



EIA REFERENCE: 16/3/3/2/E1/5/1024/20
NEAS REFERENCE: WCP/EIA/0000755/2020
DATE OF ISSUE: 23 April 2021

The Board of Directors
Tehila Investments (Pty) Ltd t/a Floraland (Pty) Ltd
Corner First and Second Avenue, Industrial Area
BREDASDORP
7280

Attention: Mr R.P Visser

E-mail: rudy@floralandpty.co.za

Dear Sir

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014, (AS AMENDED): THE CLEARANCE OF INDIGENOUS VEGETATION FOR THE CULTIVATION OF FYNBOS ON THE REMAINING EXTENT AND PORTION 10 OF FARM NO. 202, BREDASDORP

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

Yours faithfully

Zaahir Toefy Digitally signed by Zaahir Toefy
Date: 2021.04.23 16:52:17
+02'00'

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

CC: (1) Mr D Heard (Duncan Heard Environmental Consulting)
(2) Mr A Theron (Cape Agulhas Municipality)
(3) Mr F Kotze (Overberg District Municipality)
(4) Mr G Jephthas (Department of Agriculture)
(5) Mr R Smart (CapeNature)
(6) Ms V Ligudu (Breede-Gouritz Catchment Management Agency)

E-mail: duncanheard@telkomsa.net
E-mail: abrahamt@capeagulhas.gov.za
E-mail: fkotze@odm.org.za
E-mail: grantj@elsenburg.com
E-mail: rsmart@capenature.co.za
E-mail: vligudu@bcma.co.za



EIA REFERENCE: 16/3/3/2/E1/5/1024/20
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ENVIRONMENTAL AUTHORISATION

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 (AS AMENDED): THE CLEARANCE OF INDIGENOUS VEGETATION FOR THE CULTIVATION OF FYNBOS ON THE REMAINING EXTENT AND PORTION 10 OF FARM NO. 202, BREDASDORP

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

DECISION

By virtue of the powers conferred on it by the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA") and the Environmental Impact Assessment ("EIA") Regulations, 2014 (as amended), the Competent Authority herewith **grants Environmental Authorisation** to the applicant to undertake the listed activities specified in Section B below with respect to the Preferred Alternative, described in the Environmental Impact Assessment Report ("EIAR"), dated December 2020.

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

A. DETAILS OF THE APPLICANT FOR THIS ENVIRONMENTAL AUTHORISATION

The Board of Directors
% Mr R.P Visser
Tehila Investments (Pty) Ltd t/a Floraland (Pty) Ltd
Corner First and Second Avenue, Industrial Area
BREDASDORP
7280

E-mail: rudy@floralandpty.co.za

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

B. LIST OF ACTIVITIES AUTHORISED

Listed Activity	Activities/Project Description
<p>Listing Notice 2 of 2014 –</p> <p>Activity Number: 15</p> <p><i>The clearance of an area of 20 hectares or more indigenous vegetation is required for-</i></p> <p>(i) <i>the undertaking of a linear activity; or</i></p> <p>(ii) <i>maintenance purposes undertaken in accordance with a maintenance management plan.</i></p>	<p>The development entails the clearance of approximately 111.8 hectares of indigenous vegetation.</p>
<p>Listing Notice 3 of 2014-</p> <p>Activity Number: 12</p> <p><i>The clearance of an area of 300 square metres or more of indigenous vegetation except where such clearance of indigenous vegetation is required for maintenance purposes undertaken in accordance with a maintenance management plan.</i></p> <p>(i) Western Cape:</p> <p>i. <i>Within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA or prior to the publication of such a list, within an area that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004;</i></p> <p>ii. <i>Within critical biodiversity areas identified in bioregional plans;</i></p> <p>iii. <i>Within the littoral active zone or 100 metres inland from the high-water mark of the sea or an estuarine functional zone, whichever distance is the greater, excluding where such removal will occur behind the development setback line on erven in urban areas;</i></p> <p>iv. <i>On land, where, at the time of the coming into effect of this Notice or thereafter such land was zoned open space, conservation or had an equivalent zoning; or</i></p> <p>v. <i>On land designated for protection or conservation purposes in an</i></p>	<p>The development entails the clearance of approximately 111.8 hectares of indigenous vegetation, in a critically endangered ecosystem, for the establishment of fynbos.</p>

<i>Environmental Management Framework adopted in the 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 alternative that includes the listed activities as it relates to the development:

The proposal entails the establishment of approximately 111.8ha of cultivated fynbos land on the Remaining Extent and Portion 10 of Farm No. 202, Bredasdorp (hereinafter referred to as "the farm"). An area of approximately 90ha, located on the farm, will be set aside for conservation purposes. Informal roads of less than 4m in width, to service the new cultivated fynbos land, will also be established, through brush-cutting. The clearance of vegetation to establish cultivated fynbos land will be undertaken in phases.

C. SITE DESCRIPTION AND LOCATION

The listed activities will be undertaken on the farm, at the following co-ordinates:

Latitude (S)	Longitude (E)
33° 50' 22.71"	19° 41' 07.92"

The SG21 digit codes are: C0110000000002020000,
C01100000000020200010,

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

The fynbos cultivation land is hereinafter referred to as "**the site**".

D. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER

Duncan Heard Environmental Consulting (Pty) Ltd
% Mr D Heard
12 Sepia Avenue, Vermont
ONRUSRIVIER
7201

E-mail: duncanheard@telkomsa.net

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 EIAR dated December 2020 on the farm as described in Section C above.
2. The holder must commence with the listed activities on the site within a period of **five years** from the date of issue of this Environmental Authorisation.
3. The development must be concluded within **ten years** from the date of commencement of the listed activities.
4. The holder shall be responsible for ensuring compliance with the conditions by any person acting on his/her behalf, including an agent, sub-contractor, employee or any person rendering a service to the holder.
5. Any changes to, or deviations from the scope of the alternative described in Section B above must be accepted or approved, in writing, by the Competent Authority before such changes or deviations may be implemented. In assessing whether to grant such acceptance/approval or not, the Competent Authority may request information, in order to evaluate the significance and impacts of such changes or deviations, and it may be necessary for the holder to apply for further authorisation in terms of the applicable legislation.

Written notice to the Competent Authority

6. Seven calendar days' notice, in writing, must be given to the Competent Authority before commencement of land clearing activities for the first phase. The notice must:
 - 6.1 make clear reference to the farm details and EIA Reference number given above; and
 - 6.2 also include proof of compliance with the following conditions described herein:

Conditions: 7, 8, 12, 18 and 19.

Notification and administration of appeal

7. The holder must in writing, within 14 (fourteen) calendar days of the date of this decision–
 - 7.1 notify all registered Interested and Affected Parties ("I&APs") of –
 - 7.1.1 the outcome of the application;
 - 7.1.2 the reasons for the decision as included in Annexure 3;
 - 7.1.3 the date of the decision; and
 - 7.1.4 the date when the decision was issued.

- 7.2 draw the attention of all registered I&APs to the fact that an appeal may be lodged against the decision in terms of the National Appeals Regulations, 2014 (as amended) detailed in Section G below;
- 7.3 draw the attention of all registered I&APs to the manner in which they may access the decision; and
- 7.4 provide the registered I&APs with:
 - 7.4.1 the name of the holder (entity) of this Environmental Authorisation;
 - 7.4.2 name of the responsible person for this Environmental Authorisation;
 - 7.4.3 postal address of the holder;
 - 7.4.4 telephonic and fax details of the holder;
 - 7.4.5 e-mail address, if any, of the holder; and
 - 7.4.6 contact details (postal and/or physical address, contact number, facsimile and e-mail address) of the decision-maker and all registered I&APs in the event that an appeal is lodged in terms of the 2014 National Appeals Regulations (as amended).
8. The listed activities, including site preparation, must not commence within 20 (twenty) calendar days from the date of issue of this Environmental Authorisation. In the event that an appeal is lodged with the Appeal Authority, the effect of this Environmental Authorisation is suspended until the appeal is decided i.e. the listed activities, including site preparation, must not commence until the appeal is decided.

Management of activities

9. The draft Environmental Management Programme ("EMPr") submitted as part of the application for Environmental Authorisation is hereby approved and must be implemented.
10. The EMPr must be included in all contract documentation for all phases of implementation.

Monitoring

11. The holder must appoint a suitably experienced environmental control officer ("ECO"), or site agent where appropriate, before commencement of any clearing activities to ensure compliance with the EMPr and the conditions contained herein.
12. The ECO must conduct compliance monitoring inspections fortnightly during the land clearing phase. Monthly Environmental Compliance Reports must be compiled and submitted to the Competent Authority for the duration of each of the planned land clearing phases. A final Environmental Compliance Report must be submitted to the Competent Authority within three months after the completion of each of the planned land clearing phases. The aforementioned report must be submitted prior to the commencement of the next phase.
13. A copy of the Environmental Authorisation, EMPr, audit reports and compliance monitoring reports must be kept at the site of the authorised activities, and must be made available to anyone on request, including on a publicly accessible website.

14. Access to the farm referred to in Section C must be granted, and the environmental reports mentioned above must be produced, to any authorised official representing the Competent Authority who requests to see it for the purposes of assessing and/or monitoring compliance with the conditions contained herein.

Auditing

15. In terms of Regulation 34 of the NEMA EIA Regulations, 2014 (as amended), the holder must conduct environmental audits to determine compliance with the conditions of the Environmental Authorisation, the EMPr. The Environmental Audit Report must be prepared by an independent person, that is not the ECO referred to in Condition 11 and must contain all the information required in Appendix 7 of the NEMA EIA Regulations, 2014 (as amended).

An Environmental Audit Report must be submitted to the Competent Authority within three months after the completion of each of the planned land clearing phases. The aforementioned environmental audit report must be submitted prior to the commencement of the next phase.

The holder must, within 7 days of the submission of each of the above-mentioned reports to the Competent Authority, notify all potential and registered I&APs of the submission and make the report available to anyone on request and on a publicly accessible website (if applicable).

Specific Conditions

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

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

17. A qualified archaeologist and/or palaeontologist must be contracted where necessary (at the expense of the holder) to remove any heritage remains. Heritage remains can only be disturbed by a suitably qualified heritage specialist working under a directive from the relevant heritage resources authority.
18. The areas where the additional cultivated fynbos land will be located must be clearly demarcated prior to commencement of land clearing activities. All areas outside the development footprint must be treated as no-go areas for development.
19. A search and rescue operation for indigenous bulbs and succulents, as well as for species of conservation concern, that occur on the site, must be undertaken by a suitably qualified and

experienced botanical/ horticulturalist specialist prior to the commencement of land clearing activities for each of the planned phases. Relocation of the species must be to areas already under rehabilitation or to the conservation area that will be located on the remainder of the farm. Proof of the aforementioned must be provided to this Department and to CapeNature, 7 days prior to the commencement of the next land clearing phase.

20. A search and rescue operation for faunal species (e.g. tortoises) must be undertaken prior to the commencement of land clearing activities for each of the planned phases. Relocation of faunal species must be to areas already under rehabilitation or to the conservation area that will be located on the remainder of the farm. Proof of the aforementioned must be provided to this Department and to CapeNature, 7 days prior to the commencement of each land clearing phase.
21. A Conservation Servitude, for the conservation of 90ha on the farm, must be negotiated and registered between the holder and the Grootbos Foundation, in collaboration with CapeNature, within 1 year from the date of this Environmental Authorisation. Copies of the registered servitude must be provided to this Department, Overberg District Municipality and Cape Agulhas Municipality.
22. A Conservation Management Plan for the conservation servitude must be drawn up within 6 months from the date the conservation servitude is registered. The Conservation Management Plan must include fire management, alien vegetation management and erosion control measures. The Conservation Management Plan must also describe conservation requirements for managing the buffer areas in the natural/agricultural interface and address the successful and sustainable rehabilitation and restoration of the vegetation types located within the conservation area.

F. GENERAL MATTERS

1. Notwithstanding this Environmental Authorisation, the holder must comply with any other statutory requirements that may be applicable when undertaking the listed activities.
2. Non-compliance with a condition of this Environmental Authorisation or EMPr may render the holder liable to criminal prosecution.
3. If the holder does not commence with the listed activities within the period referred to in Condition 2, this Environmental Authorisation shall lapse for that activities, and a new application for Environmental Authorisation must be submitted to the Competent Authority. If the holder wishes to extend the validity period of the Environmental Authorisation, an application for amendment in this regard must be made to the Competent Authority prior to the expiry of the Environmental Authorisation.
4. The holder must submit an application for amendment of the Environmental Authorisation to the Competent Authority where any detail with respect to the Environmental Authorisation must be amended, added, substituted, corrected, removed or updated. If a new holder is proposed, an application for Amendment in terms of Part 1 of the EIA Regulations, 2014 (as amended) must be submitted.

Please note that an amendment is not required if there is a change in the contact details of the holder. In this case, the Competent Authority must only be notified of such changes.

5. The manner and frequency for updating the EMPr is as follows:
Amendments to the EMPr must be done in accordance with Regulations 35 to 37 of the EIA Regulations, 2014 (as amended) or any relevant legislation that may be applicable at the time.

G. APPEALS

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

1. An appellant (if the holder of the decision) must, within 20 (twenty) calendar days from the date on which notification of the decision was sent to the holder by the Competent Authority –
 - 1.1 Submit an appeal in accordance with Regulation 4 of the National Appeal Regulations 2014 (as amended) to the Appeal Administrator; and
 - 1.2 Submit a copy of the appeal to any registered I&APs, any Organ of State with interest in the matter and the decision-maker i.e. the Competent Authority that issued the decision.
2. An appellant (if NOT the holder of the decision) must, within 20 (twenty) calendar days from the date on which the holder of the decision sent notification of the decision to the registered I&APs–
 - 2.1 Submit an appeal in accordance with Regulation 4 of the National Appeal Regulations 2014 (as amended) to the Appeal Administrator; and
 - 2.2 Submit a copy of the appeal to the holder of the decision, any registered I&AP, any Organs of State with interest in the matter and the decision-maker i.e. the Competent Authority that issued the decision.
3. The holder of the decision (if not the appellant), the decision-maker that issued the decision, the registered I&AP and the Organs of State must submit their responding statements, if any, to the appeal authority and the appellant within 20 (twenty) calendar days from the date of receipt of the appeal submission.
4. The appeal and the responding statement must be submitted to the address listed below:

By post: Western Cape Ministry of Local Government, Environmental Affairs and
Development Planning
Private Bag X9186
CAPE TOWN
8000

By facsimile: (021) 483 4174; or

By hand: Attention: Mr Marius Venter (Tel: 021 483 2659)

Room 809
8th Floor Utilitas Building, 1 Dorp Street, Cape Town, 8001

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

- A prescribed appeal form as well as assistance regarding the appeal processes is obtainable from Appeal Authority at: Tel. (021) 483 2659, E-mail DEADP.Appeals@westerncape.gov.za or URL <http://www.westerncape.gov.za/eadp>.

H. DISCLAIMER

The Western Cape Government, the Local Authority, committees or any other public authority or organisation appointed in terms of the conditions of this Environmental Authorisation shall not be responsible for any damages or losses suffered by the holder, developer or his/her successor in any instance where construction or operation subsequent to construction is temporarily or permanently stopped for reasons of non-compliance with the conditions as set out herein or any other subsequent document or legal action emanating from this decision.

Your interest in the future of our environment is appreciated.

Yours faithfully

**Zaahir
Toefy**

Digitally signed by
Zaahir Toefy
Date: 2021.04.23
16:49:40 +02'00'

MR ZAAHIR TOEFY
DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)
DATE OF DECISION: 23 APRIL 2021

CC: (1) Mr D Heard (Duncan Heard Environmental Consulting)
(2) Mr A Theron (Cape Agulhas Municipality)
(3) Ms V Ligudu (Breede-Gouritz Catchment Management Agency)
(4) Mr F Kotze (Overberg District Municipality)
(5) Mr R Smart (CapeNature)
(6) Mr G Jephthas (Department of Agriculture)

E-mail: duncanheard@telkomsa.net
E-mail: abrahamt@capeagulhas.gov.za
E-mail: vligudu@bgcma.co.za
E-mail: fkotze@odm.org.za
E-mail: rsmart@capenature.co.za
E-mail: grantji@elsenburg.com

ANNEXURE 1: LOCALITY MAP

RE & Ptn. 10/Farm 202: Final EIA Report & EMPr (DEA&DP Ref. No. 16/3/3/2/E1/5/1024/20) - APPENDICES

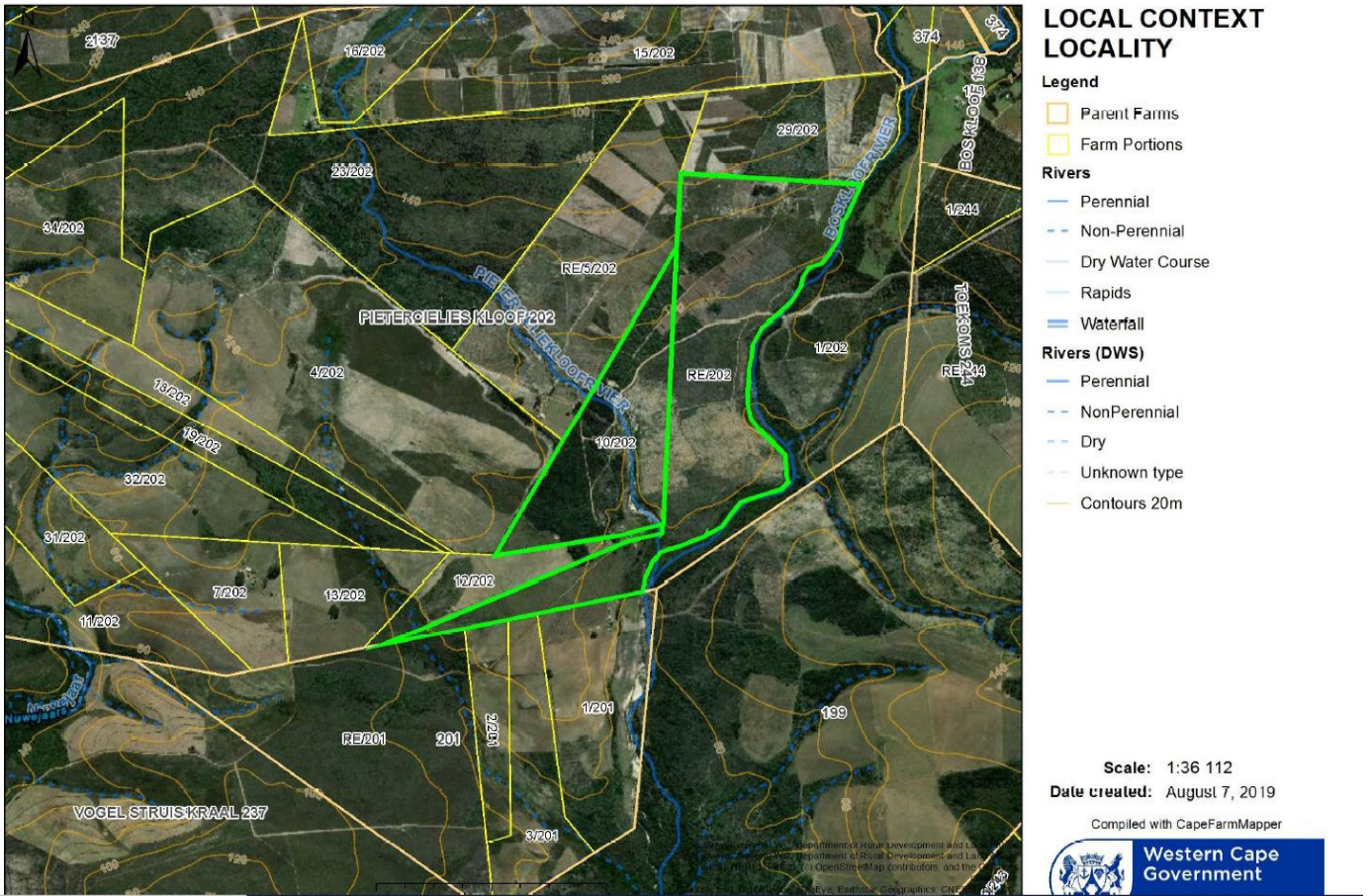


Figure 1: Remaining Extent and Portion 10 of Farm No. 202, Bredasdorp

ANNEXURE 2: SITE PLAN

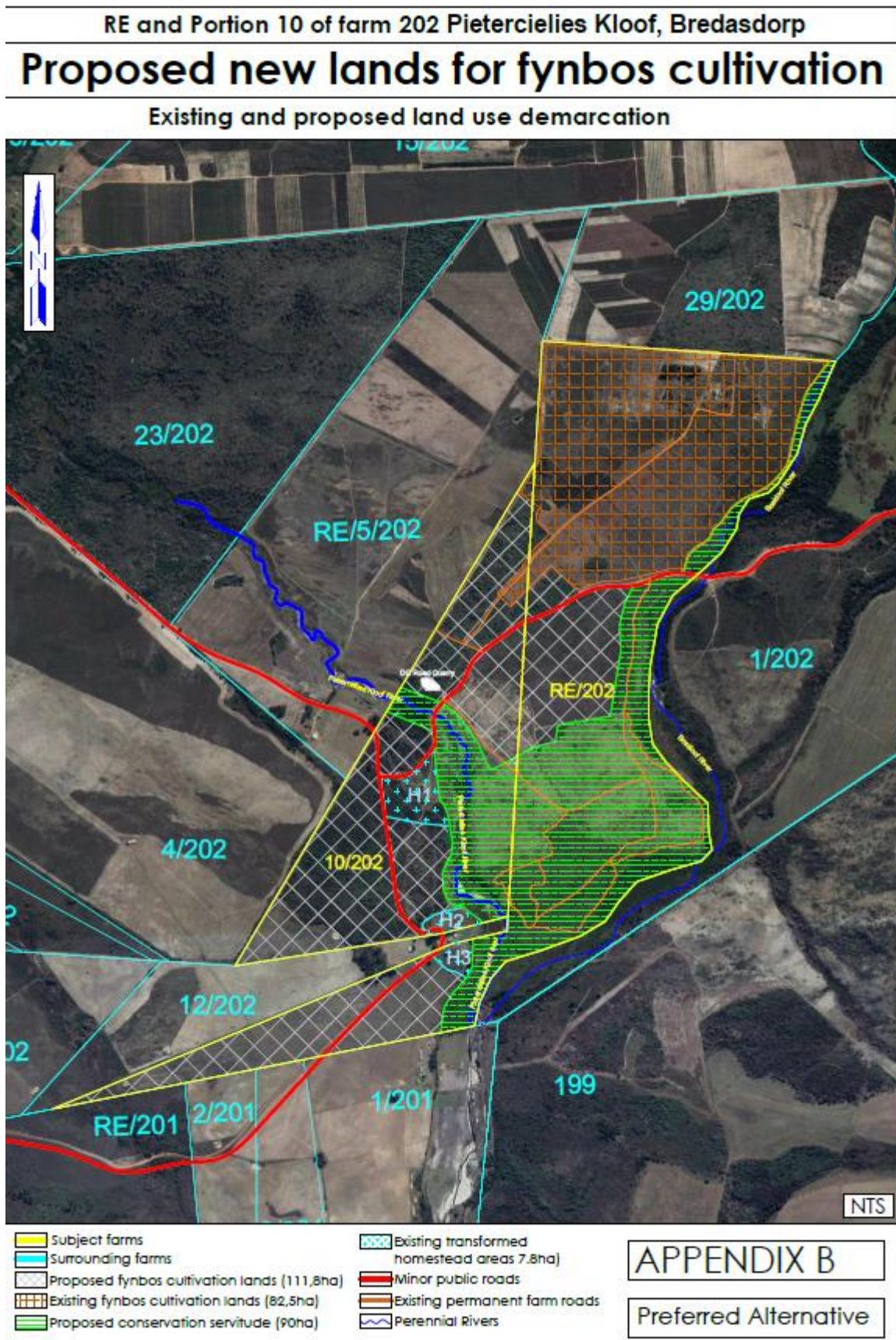


Figure 2: Site Plan of the areas to be cleared for cultivation, as well as the area proposed for conservation on the Remaining Extent and Portion 10 of Farm No. 202, Bredasdorp

ANNEXURE 3: REASONS FOR THE DECISION

In reaching its decision, the Competent Authority considered, amongst others, the following:

- a) The information contained in the Application Form submitted on 3 July 2019, the Scoping Report dated September 2020, the EIAR dated December 2020, and the EMPr submitted together with the EIAR on 13 December 2020;
- b) Relevant information contained in the Departmental information base, including the Guidelines on Public Participation and Alternatives (dated March 2013);
- c) The objectives and requirements of relevant legislation, policies and guidelines, including Section 2 of the National Environmental Management Act, 1998 (Act No. 107 of 1998);
- d) The comments received from I&APs and responses to these, included in the EIAR dated December 2020;
- e) The balancing of negative and positive impacts and proposed mitigation measures; and

No site visits were conducted. The Competent Authority had sufficient information before it to make an informed decision without conducting a site visit.

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

Specific alternatives, management and mitigation measures have been considered in this Environmental Authorisation and EMPr to adequately address the concerns raised.

1. Public Participation

The Public Participation Process included:

- Placing a newspaper advertisement in the "Suidernuus" newspaper on 24 January 2020;
- Placing site notices at the farm where the listed activities are to be undertaken on 31 January 2020;
- Giving written notice to the owners and occupiers of land adjacent to the farm where the listed activities are to be undertaken, the municipality and ward councillor, and the various Organs of State having jurisdiction in respect of any aspect of the listed activities on 30 and 31 January 2020, 17 July 2020 and 5 November 2020;
- Circulating the pre-application Scoping Report to I&APs for public review from 31 January 2020;
- Circulating the in-process Scoping Report to I&APs for public review from 17 July 2020; and
- Circulating the in-process EIAR for comment to I&APs for public review from 5 November 2020.

All the concerns raised by I&APs were responded to, and adequately addressed during the public participation process. Specific management and mitigation measures have been considered in

this Environmental Authorisation, and in the EMPr, in order to adequately address the concerns raised.

2. Alternatives

Two layout alternatives and the “no-go” alternative were considered and are discussed below:

2.1 Preliminary Layout Alternative:

This alternative entails the clearance of 120,62ha for the establishment of additional cultivated fynbos land on the Remaining Extent and Portion 10 of Farm No. 202 Bredasdorp. An area of approximately 82,48ha, located on the farm, will be set aside for conservation purposes. Informal roads of less than 4m in width, to service the new cultivated fynbos land, will also be established, through brush-cutting.

This alternative is not preferred since both CapeNature and the Botanical Specialist recommended that more Elim Ferricrete Fynbos be conserved as part of the conservation area.

2.2 Preferred Alternative (Herewith authorised):

This alternative entails the clearance of approximately 111.8ha for the establishment of additional cultivated fynbos land on the Remaining Extent and Portion 10 of Farm No. 202, Bredasdorp. An area of approximately 90ha, located on the farm, will be set aside for conservation purposes. Informal roads of less than 4m in width, to service the new cultivated fynbos land, will also be established, through brush-cutting. The clearance of vegetation to establish cultivated fynbos land will be undertaken in phases.

From a botanical perspective this alternative is preferred, since it will include more of the Elim Ferricrete Fynbos found on the farm into the conservation area. The inclusion of more Elim Ferricrete Fynbos will contribute to regional conservation targets for the vegetation type.

2.3 “No-Go” Alternative

The ‘no-go’ alternative was considered. However, it is not preferred since it will not provide an opportunity to increase the economic viability of the farm, which is required to generate the necessary funds for the management of invasive alien vegetation on the farm. Only the existing cultivated areas will remain. High value conservation-worthy areas located on the farm will also not be set aside through a formal conservation servitude registration.

3. Impact Assessment and Mitigation measures

3.1 Activities need and desirability

The proposed development entails the cultivation of land zoned for Agriculture. Establishment of additional cultivated fynbos land on the farm will increase the production capacity and economic viability of the farm, which in turn will sustain existing and future employment opportunities and allow for the continued implementation of an invasive alien plant control programme. The development will also allow for the establishment of a conservation area that will ensure long-term maintenance of ecological process and contribute to regional conservation targets. Furthermore, the development is consistent with the surrounding land use and is therefore in line with the objectives of the Western Cape Provincial Spatial Development Framework.

3.2 Biodiversity and Biophysical Impacts

The development areas comprise Elim Ferricrete Fynbos, Overberg Sandstone Fynbos and Cape Lowlands Freshwater Wetlands, which are classified as critically endangered ecosystems in terms of Section 52 of the National Environmental Management Biodiversity Act, 2014 (Act No. 10 of 2004) ("NEMBA"). According to the Botanical Assessment dated 25 February 2020, compiled by Sean Privett of Fynbos Ecoscapes, portions of the farm have been defined as terrestrial and aquatic Critical Biodiversity Areas as well as Ecological Support Areas. Species of conservation concern were also recorded on the farm. As mitigation, a search and rescue operation for indigenous bulbs and succulents, as well as for species of conservation concern, will be undertaken by a suitably qualified and experienced botanical/horticulturalist specialist prior to land clearance activities commencing for each of the development phases. The species will be relocated and transplanted in areas already under rehabilitation or to the conservation area, that will be established through a conservation servitude registration, on the remainder of the farm. A Conservation Management Plan will also be developed as part of the aforementioned conservation servitude registration and will address fire management, alien vegetation management and erosion control measures. The Conservation Management Plan will describe conservation requirements for managing the buffer areas in the natural/agricultural interface and will also address the successful and sustainable rehabilitation and restoration of the vegetation types located within the conservation area. The potential impacts on vegetation that may result from the proposed establishment of cultivated fynbos land will be mitigated by the implementation of the conditions of this Environmental Authorisation, the mitigation measures in the EMPr (accepted in Section E, Condition 9) as well as the Conservation Management Plan.

The Pietercielies Kloof River flows through the farm from the west and exits the farm in the south, just before its confluence with the Boskloof River, which forms the western boundary of the farm. A 40m buffer area between the development footprint and the delineated watercourse is incorporated into the preferred site layout plan. The potential impacts on aquatic features that may result from the proposed development will be mitigated by the implementation of the conditions of this Environmental Authorisation and the mitigation measures in the EMPr (accepted in Section E, Condition 9).

Furthermore, the Breede-Gouritz Catchment Management Agency confirmed in a letter dated 10 December 2020 that the activities can be authorised under the ambit of a General Authorisation due to the proposed development having a low risk rating in the Risk Matrix.

The development will result in both negative and positive impacts.

Negative Impacts:

- The development will result in the loss of natural vegetation during site preparation.
- The development will result in construction related impacts such as dust, noise and visual intrusion during the clearance of vegetation.

Positive impacts:

- All areas outside the demarcated development footprint will be regarded no-go areas during the land clearing activities.

- A search and rescue operation for indigenous bulbs and succulents, as well as the species of conservation concern, will be conducted within the development footprint prior to the commencement of land clearing activities for each of the planned phases.
- A search and rescue operation for faunal species will be conducted within the development footprint prior to the commencement of land clearing activities for each of the planned phases.
- A conservation servitude, for an area of 90ha on the farm, will be registered for conservation purposes.
- A Conservation Management Plan that addresses fire management, alien vegetation management, erosion control measures and which describe conservation requirements for managing the buffer areas in the natural/agricultural interface will be compiled. The Conservation Management Plan will also address the successful and sustainable rehabilitation and restoration of the vegetation types located within the conservation area.
- The development will ensure the economic viability of the farm and provide additional employment opportunities.

4. National Environmental Management Act Principles

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

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

5. Conclusion

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

-----END-----