 9 March 2022. The HIA found that the proposed site is of low sensitivity from a heritage perspective and that impacts on heritage resources are unlikely.

Heritage Western Cape's final comments dated 4 May 2022 indicated that the Committee endorsed the HIA and associated documents tabled, dated March 2022, as prepared by ACO Associates, as well as the recommendations on page 31 and 32 of the HIA. The Committee recommended that development may be authorised, subject to the following condition: If any archaeological material or human burials are uncovered during the course of development, then work in the immediate area must be halted. The finds will need to be reported to Heritage Western Cape and may require inspection and mitigation by an archaeologist. Such heritage is the property of the state and may require excavation and curation in an approved institution.

The recommended condition has been included in the EMPr.

3.7 Dust Impacts

Potential dust impacts are anticipated during the development phase. However, no significant potential dust 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 impacts on aquatic ecosystems; and
- Potential heritage and dust impacts.

Positive impacts:

- Employment opportunities will be created;
- 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 EMPr, the competent authority is satisfied that the proposed listed activities will not conflict with the general objectives of integrated environmental management stipulated in Chapter 5 of the NEMA and that any potentially detrimental environmental impacts resulting from the listed activities can be mitigated to acceptable levels.

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.”*

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