



24G Application: 14/2/4/2/1/F3/16/0028/21

ENVIRONMENTAL AUTHORISATION

The Owner
Katkop Resort
P. O. Box 52
GRAAFWATER
8120

Tel: (083) 253 3313

Email: jvz.dagbreek@outlook.com

Attention: Mr Jacobus Daniel Van Zyl

Dear Sir

APPLICATION IN TERMS OF SECTION 24G OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) ("NEMA"): UNLAWFUL COMMENCEMENT OF A LISTED ACTIVITY: THE UNLAWFUL DEVELOPMENT OF TOURISM FACILITIES AND ASSOCIATED INFRASTRUCTURE AT THE KATKOP RESORT ON THE REMAINDER OF THE FARM HEERENLOGEMENT BERG, FARM 443, VANRHYNSDORP

With reference to your application dated 02 August 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 02 August 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

Mr Jacobus Daniel Van Zyl

P. O. Box 52

GRAAFWATER

8120

Tel: (083) 253 3313

Email: jvz.dagbreek@outlook.com

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
<i>Government Notice No. R544 of 18 June 2010 –</i> Activity Number: 27 <i>Activity Description: The clearance of an area of 1ha or more, but less than 20 ha's of indigenous vegetation, except where</i>	The development entails the clearance of vegetation for the development of a resort "Katkop Resort" and the footprint exceeds the 1 ha threshold.

<p><i>such clearance of indigenous vegetation is required for;</i></p> <p><i>(i) The undertaking of a linear activity; or</i></p> <p><i>(ii) Maintenance purposes</i></p>	<p>This is not a linear activity, nor an activity being undertaken in accordance with a maintenance management plan.</p>
<p>Government Notice No. R546 of 18 June 2010 –</p> <p>Activity Number: 6</p> <p>Activity Description: <i>The construction of resorts, lodges or other tourism accommodation facilities that sleep 15 people or more.</i></p> <p><i>(d) In the Western Cape</i></p> <p><i>(ii) All areas outside urban areas...</i></p>	<p>The development has facilities that includes chalets and camping accommodation that sleeps more than 15 people.</p>
<p>Similarly listed in terms of Government Notice No. 327 of 7 April 2017 -</p> <p>Activity Number: 27</p> <p>Activity Description: <i>The clearance of an area of 1ha or more, but less than 20 ha's of indigenous vegetation, except where such clearance of indigenous vegetation is required for;</i></p> <p><i>(iii) The undertaking of a linear activity; or</i></p> <p><i>Maintenance purposes undertaken in accordance with a maintenance management plan.</i></p>	<p>As above.</p>

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

D. PROPERTY DESCRIPTION AND LOCATION

The listed activities commenced on Farm Heerenlogement Berg, Farm 443, Vanrhynsdorp.

The SG digit code is: C07800000000044300000

The co-ordinates for the property boundary are:

Point	Latitude (S)	Longitude (E)
1	32° 00' 22.26" South	18° 34' 22.54" East
2	31° 58' 58.89" South	18° 33' 16.54" East
3	31° 56' 58.05" South	18° 33' 33.48" East
4	31° 59' 00.65" South	18° 35' 30.24" East

The co-ordinates for the site boundary are:

Point	Latitude (S)	Longitude (E)
1	31° 59' 52.97" South	18° 34' 32.24" East
2	31° 59' 22.28" South	18° 34' 16.54" East
3	31° 59' 16.87" South	18° 34' 10.14" East
4	31° 59' 42.90" South	18° 34' 43.51" 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")

FOOTPRINT Environmental Services

c/o Mr Sean Ranger

PO Box 454

PORTERVILLE

6810

Tel: (083) 294 8776

Fax: (086) 655 8060

Email: sean.ranger1@gmail.com

F. DETAILS OF THE ACTIVITY/IES UNDERTAKEN

The unlawful development of tourism facilities and associated infrastructure at the Katkop Resort on the remainder of the Farm Heerenlogement Berg, Farm 443, Vanrhynsdorp.

the development was purchased in 1987 And the initial intent for the purchase of the property was for agricultural production. It however became apparent that the property was unsuited for commercial agricultural purposes and as such the land was managed as an extensive wild mountain area. Farming in this part of the province has come under increasing pressure relating to escalations in input costs and unpredictable markets. For this reason, the applicant began investigating opportunities to diversify and expand the agricultural business. This led to a decision to diversify the income by expanding activities to include a revenue from non-agricultural sources. With this in mind the proponent reached a decision that the wild mountainous are on the property could be successfully developed as an eco-tourism destination.

The development took the form of a tourist resort, providing holiday accommodation in small cottages / chalets and as a camping site with associated infrastructure such as a pool area, restaurant, events venue and administrative / management offices.

The establishment of the tourism facility has required the clearance of approximately 5.0 ha's of natural vegetation and it is evident from the site that the proponent has attempted to clear as little vegetation as possible to ensure that the sense of place of the natural setting is retained as far as possible. This was intentionally undertaken to "preserve the natural beauty of the area" in the words of the proponent. All natural material (rocks and soil cleared) will be used as backfill for the buildings on site. Indigenous vegetation cleared as a result of the development will be used in situ to cover denuded areas. Any additional waste that needs to be removed from the site will be disposed of at a landfill site on the property or where required it will be disposed of at the local authority landfill site in accordance with their requirements.

The resort development comprises of the following built infrastructure:

- Office and restaurant building
- Function venue and bar
- 11 Cottage houses
- Group accommodation building
- 2 Camping area Kitchens

- Camping Ablution facility
- Swimming pool
- Swimming pool ablution facility
- Lapa
- Storage building
- Manager's House
- Owner's House

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 activities specified in Section C above in accordance with and restricted to the preferred Alternative described in the application and assessment report dated 02 August 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 of the maintenance/rehabilitation activities.

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 conditions:
Conditions 5 and 7

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 activities, 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 Environmental Management Programme ("EMPr") of September 2021 compiled by FOOTPRINT Environmental Services and submitted as part of the application for environmental authorisation is hereby approved and must be implemented.
8. The EMPr 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 any land clearing or maintenance or rehabilitation activities to ensure compliance with the EMPr and the conditions contained herein.
10. 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.
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 EMPr and submit Environmental Audit Reports to the competent authority 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.
15. The establishment of any invasive alien plant species in the development area should be mitigated with immediate effect.
16. An alien invasive species monitoring, and management programme should be implemented during completion of the development and when the development becomes operational.
17. Natural materials should be used for erosion control methods and areas on site and where this has not taken place should be corrected.

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 activities.
2. Non-compliance with a condition or term of this Environmental Authorisation or EMPr 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.

4. 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* or any relevant legislation that may be applicable at the time.

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 EMPr 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

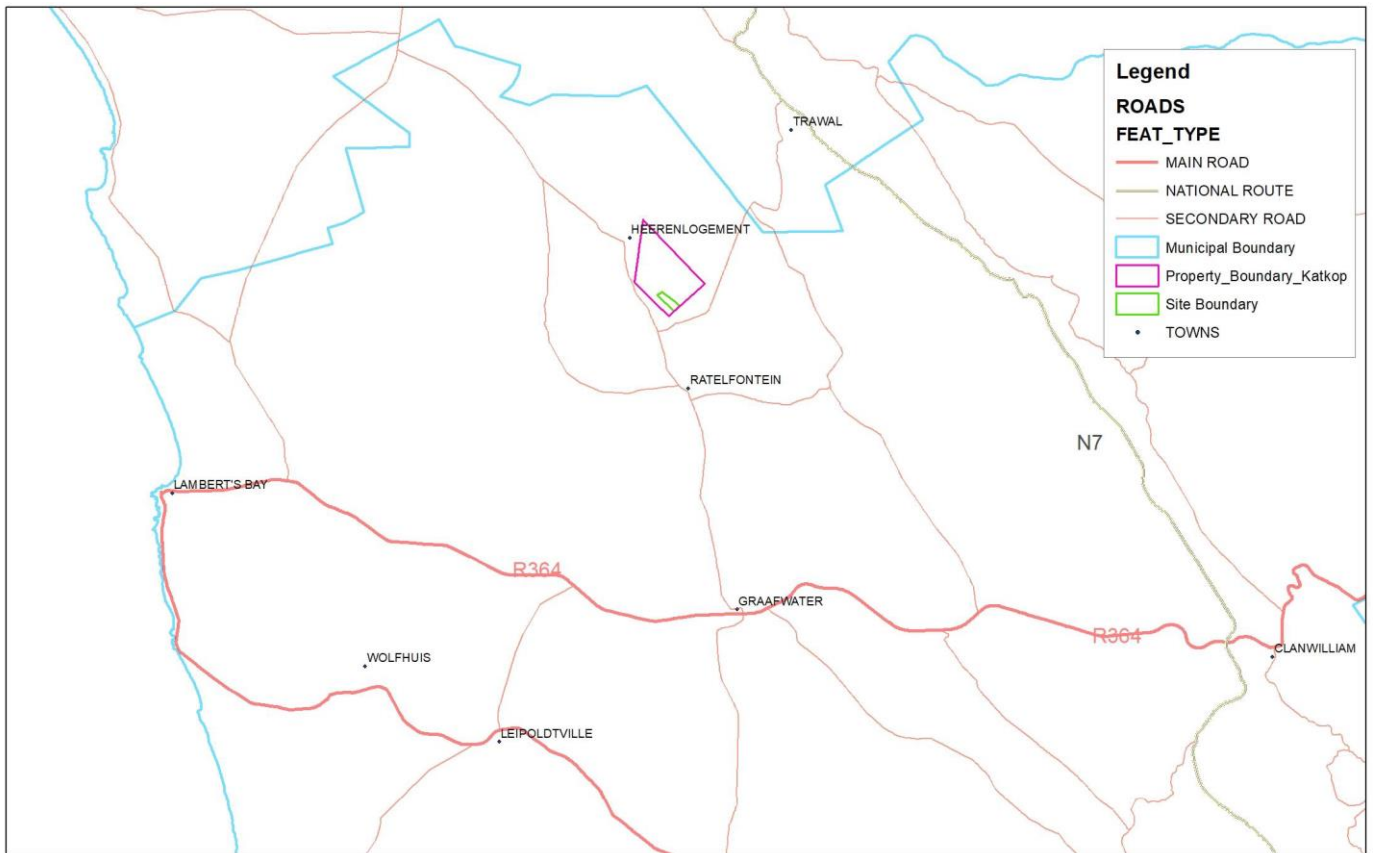
ZAIDAH TOEFY

ACTING DIRECTOR: ENVIRONMENTAL GOVERNANCE

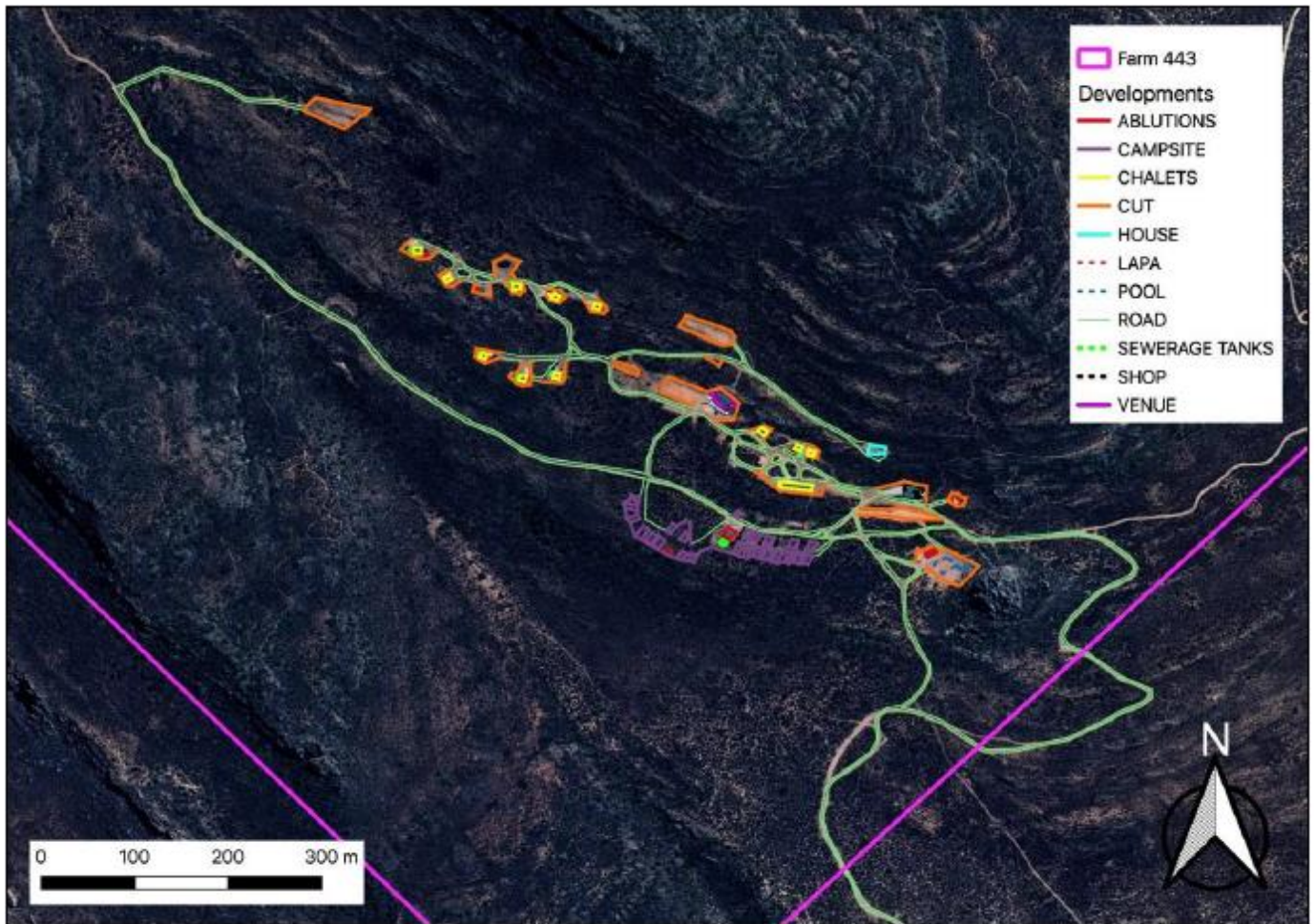
CC: (1) S Ranger (FOOTPRINT Environmental Services)
(2) C du Plessis (FOOTPRINT Environmental Services)
(3) AJ Booysen (Cedarberg Municipality)
(4) I Adams (CapeNature)

Email: Sean.ranger1@gmail.com
Email: charlduplessis2@afrihost.co.za
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ANNEXURE 1: LOCALITY MAP



ANNEXURE 2: SITE PLAN



FOR OFFICIAL USE ONLY:

S24G REFERENCE:

14/2/4/2/1/F3/16/0028/21

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 R25 000 (Twenty-five 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 dated 02 August 2021 with supporting environmental impact assessment and mitigation measures.
- b) The Environmental Management Programme ("EMPr") of September 2021 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 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) No site inspection was conducted on the property. The information contained within the section 24G Application was deemed sufficient by the delegated competent authority to make an informed decision regarding the unlawful activities commenced with on the property.

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 activities unlawfully commenced on.
- giving written notice to the owners and occupiers of land adjacent to the site where the listed activities were undertaken, the municipality and ward councillor, and the various organs of state having jurisdiction in respect of any aspect of the listed activities on 17 February 2021.
- the placing of a newspaper advertisement in the **ons kontrei** on 21 August 2020.
- I&APs were afforded the opportunity to provide comments on the application.

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

The following organs of state provided comment on the application:

- CapeNature (CN)
- West Coast District Municipality (WCDM)
- Department of Agriculture, Land Reform and Rural Development (DALRRD)
- DEA&DP: Development Management (DM)
- Department of Water and Sanitation (DWS)
- Department of Agriculture (DOA)

CN supports the conclusion and recommendations made by the botanical specialist, that the remainder of the area be managed as a conservation area and that no further developments take place. CN supports the conclusion that that decommissioning the development is not favourable, given the purpose and nature of the development and the way in which it was implemented, as well as the consideration that the affected area might not recover fully if the development is decommissioned.

CN agreed that this Department should issue an administrative fine to the applicant, as due process was not followed. There was a high likelihood that a sample of a population of a near threatened plant were removed within the development footprint without the opportunity for avoidance or mitigation.

Fire suppression measures should not interfere with the fire frequency and intensity requirements of the Graafwater Sandstone Fynbos at the site. An appropriate fire management plan must therefore be implemented for the site. Alien invasive/exotic species should not be planted or introduced to the development site. Alien invasive/exotic species present on the development site should be removed and replaced with indigenous species of the site.

Regarding the recommendation in the Environmental Management Programme (EMPr) to implement alien invasive plant species management within two years after authorization, CN indicated that the establishment of invasive alien plant species in the development area should be mitigated with immediate effect. An alien invasive species monitoring, and management programme should be implemented during completion of the development and when the development becomes operational.

Natural materials should be used for erosion control methods and areas on site where this has not taken place should be corrected.

Appropriate monitoring methods should be put in place to detect and respond to any leaks in the septic tank system, as leaks could lead to detrimental effects on groundwater and edaphic conditions for surrounding fynbos vegetation. The septic tank and French drain system should be included in the overall footprint of the development.

The WCDM highlighted that current policy favours the establishment of tourism facilities on agricultural land for two reasons:

- To afford tourists the opportunity to enjoy the great outdoors and rural setting offered by tourism facilities on agricultural land; and
- To enable farmers to supplement income through diversification.

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 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 EMPr.

2. Alternatives

2.1 Property/location Alternatives

The development is already in existence thus any property related alternative would result in additional impacts and is therefore not feasible as an alternative.

2.2 Activity Alternatives

The mix of intensive agriculture and tourism-based use of the land is the most practicable and economically sustainable land use for this locality. This mixed land use is common on properties throughout the West Coast and there are viable businesses that have been pursuing this business opportunity for many years. The opportunity cost weighs in favour of the proposed development due to its adjacency to a world renowned non-consumptive eco-tourism 'must see destination'. Additionally, the development is a low key, quite rustic accommodation and hospitality related development that is not out of character with the surrounding land-use practices. The area is economically active due to its suitability for the cultivation of potatoes and Rooibos Tea. Even with the maximising of the potential income the operation remains vulnerable to market fluctuations in the agricultural market.

Both potatoes and Rooibos have a long history of quite severe market fluctuations. What this translates into is property owners seeking opportunities to diversify into the tourism sector to increase income generation over a greater portion of the year. Historically sustainable land use options for people in this area are limited to intensive agricultural pursuits and this in turn to a minimum viable size for a commercially successful farm. This property does not have the requisite agricultural soils to develop as a commercial agricultural production farm. Therefore, on evaluation as an activity, it is believed to be a feasible alternative should there be practically implementable mitigation measures that could be applied to ensure that impact significance remains manageable and that there are no fatal flaws in terms of impacts that may occur to important biodiversity and cultural & heritage values on site.

2.3 Design / Layout Alternatives

Design and layout alternatives are not possible as the development is nearly complete.

2.4 Technology Alternatives

All accommodation facilities are fitted with energy efficient light bulbs will have supporting solar power and water heating is undertaken with gas thus reducing electricity demand.

2.5 Operational Alternatives

Designated no-go areas: To prevent impacts on sensitive areas utilised by guest may require the designation of no-go areas to prevent and mitigate increased disturbance regimes and related degradation of these areas with loss of functionality.

Organic waste: Organic waste generated through the use of the facility or maintenance of the lawns and other communal areas could be recycled. This could be accomplished by waste separation and composting of vegetable waste.

Recycling: The applicant will promote recycling at the accommodation units and other facilities and all recycled materials will be stored in marked bins for different recyclable goods (Plastic, Glass, Paper and Tin). The bins will be readily accessible to guests. Guest will be encouraged to recycle during the operational phase of the development All recycled materials will be taken to the recycling depot in Graafwater once the facility is operational. The volume will be dependent on the occupancy experienced.

Effluent: Effluent from each of the units at the facility go into a 5000l water tank and once these tanks reach their capacity overflow will fed into a French drain system. However, with the low occupancy rate and the number of people per unit (2 to the max of 4 persons per unit), overflow is not expected. Additionally, the grey and black water will be separated, and the applicant will use grey water to irrigate the grass and plants around the buildings to conserve water. The applicant only uses environmentally friendly cleaning products in the chalets and other facilities i.e. biodegradable products to maintain the integrity of the French Drain system.

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

The farm requires the diversification and expansion of its productive footprint to remain economically sustainable as a business. This relates to an agricultural business linked to a tourism destination associated with the Cederberg, seasonal flower displays and sites of cultural and heritage significance. This would ensure a higher income through diversified products and hospitality services with a higher value throughout the year. Furthermore, in terms of the Provincial Spatial Development Framework (PSDF) and the Cederberg Municipality Spatial Development Framework (SDF) & Integrated Development Plan (IDP) this development is aligned to the forward planning of the Province and the local authority. For these reasons the No-go option is seen to be unfeasible.

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

At the scale of the property direct benefits relate to the retention of an agriculturally sub-economic farming unit that can remain productive and provide a niche tourism product, thus a retention of the agricultural potential as no resource extraction of potential future agricultural activity would be lost. Furthermore, with diversification this activity provides a sustainable income through an ecotourism business that would secure the economic model for the property as a whole and via this sustain the owner, the owner's family and all labour associated with the property. Thus, a perpetuation of livelihoods on an agricultural unit. At community to local authority scale this property provides for employment and an accommodation facility that is aligned with the stated intent of forward spatial planning. As noted above this is true for the larger planning scales provincially. Finally, as the site is nationally renowned it provides for easy and suitable access to a non-consumptive renewable resource and foreign exchange from visitors from all over the world. Thus, too a draw card for other businesses and tourism / retail related services in the local towns or on adjacent properties.

3.2. Pollution Impacts

The development's effluent will be managed by the provision of 5000l tanks at each unit in the facility. A recycling programme will be implemented for the tourism resort facility. Any general waste will feed into the Cederberg Local Municipality waste management system.

3.3. Biodiversity Impacts

The clearance activities resulted in the loss of 5ha of natural vegetation classified as Graafwater Sandstone Fynbos, considered to be least threatened according to the botanical specialist. The vegetation is a medium high dense shrubland with high species diversity. It was noted that the applicant attempted to clear as little vegetation as possible to ensure that the sense of place of the natural setting is retained. Additionally, as mentioned by the EAP, the applicant has instituted many of the management and mitigation measures on own initiative as he is intent on causing minimal damage to the environment and run an eco-accommodation facility.

3.4. Visual / Sense of Place

The development has been designed to be in keeping with the natural environment and the surrounding landscape of the area. Heritage Western Cape (HWC) as the provincial heritage authority did not request further studies in terms of the visual impact. Being in a rural landscape and established on a farm, it anticipated that there will be no negative visual impact associated with the development.

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

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