



24G Application: 14/2/4/2/3/D5/15/0013/21

ENVIRONMENTAL AUTHORISATION

The Owner
Mr Gabriele van Eeden
P. O. Box 163
RIVERSDALE
6670

Tel: (083) 269 8617

Email: gabrie@samber.co.za

Attention: Mr Gabriele van Eeden

Dear Sir

APPLICATION IN TERMS OF SECTION 24G OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) ("NEMA"): THE UNLAWFUL CLEARING OF INDIGENOUS VEGETATION FOR AGRICULTURE ON FARM KRUIS RIVIER 206 PTN 4 AND 13, RIVERSDALE

With reference to your application dated 25 March 2021 in terms of section 24G of the NEMA for the consequences of unlawful commencement of listed activities identified in terms of the NEMA, find below the decision in respect of your application.

A. DECISION

By virtue of the powers conferred by section 24G of the NEMA and the *Environmental Impact Assessment Regulations, 2014* ("EIA Regulations, 2014") (as amended), the competent authority herewith **grants environmental authorisation** to the applicant to continue with the listed activities specified in Section C below in accordance with the preferred Alternative as described in the application and environmental assessment dated 25 March 2021.

The granting of this Environmental Authorisation is for the continuation, conducting or undertaking of the listed activities as described in Section C below and is subject to compliance with the conditions set out in Section G. This Environmental Authorisation shall only take effect from the date on which it has been issued.

The Environmental Authorisation does not exempt the holder thereof from compliance with any other applicable legislation.

B. DETAILS OF THE APPLICANT FOR THIS ENVIRONMENTAL AUTHORISATION

Samber Trading No. 78 (Pty) Ltd

c/o Mr Gabriele van Eeden

PO Box 163

RIVERSDALE

6670

Tel: (083) 269 8617

Email: gabrie@samber.co.za

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

C. LIST OF ACTIVITIES AUTHORISED

Listed Activities	Activity/Project Description
<p>Government Notice No. R. 327 of 7 April 2017</p> <p>Activity Number: 27</p> <p>Activity Description: <i>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 –</i></p> <p><i>(i) The undertaking of a linear activity; or</i></p>	<p>Two planted pastures in the study area were both enlarged to accommodate a centre pivot for irrigation.</p> <p>About 6 ha of vegetation were cleared between 2018 and 2020 (Pivot 1)</p> <p>About 1.7 ha of vegetation was cleared between 2018 and 2020 (Pivot 2).</p>

(ii) Maintenance purposes undertaken in accordance with a maintenance management plan.	
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The abovementioned list is hereinafter referred to as "the activity".

D. PROPERTY DESCRIPTION AND LOCATION

The listed activity commenced on Portions 4 & 13 of the Farm Kruis Rivier 206, Riversdale.

The SG digit codes are: C06400000000020600004
 C06400000000020600013

The co-ordinates for the property boundary are:

Point	Latitude (S)	Longitude (E)
1	34° 03' 51.15" South	21° 18' 10.01" East
2	34° 04' 07.09" South	21° 18' 17.31" East
3	34° 04' 39.33" South	21° 19' 32.28" East
4	34° 04' 24.90" South	21° 20' 18.67" East

The co-ordinates for the site boundary are:

Point	Latitude (S)	Longitude (E)
1	34° 03' 52.16" South	21° 19' 15.32" East
2	34° 04' 09.54" South	21° 19' 22.81" East
3	34° 04' 13.29" South	21° 19' 15.45" East
4	34° 03' 53.79" South	21° 19' 06.54" East

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

Herein-after referred to as "the site".

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

Greenfire Enviro
c/o Ms Desireé du Preez
17 Mountain Road
GEORGE
6530

Tel: (082) 922 3180
Fax: (086) 510 7015
Email: desiree@greenfireenviro.co.za

F. DETAILS OF THE ACTIVITY/IES UNDERTAKEN

The unlawful clearing of indigenous vegetation for agriculture on Farm Kruis Rivier 206 Ptn 4 and 13, Riversdale.

Mr. van Eeden purchased the Kruis Rivier Farm Portions 206/4 and 206/13 in 2017 to incorporate into his existing dairy farm, Samber. The farm is situated approximately 7 km east of Riversdale in the Western Cape Province. Indigenous vegetation was cleared in two areas adjacent to existing fields on the farm to create two new centre pivot irrigated lucerne pastures of 180m (pivot 1) and 150m (pivot 2) long. Approximately 6 ha of vegetation were cleared for centre-pivot 1 and approximately 1.7 ha were cleared for centre-pivot 2. The cleared fields were planted with lucerne. An additional area of 122m x 5m was cleared to lay services (water and electricity) to pivot 2.

The clearance of indigenous vegetation in both areas started in 2018 and was completed in 2020.

The applicant originally investigated the development of dry land pasture in addition to the centre pivot pastures. The Dry Land Alternative consisting of two additional pastures provides the most realistic site alternative, it was however not included in the application due to the sensitivity of the terrestrial biodiversity. The Centre Pivot Alternative is the preferred alternative as the clearing of ~8 ha of land combined with existing fields created ~17 ha of irrigated pasture with a high carrying capacity, a lower biophysical environmental impact, and notable socio-economic benefit. The areas affected were selected due to water and power availability, good quality access, and existing fields. No additional water rights are required.

G. CONDITIONS OF AUTHORISATION

The following are conditions of authorisation that are set and must be implemented for this Environmental Authorisation.

PART I

Scope of authorisation

1. The holder is authorised to undertake the listed activity/ies specified in Section C above in accordance with and restricted to the preferred alternative as described in the application and assessment report dated 25 March 2021 on the site as described in Section D above.
2. 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.
3. Any changes to, or deviations from the scope of the alternative described in Section F 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 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.

PART II

Written notice to the competent authority

4. Seven (7) calendar days' notice, in writing, must be given to the competent authority before continuation of commencement to undertake the rehabilitation measures.
 - 4.1 The notice must make clear reference to the site details and 24G Reference number given above.
 - 4.2 The notice must also include proof of compliance with the following condition:
Condition 5

PART III

Notification and administration of an appeal

5. The holder must in writing, within 14 (fourteen) calendar days of the date of this decision–
 - 5.1 notify all registered Interested and Affected Parties (“I&APs”) of –
 - 5.1.1 the outcome of the application;
 - 5.1.2 the reasons for the decision as included in Annexure 3;
 - 5.1.3 the date of the decision; and
 - 5.1.4 the date when the decision was issued.
 - 5.2 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* detailed in Section I below.
 - 5.3 draw the attention of all registered I&APs to the manner in which they may access the decision.
 - 5.4 provide the registered I&APs with:
 - 5.4.1 the name of the holder (entity) of this Environmental Authorisation;
 - 5.4.2 name of the responsible person for this Environmental Authorisation;
 - 5.4.3 postal address of the holder;
 - 5.4.4 telephonic and fax details of the holder;
 - 5.4.5 e-mail address, if any, of the holder; and
 - 5.4.6 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*.
6. The listed activity, including site preparation, may not commence within 34 (thirty-four) 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.

PART IV

Management of the activity/development

7. The draft Rehabilitation Plan of July 2020 compiled by Greenfire Enviro and submitted as part of the application for environmental authorisation is hereby approved and must be implemented.
8. The Rehabilitation Plan must be included in all contract documentation for all phases of implementation.

PART V

Monitoring

9. The holder must appoint a suitably experienced Environmental Control Officer ("ECO") before continuation of commencement of any land clearing or rehabilitation activities to ensure compliance with the Rehabilitation Plan and the conditions contained herein.
10. A copy of the Environmental Authorisation, Rehabilitation Plan, audit reports and compliance monitoring reports must be kept at the site of the authorised activity and must be made available to anyone on request.
11. Access to the site referred to in Section D 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.

PART VI

Auditing

12. In terms of regulation 34 of the *EIA Regulations, 2014* the holder must conduct environmental audits to determine compliance with the conditions of the Environmental Authorisation, the RP and submit Environmental Audit Reports to the competent authority annually and upon receiving such request in writing from the competent authority. The Audit Report must be prepared by an independent person and must consider all the information required in Appendix 7 of the *EIA Regulations, 2014*.

PART VII

Activity/ Development Specific Conditions

13. 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 paleontological remains (including fossil shells and trace fossils); coins; indigenous and/or colonial ceramics; any articles of value or antiquity; marine shell heaps; stone artefacts 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.

14. 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.

H. GENERAL MATTERS

1. Notwithstanding this Environmental Authorisation, the holder must comply with any other statutory requirements that may be applicable when undertaking the listed activity.
2. Non-compliance with a condition or term of this Environmental Authorisation or the Rehabilitation Plan may render the holder liable to criminal prosecution.
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* 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.

I. APPEALS

Appeals must comply with the provisions contained in the *National Appeal Regulations, 2014*.

1. An appellant (if the holder) must –

1.1 submit an appeal in accordance with regulation 4 *National Appeal Regulations, 2014* to the Appeal Administrator and a copy of the appeal to any registered I&APs, any Organ of State with interest in the matter and the decision maker within 20 (twenty) calendar days from the date the holder was notified by the competent authority of this decision.

2. An appellant (if NOT the holder) must –

2.1 submit an appeal in accordance with regulation 4 *National Appeal Regulations, 2014* to the Appeal Administrator, and a copy of the appeal to the holder, any registered I&APs, any Organ of State with interest in the matter and the decision maker within 20 (twenty) calendar days from the date the holder notified the registered I&APs of this decision.

3. The holder (if not the appellant), the decision-maker, I&APs and 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. This appeal and responding statement must be submitted to the address listed below -

By post: Attention: Marius Venter
Western Cape Ministry of Local Government, Environmental Affairs &
Development Planning
Private Bag X9186, Cape Town, 8000; or

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, 8000; or

By e-mail: DEADP.Appeals@westerncape.gov.za

Note: You are also requested to submit an electronic copy (Microsoft Word format) of the appeal and any supporting documents to the Appeal Administrator 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 office of the appeal authority/ at: Tel. (021) 483 3721, E-mail DEADP.Appeals@westerncape.gov.za or URL <http://www.westerncape.gov.za/eadp>.

J. CONSEQUENCES OF NON-COMPLIANCE WITH CONDITIONS

Non-compliance with a condition or term of this Environmental Authorisation or RP may result in suspension or withdrawal of this Environmental Authorisation and may render the holder liable for criminal prosecution.

K. DISCLAIMER

The Western Cape Government, 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.

Yours faithfully

ZAIDAH TOEFY
ACTING DIRECTOR: ENVIRONMENTAL GOVERNANCE

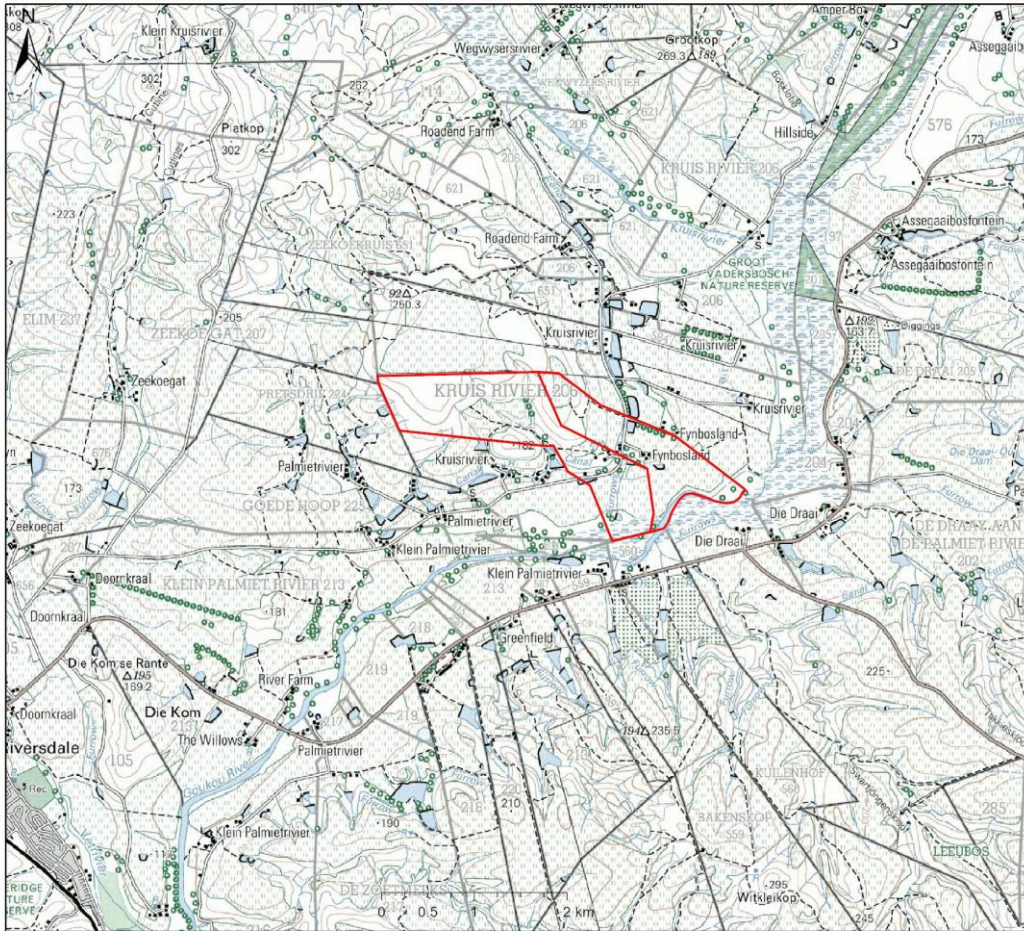
Copied to:

(1) Desiree Dupree (EAP)

Email: Desiree@greenfireenviro.co.za

Fax: (086) 510 7015

ANNEXURE 1: LOCALITY MAP



Kruis Rivier 206 Locality 1:50 000

Legend

Scale: 1:50 000

Date created: October 5, 2020

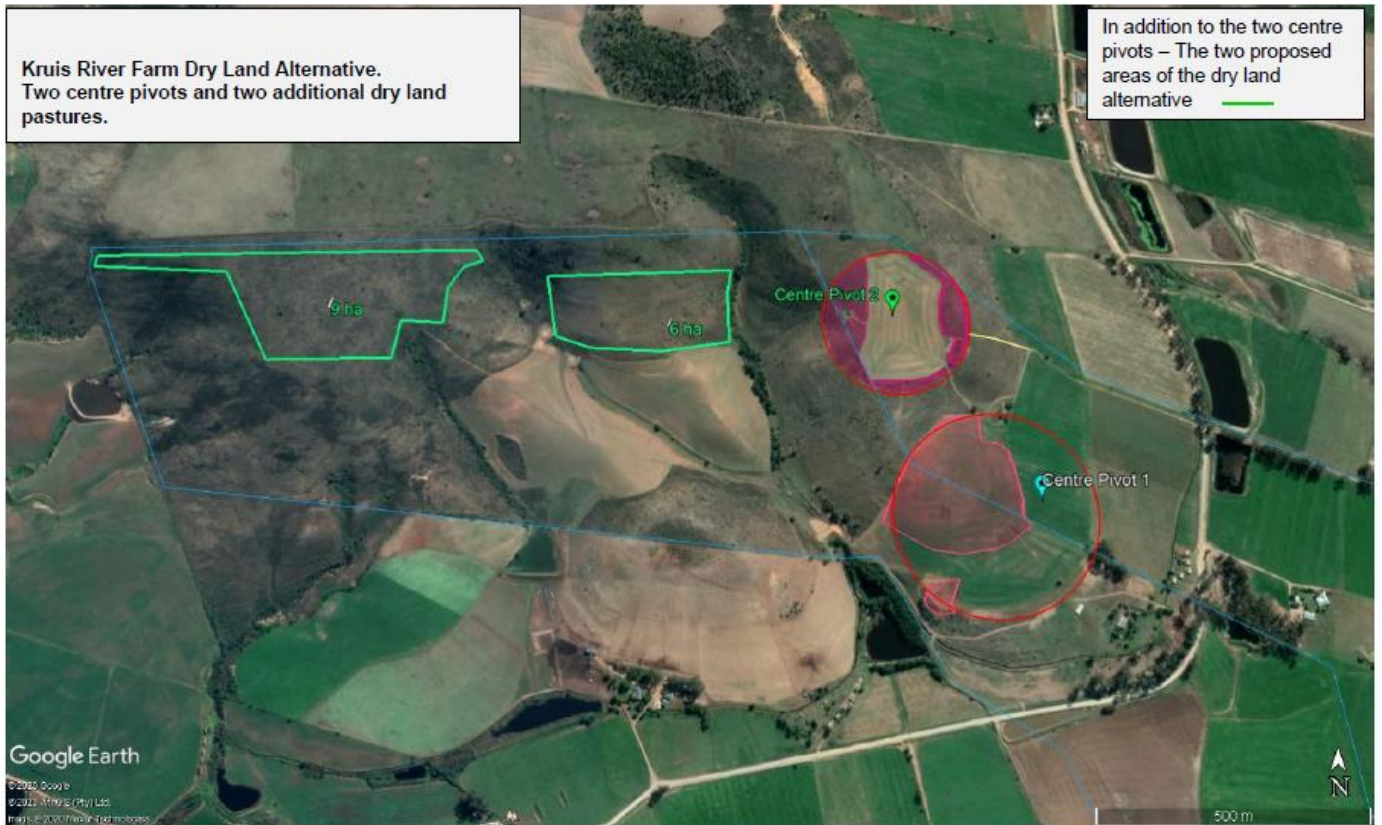
Compiled with CapeFarmMapper



**Western Cape
Government**

Agriculture

ANNEXURE 2: SITE PLAN



FOR OFFICIAL USE ONLY:

S24G REFERENCE:

14/2/4/2/3/D5/15/0013/21

ANNEXURE 3: REASONS FOR THE DECISION

This Environmental Authorisation is in respect of the consequences of commencement of the afore-mentioned illegal activities. An Environmental Assessment Practitioner ("EAP") was appointed to submit a section 24G Environmental Impact Assessment ("EIA") to the Department to obtain this Environmental Authorisation. The EIA was considered adequate for informed decision-making. In addition, the holder paid an administrative fine of R250 000 (Two Hundred and Fifty thousand Rand) to meet the requirements of section 24G of the *National Environmental Management Act, 1998* ("NEMA").

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

- a) The information contained in the application form and assessment report dated 25 March 2021.
- b) The Rehabilitation Plan ("RP") of July 2020 submitted together with the s24G application.
- c) Relevant information contained in the Departmental information base, including, the Guidelines on Public Participation and Alternatives.
- d) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the NEMA.
- e) The public participation process and comments received from Interested and Affected Parties ("I&APs") and the responses provided thereto.
- f) The sense of balance of the negative and positive impacts and proposed mitigation measures.
- g) The site visit conducted on 21 October 2020 attended by officials of this Directorate: Environmental Governance.

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 Process

In terms of section 24G(1)(vii)(dd) of the NEMA, "...a description of the public participation process followed during the course of compiling the report, including all comments received from interested and affected parties and an indication of how the issues raised have been addressed ...", is required.

The public participation process conducted by the EAP comprised of the following:

- identification of and engagement with I&APs.
- fixing a notice board at the site where the listed activity unlawfully commenced on 28 January 2021.
- giving written notice to the owners and occupiers of land adjacent to the site where the listed activity was undertaken, the municipality and ward councillor, and the various organs of state having jurisdiction in respect of any aspect of the listed activity on 29 January 2021.
- the placing of a newspaper advertisement in the **Mossel Bay Advertiser** on 29 January 2021.
- I&APs were afforded the opportunity to provide comments on the application.

Various concerns were raised by I&APs, specifically with regards to water usage, as specified below:

- The abstraction of water will have a negative effect on the river and wetland.
- Concerns were raised by various I&APs regarding the increased water usage for cultivation purposes.

Additionally, concerns were raised regarding the clearing of vegetation and bird habitats. These related to:

- The ground on which the second pivot was erected was still never cultivated. According to the I&AP, there was not even an existing road to this section.
- The breeding grounds of said birds including thick-headed, pheasants and partridges were permanently destroyed. Along with that the vegetation that includes broom, pepper, and rhino bush.

In addition, concern was raised that the owner should have been aware that the cleaning of the land is illegal and that it could be rejected without the necessary permission. All farmers must be treated equally in this respect and must go the proper route. The issuing of

an administrative fine should not be the only option with the commencement of an illegal activity.

Consultation with organs of state in terms of section 24O of the NEMA

The following organs of state provided comment on the application:

- CapeNature
- Breede-Gouritz Catchment Management Agency
- Department Agriculture, Land Reform & Rural Development

CapeNature ("CN") indicated that, in order to prevent accidental or uncontrollable fires, the specialist (botanist) should have recommended an adequate ecologically acceptable fire regime for the natural remaining vegetation on this property.

CN strongly agrees with the mitigation measure proposed and would still suggest rehabilitation even if it may not be successful.

Due to the high and medium sensitivity of the vegetation type, and with the occurrences of a few rare and near threatened plant species, CN agrees with the specialist that the option for Biodiversity Stewardship should be considered. The consultant can contact CN to request a stewardship site assessment and presentation of this site to the Protected Area Expansion and Stewardship (PAES) Review Committee, to determine if this site will qualify for stewardship status.

The removal of invasive alien plant species must be continuous and must be revegetated using indigenous vegetation. Invasive alien species threaten indigenous species and have numerous negative impacts on ecosystem functioning. Therefore, the level of alien infestation is not seen as reducing the sensitivity of a site, nor is the subsequent removal of alien vegetation from a property regarded as a mitigation measure as this is a legal requirement in terms of the *National Environmental Management: Biodiversity Act, 2004* (Act No.10 of 2004). If any pesticide or herbicide will be used as a method of alien clearing, then mitigation measures to minimise spray drift and buffers to neighbouring indigenous vegetation must be compiled. The alien vegetation that will be removed from the watercourse and any other moribund materials must be removed from site as they have a fire risk.

The Breede Gouritz Catchment Management Agency ("BGCMA") indicated that no operation should be allowed within 100 m of a water resource or 1:100 flood line, whichever is the greatest. If the proposed activity falls within this area, authorisation needs to be put in place in terms of the *National Water Act, 1998* (Act No. 36 of 1998) ("NWA"). This is to ensure that the riparian ecological status of the water resource will not be negatively impacted.

It must be noted that any development within 500m from the boundary of any wetland requires authorisation in terms of the NWA. The EAP indicated that the development is within 500m of a wetland, but the impact is low, which qualifies for a general authorisation.

The BGCMA stated that no water must be abstracted from any surface waterbody and ground water unless authorised by this Agency.

Where solid waste is found on site, ensure that only non-toxic materials which have no risk of polluting the groundwater, are buried in designated approved areas at acceptable depths below ground level.

No surface, ground or storm water may be polluted as a result of any activities on the site.

The rehabilitation of the site must ensure that the final condition of the site is environmentally acceptable and that there will be no adverse long-term effects on the surrounding environment especially the water resources.

All requirements as stipulated in the NWA must be adhered to.

The Department of Agriculture, Land Reform & Rural Development ("DALRRD") indicated that the landowner must apply for a cultivation permit for any piece of land for cultivation if the land is virgin soil, and has not been cultivated in the last 10 years as the definitions in terms of the *Conservation of Agricultural Resources Act, 1983* (Act 43 of 1983) ("CARA").

"Every land user shall by means of as many of the following measures as are necessary in his situation, protect the cultivated land on his farm unit effectively against excessive soil loss as a result of erosion through the action of water". The EAP indicated that the plan is to plant lucerne which is good at binding soil and prevent erosion.

It is stated in the 24G application report that alien vegetation species exist, such plants need to be controlled and removed annually (on going clearing programs) as they can cause damage to the surrounding natural vegetation.

Detailed rehabilitation plan including all mitigation plans must be included in EMP report, as the plan will be used as a guideline for ongoing monitoring of rehabilitation / mitigation plans.

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 Rehabilitation Plan to adequately address the concerns raised.

The competent authority concurs with the EAP's responses to the issues raised during the public participation process and has included appropriate conditions in this Environmental Authorisation and in the Rehabilitation Plan.

2. Alternatives

2.1 Property Alternatives

The applicant purchased the two farm properties lying adjacent to the property that he has purchased earlier. As both farm properties are affected, no property alternative is available.

2.2 Activity Alternatives

The applicant is a dairy farmer and has no need is to provide grazing for his cows. The only activity alternative is to utilise the natural veld for natural grazing, which is the No-Go alternative.

2.3 Site/layout Alternatives

Various site alternatives were investigated. The Dry Land Alternative provides the most realistic site alternative. The Centre Pivot Alternative however is the preferred alternative as the clearing of ~8 ha of land combined with existing fields created ~17 ha of irrigated pasture with a high carrying capacity, low biophysical environmental impact and notable socio-economic benefit. The areas affected were selected due to water and power availability, good quality access, and existing fields.

2.4 Technology Alternatives

Alternative 1 – Natural Pasture

The natural veld has a carrying capacity of 36 ha/LSU. Without any cultivated pasture, the study area can only support 3 cows without having a long-term impact on the natural vegetation, fauna and water resources (erosion, siltation). The stocking density is not adequate to deliver any positive impacts or the need of the applicant.

Alternative 2 – Dry Land Pasture

The activity that was undertaken was to clear the natural vegetation for planting pasture. Various pasture options exist, but the pasture of choice is lucerne. It is a deep-rooted drought resistant plant and does not need annual replanting. The pasture species makes no difference to the environmental study, except for Kikuyu which is an invasive grass. Dry land Lucerne is a common choice in the Western Cape where irrigation is not possible due to water shortage or locality. The average rainfall in the area is adequate to provide average carrying capacity of 1 LSU per hectare. The benefits of clearing and growing pasture (economic as well as the employment opportunity) are obvious. The clearing of

the ~8 ha already disturbed land, while approximately 60 ha of veld remained untouched, had a low biophysical impact.

Alternative 3 – Irrigated Pasture (Herewith authorized)

Irrigated lucerne is preferred over dry land lucerne due to having a carrying capacity of 5 LSU per hectare.

Irrigation adds impacts of power and water requirements, but the benefits are worth the cost expenditure. The benefit of irrigated lucerne over natural pasture of dry lucerne is obvious. The choice of locality for the irrigated fields near existing services is obvious.

For irrigation various technologies exist which can be expanded on. The traditional method is flood irrigation, later manually shifted couple irrigation pipes, also permanent irrigation with standpipes (as in the lower fields). Centre pivots operating at night provide the best water and labour-saving alternative.

2.5 The option of not implementing or continuing with the activity ("No-Go" Alternative)

The No-Go alternative implies non-authorisation of the activity undertaken, as well as further agricultural expansion on the two farm properties. The areas affected by unauthorised clearing must be rehabilitated to natural veld. The natural veld can be utilised for natural pasture. (The only activity alternative).

3. Environmental Impact Assessment (EIA) and Mitigation Measures

In reaching its decision, the competent authority, considered the following in respect of the EIA and mitigation measures:

3.1. Activity Need and Desirability

The project provides employment opportunities and productive use of farmland leading to economic gains. Four permanent new employment opportunities and about ten temporary opportunities, with a yearly contribution of approximately R 3 Million to the region. This can be attained within the capacity of the current water use registration.

No harm is done to any party, although neighbours may perceive increased competition for available water.

3.2. Biodiversity Impacts

A habitat type recognised as Vulnerable to Endangered was affected. A small area of Critical Biodiversity Area (CBA1) (1 ha) was affected, while most of the affected area

was mapped as Ecological Support Areas (ESA1) (6 ha) (terrestrial). Individuals of seven plant species of conservation concern could have been affected, but no sensitive species identified by the screening tool.

The Botanical Specialist assessment confirmed that the study area supports high quality examples of Swellendam Silcrete Fynbos vegetation which has been classified as Vulnerable to Endangered. The best quality vegetation on the property has been mapped as High sensitivity and can be considered of regional and national conservation importance. However, the clearance of additional vegetation for future expansions were removed from the application and is now limited to the 7ha cleared. The impact of this clearance is considered to be of medium sensitivity.

3.3. Visual / Sense of Place

A relatively small area is affected around existing fields to enlarge and make the fields more productive. The land use and visual impact is therefore in keeping with the surrounding farming area.

4. NEMA 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.

In view of the above, the NEMA principles, compliance with the conditions stipulated in this Environmental Authorisation, and compliance with the RP, the competent authority is satisfied that the listed activity will not conflict with the general objectives of integrated environmental management stipulated in Chapter 5 of the NEMA and that any potentially detrimental environmental impacts resulting from the listed activity can be mitigated to acceptable levels.

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