



REFERENCE: 16/3/3/2/F1/13/2023/20
DATE OF ISSUE: 28 April 2021

ENVIRONMENTAL AUTHORISATION

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014, AS AMENDED: PROPOSED CLEARANCE OF INDIGENOUS VEGETATION FOR THE CULTIVATION OF ROOIBOS ON PORTION 15 OF THE FARM NO. 11, BOTTELFONTEIN, REDELINGHUYS.

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

DECISION

By virtue of the powers conferred on it by the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA") and the Environmental Impact Assessment ("EIA") Regulations, 2014, as amended, the Competent Authority herewith **grants Environmental Authorisation** to the applicant to undertake the listed activities specified in section B below with respect to Alternative 1, described in the Final EIA Report, dated 16 January 2021.

The applicant for this Environmental Authorisation is required to comply with the conditions set out in section E below.

A. DETAILS OF THE APPLICANT FOR THIS ENVIRONMENTAL AUTHORISATION

Sarel Johannes and Elsabe Johanna van Zyl
P. O. Box 30
REDELINGHUYS
8105

Cell: 083 976 8697
E-mail: janivlok@gmail.com

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

B. LIST OF ACTIVITIES AUTHORISED

Listed Activities	Activity/Project Description
<p>Listing Notice 2 of the EIA Regulations, 2014 (as amended)–</p> <p>Activity Number: 15 Activity Description: “The clearance of an area of 20 hectares or more of indigenous vegetation, excluding where such clearance of indigenous vegetation is required for— (i) the undertaking of a linear activity; or (ii) maintenance purposes undertaken in accordance with a maintenance management plan”.</p>	<p>More than 20 hectares of indigenous vegetation will be cleared for the cultivation of rooibos.</p>
<p>Listing Notice 3 of the EIA Regulations, 2014 (as amended)–</p> <p>Activity Number: 12 Activity Description: “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 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; ii. Within critical biodiversity areas identified in bioregional plans; 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; 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 v. On land designated for protection or conservation purposes in an Environmental Management Framework adopted in the prescribed manner, or a Spatial Development Framework adopted by the MEC or Minister”.</p>	<p>More than 300 square metres of Leipoldtville Sand Fynbos, which is listed as an endangered ecosystem in terms of the National Environmental Management: Biodiversity Act, 2004 (“NEMBA”) List of Threatened Ecosystems in Need of Protection, 2011 will be cleared for the cultivation of rooibos.</p>

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

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

The clearance of indigenous vegetation for the cultivation of rooibos.

Buffers/corridors of indigenous vegetation measuring approximately 75m wide will be maintained on the western and eastern side of the property. No clearance, cultivation or associated activities will take place in these areas.

The northern section of the property measuring approximately 375ha will be set aside and protected for conservation purposes. No clearance, cultivation or associated activities will take place in this area.

The total development footprint will amount to approximately 147,8 ha.

C. SITE DESCRIPTION AND LOCATION

The listed activities will be undertaken on Portion 15 of the Farm No. 11, Bottelfontein, Redelinghuys. The site is located 14 km south of Redelinghuys, off Olaf Berg Road, between Redelinghuys and Aurora.

The SG digit code is: C0580000000001100015

The site co-ordinates are:

32° 32' 31.04" South; 18° 27' 11.87" East

The co-ordinates for the northern section of the site to be aside and protected for conservation purposes are:

32° 31' 09.17" South; 18° 26' 35.57" East

32° 31' 04.99" South; 18° 27' 51.86" East

32° 31' 51.20" South; 18° 27' 45.09" East

32° 32' 00.05" South; 18° 26' 33.61" East

Refer to Annexure 1: Locality Plan.

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

D. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER

Advanced Environmental Corporation (Pty) Ltd
c/o Mr. Johannes Adriaan van der Walt
P. O. Box 325
PORTERVILLE
6810

Tel.: (082) 305 8945

Email: admin@aecorp.co.za

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 1, described in the Final EIA Report dated 16 January 2021 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 (5) years, from the date of issue, during which period the holder must commence with the authorised listed activities.
 - (b) A period of ten (10) years, from the date the holder commenced with the authorised listed activities, 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 “Environmental Management Programme” (“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 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 Interested and Affected Parties (“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; and
 - 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 Interested and Affected Parties 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 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 EMPr submitted, as dated 11 January 2020 is hereby approved and must be implemented.
11. An application for amendment of 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 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 these 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 performs work at the site.

Monitoring

14. The holder must appoint a suitably experienced Environment Control Officer ("ECO"), for the duration of land clearing activities and rehabilitation phases of implementation.
The ECO must–
 - 14.1 be appointed prior to commencement of any land clearing or construction activities commencing;
 - 14.2 ensure compliance with the EMPr and the conditions contained herein; and
 - 14.3 keep record of all activities on site; problems identified; transgressions noted and a task schedule of tasks undertaken by the ECO.

Environmental audit reports

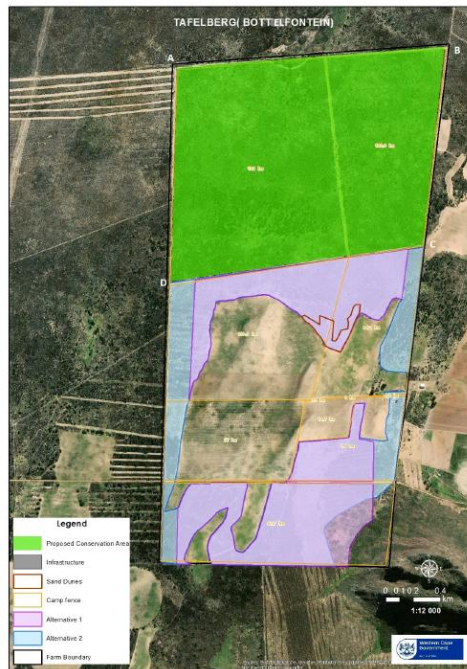
15. The holder must, for the period during which the Environmental Authorisation and EMPr remain valid –
 - 15.1 ensure that compliance with the conditions of the Environmental Authorisation and the EMPr is audited;
 - 15.2 submit at least two environmental audit reports to the relevant competent authority during land clearing activities on the site. The holder must submit one audit report three (3) months after commencement of land clearing activities and another audit report six (6) months after completion of the land clearing activities on the site; and
 - 15.3 submit an environmental audit report every five (5) years while the Environmental Authorisation remains valid.
16. The environmental audit report 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 land clearance activities 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 Interested and Affected Parties of the submission and make the report available to anyone on request and, where the holder has such a facility, place on a publicly accessible website.

Specific conditions

18. The following measures adapted from the Final EIA Report, dated 16 January 2021 compiled by Mr. Johannes Adriaan van der Walt of Advanced Environmental Corporation (Pty) Ltd must be implemented:
 - 18.1 The northern section of the site at the co-ordinates set out in Section C and shaded in green in the map below must be protected and formally set aside for conservation within two years of the date of issue of this Environmental Authorisation.
 - 18.2 A finalised written agreement as well as proof of having established the conservation area must be submitted to this Department as soon as this becomes available.



18.3 Threatened vegetation species located in the development footprint which requires removal must be searched, rescued and replanted in the conservation area located in the northern section of the site. The search and rescue operations must be undertaken by suitably qualified horticulturalist

19. The following measure adapted from the Botanical Assessment Report dated 13 November 2018 compiled by Mr. N. A. Helme of Nick Helme Botanical Surveys must be implemented:

19.1 All woody alien invasive vegetation within the non-development areas (i.e. where no rooibos will be cultivated) of the site must be cleared within five years of the date of issue of this Environmental Authorisation.

19.2 Alien invasive vegetation clearance must be undertaken by trained personnel and according to CapeNature best practice guidelines for alien vegetation management.

19.3 No soil disturbance must take place and no heavy machinery may be used for this process.

20. The landowner must commit to the development of an Invasive Alien Species Management Plan to control alien species for the conservation set-aside-area within 1 year of the signature of the agreement with CapeNature.

20.1 A copy of Invasive Alien Species Management Plan must be submitted to this Department, at least 30 days before the plan is ready for implementation.

20.2 All alien trees on the 'conservation set-aside area' must be removed within two years of the implementation of the Invasive Alien Species Management Plan.

21. 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.

22. 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.

23. 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 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.

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 Interested and Affected Parties, 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 Interested and Affected Parties -
 - 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 Interested and Affected Party, 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 Interested and Affected Party 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: 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 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 the 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 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: 28 APRIL 2021

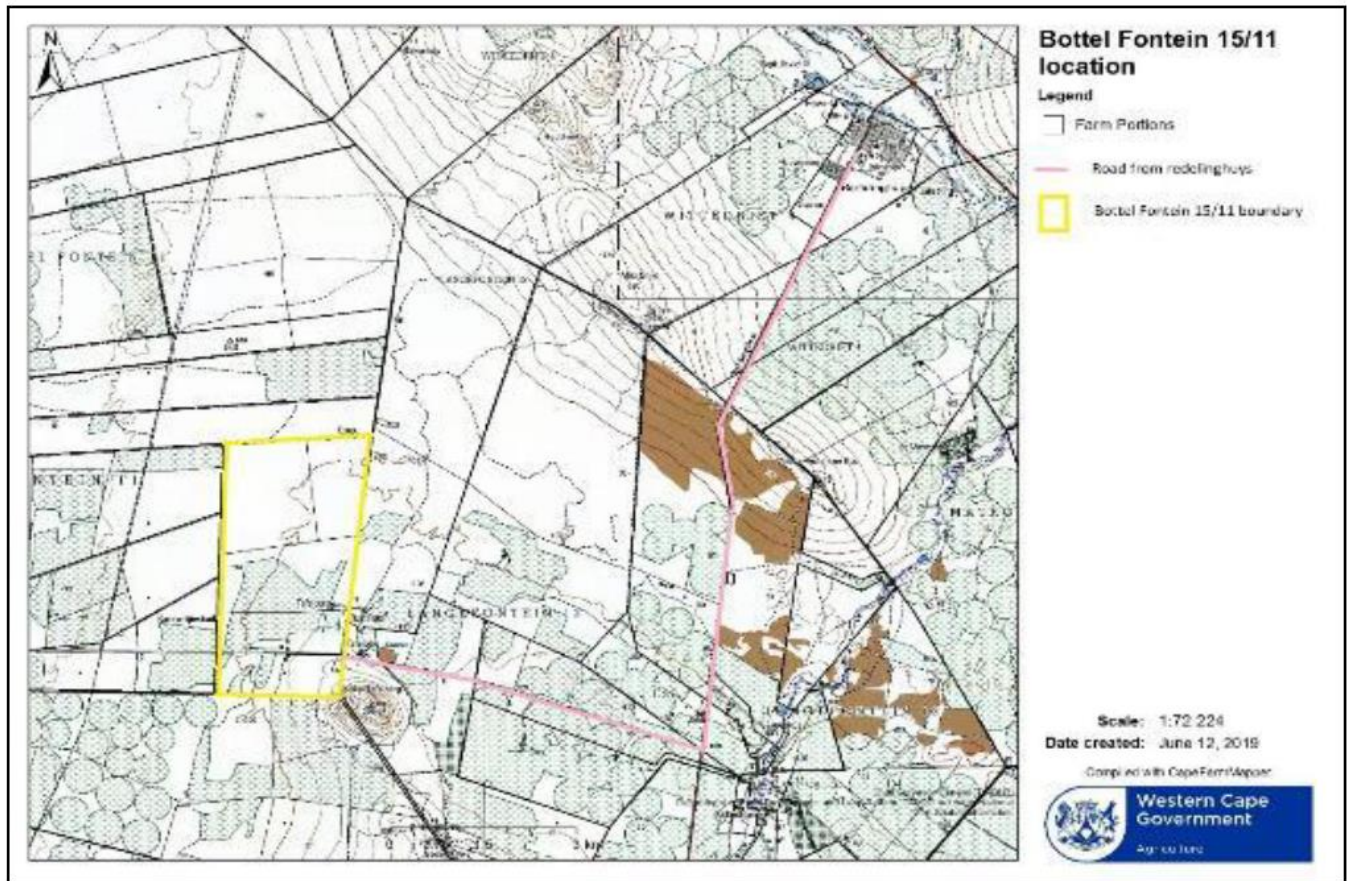
Copied to:

- | | |
|---|--|
| 1) Mr. Johannes Adriaan van der Walt (Advanced Environmental Corporation (Pty) Ltd) | E-mail: admin@aecorp.co.za |
| 2) Adv. Hanlie Linde (Bergriver Municipality) | E-mail: mm@bergmun.org.za |
| 3) Ms. Angila Joubert (Bergriver Municipality) | E-mail: JoubertA@Bergmun.org.za |

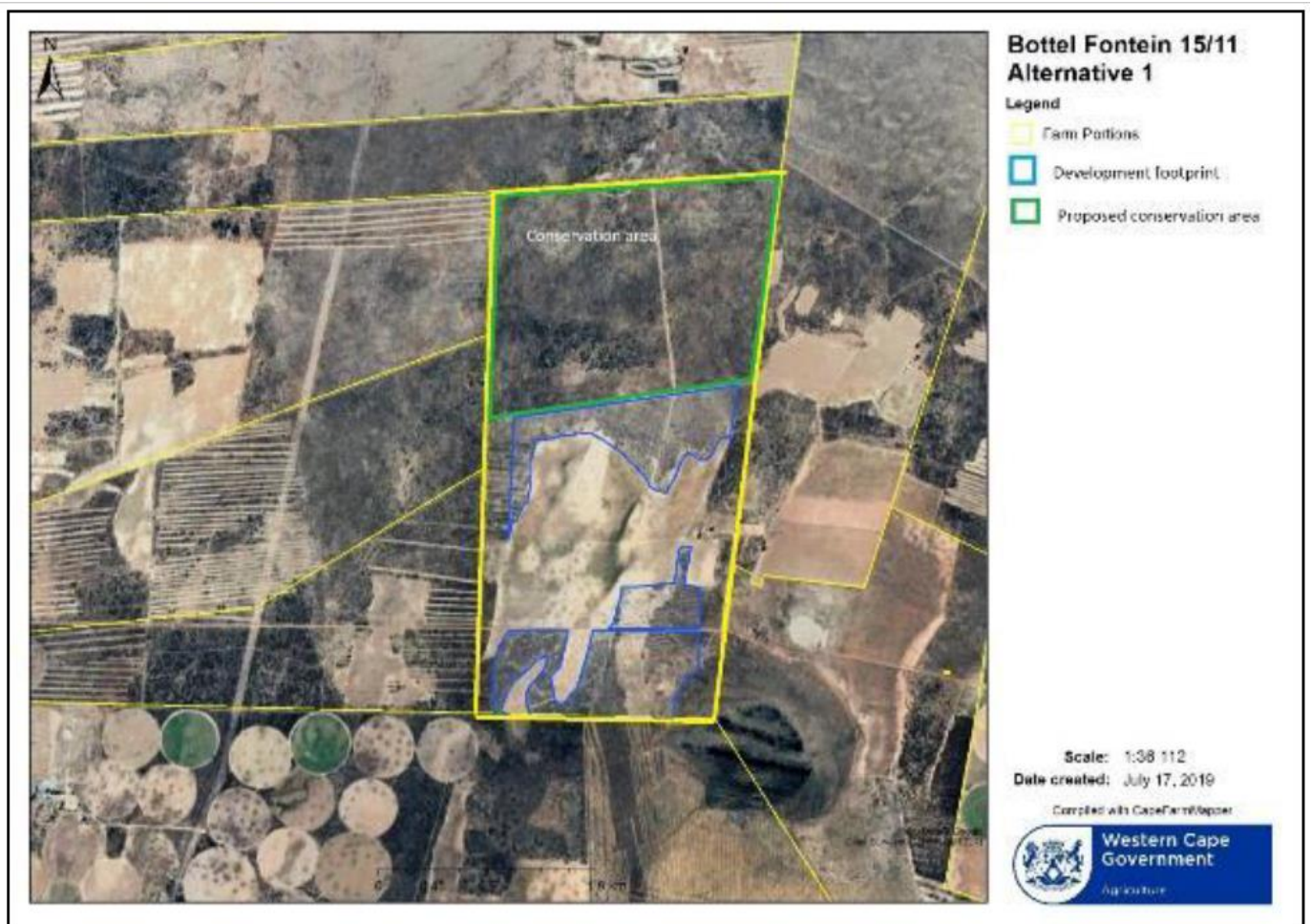
FOR OFFICIAL USE ONLY:

EIA REFERENCE NUMBER: 16/3/3/2/F1/13/2023/20

ANNEXURE 1: LOCALITY MAP



ANNEXURE 2: THE PREFERRED ALTERNATIVE 1



ANNEXURE 3: REASONS FOR THE DECISION

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

- a) The information contained in the Application Form dated 9 July 2020, the Final Scoping Report dated 20 August 2020, the Final EIA Report dated 16 January 2021 and EMPr dated 11 January 2020;
- b) Relevant information contained in the Departmental information base, including the Guidelines on Public Participation, Alternatives (dated March 2013);
- c) The objectives and requirements of relevant legislation, policies and guidelines, including Section 2 of the NEMA; and
- d) The comments received from I&APs and responses to these, included in the Final Scoping Report and Final EIA Report.

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

1. Public Participation

The public participation process included:

- notices regarding the proposed development were distributed to all relevant I&APs as well as key authorities;
- a notice was placed at the entrance to the site where the listed activities are to be undertaken;
- an advertisement was placed in the local 'Weslander' newspaper on 26 September 2019;
- copies of the Scoping Reports were circulated to all I&APs for a 30-day commenting period;
- a hardcopy of the Scoping Report was placed at the Redelinghuys Public library; and
- copies of the EIA Reports were circulated to all I&APs for a 30-day commenting period.

This Department is satisfied that the Public Participation Process that was followed met the minimum legal requirements. All the comments and responses made were included in both the Scoping as well as EIA Reports.

2. Alternatives

Two activity alternatives and two layout alternatives were identified and assessed as part of the EIA process along with the "no-go" alternative.

Activity Alternative 1 (Preferred)

This alternative entails the cultivation of rooibos. This alternative was preferred as this crop has the most potential under the current market conditions, from an economic perspective.

Activity Alternative 2 (Rejected)

This alternative entails using the propose site for grazing by sheep or cattle. This alternative was rejected as the area available for grazing is relatively small while the carrying capacity for the vegetation is very low. Predation by predators and stock theft are also problems in the area, which further rendered this alternative as not viable or feasible.

Alternative 1 (Preferred and herewith authorised)

This alternative entails the clearance of indigenous vegetation for the cultivation of rooibos. A buffer/corridor of indigenous vegetation measuring approximately 75m wide will be maintained on the western and eastern side of the property. The northern section of the property measuring approximately 375ha will be set aside and protected for conservation purposes. The total development footprint will amount to approximately 147,8 ha.

This alternative is deemed as preferred as it is based on the recommendations made in the Botanical Assessment dated 13 November 2018, which required that biodiversity corridors and the northern section of the property be kept intact and protected.

Alternative 2 (Rejected)

This alternative is similar to Alternative 1, except that no provision is made for the inclusion of the corridors on the eastern and western boundary of the site. The total development footprint will amount to approximately 192,3 ha.

Alternative 2 is rejected as it does not make provision for any biodiversity corridors. Further, Alternative 2 will amount to a larger footprint and associated impacts, in comparison with Alternative 1.

"No-Go" Alternative

The "no-go" alternative entails maintaining the "status quo", i.e no clearance of indigenous vegetation nor cultivation of rooibos. This alternative is not deemed as preferred as the benefits associated with the proposed development, including inter alia, socio-economic growth will not materialise.

3. Impact Assessment and Mitigation measures

3.1 Activity need and desirability

The cultivation of rooibos from an economic perspective has the most potential under the current market conditions.

It is envisioned that the proposed development will contribute to the district and local municipal strategic goals of decreasing poverty by growing the local economy through suitable agriculture activities.

3.2 Regional/Planning Context

The site is zoned as Agriculture and the proposed development is permitted in terms of the property's existing land use rights.

3.3 Biophysical Impacts

A Botanical Assessment Report dated 13 November 2018, as compiled by Mr. N. A. Helme of Nick Helme Botanical Surveys was undertaken to assess the botanical impacts associated with the development. According to the Botanical Assessment Report, the greater area in which the site is located is highly fragmented due to agricultural development and the site does contain Leipoldtville Sand Fynbos (listed as an endangered ecosystem in terms of the NEMBA List of Threatened Ecosystems in Need of Protection, dated December 2011). Both Alternative 1 and 2 will result in the loss of this vegetation. However, Alternative 1 is the best fit environmental option as it comprises a smaller footprint and further includes biodiversity corridors which will maintain existing ecological connectivity on the western and eastern boundary of the site. The northern section of the site measuring approximately 375ha in extent which contains conservation worthy vegetation species which will also be protected. This will ensure long term protection of this specific section of the site. Biodiversity corridors on the eastern and western borders of the site will also be maintained and left unaffected by the clearance and cultivation activities.

The applicant has signed an agreement confirming that they agree to a conservation set-aside area on the northern portion of Portion 15 of Farm Bottelfontein No. 11 and commits to develop an Invasive Alien Species Management Plan within a year from the signed agreement. The requirement for formal conservation of the conservation area has been include in the conditions of the Environmental Authorisation and the EMPr.

Small sand dunes will need to be flattened to accommodate the cultivation activities. In order to reduce the risk of soil erosion, it is required as per the EMPr that the flattened areas where no cultivation takes place, be suitably rehabilitated with the guidance of a rehabilitation specialist.

The proposed development footprint is located in an area covered by fine-grained sands that is ideal for the cultivation of rooibos tea. According to the opinion of the soil scientist, dated 19 August 2020, the soil is suitable for cultivation of rooibos.

No aquatic features are present on the site. Since rooibos is a dry crop, the proposed activity will not use any ground or stored water. Irrigation will also not be required as rooibos tea is planted and cultivated under dryland conditions.

No threatened or endemic fauna is present on the site, except for angulate tortoises which are known to inhabit the site. Should any such species be found, it must re-located to safe locations in the local area, as per the provisions of the EMPr.

The potential impact of 'insecticide drift' was considered to be low, as no densely populated areas or homesteads are located close to the site. Rooibos also needs limited spaying of once a year. However, in order to mitigate and potential impacts of 'insecticide drift', it is required that insecticides only be sprayed during windless days, as per the EMPr.

3.4 Visual/Sense of place

The immediate surrounds comprise natural veld, cultivated areas and potato farming. The cultivation of rooibos will therefore not be out of character with the immediate surrounds.

3.5 Heritage

There are no known resources of heritage value or of archeological significance that will be negatively affected by the proposed development. A Heritage Impact Assessment was undertaken by CTS Heritage and dated October 2019, as requested by Heritage Western Cape. It is stated in the final comment from Heritage Western Cape dated 10 February 2020 that the Heritage Impact Assessment (dated October 2019) was endorsed and that no identified paleontological or archaeological were identified that may be impacted on by the proposed development.

3.6 Socio-economic

The proposed development will provide both permanent and seasonal employment opportunities.

The development will result in both negative and positive impacts.

Negative Impact:

- Disturbance and removal of indigenous vegetation.
- Potential soil erosion

Positive impacts:

- Some employment opportunities will be created when clearance and cultivation activities commence.
- The northern section of the property which contains conservation worthy vegetation species will be protected.
- Biodiversity corridors on the eastern and western borders of the site will be maintained and left unaffected by the clearance and cultivation activities.

4. National Environmental Management Act Principles

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

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

5. Conclusion

In view of the above, the NEMA principles, compliance with the conditions stipulated in this Environmental Authorisation, 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 National Environmental Management Act, 1998 (Act No. 107 of 1998) 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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