



24G Application: 14/2/4/2/2/B3/38/0007/23

ENVIRONMENTAL AUTHORISATION

The Managing Director
Doolhof Wine Estates International
PO Box 157
WELLINGTON
7654

Email: clinton@doolhof.com

Attention: Mr Clinton Waldeck

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: UNLAWFUL CONSTRUCTION OF ADDITIONAL TOURIST ACCOMMODATION CONSISTING OF TEN BOUTIQUE TENTS ON FARM 3/1270, DOOLHOF FARM, WELLINGTON, DRAKENSTEIN LOCAL MUNICIPALITY

With reference to your application dated 01 August 2023 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 01 August 2023.

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

Doolhof Wine Estates International
C/o Mr Clinton Waldeck
PO BOX 157
WELLINGTON
7654

Tel: (021) 873 6911
Fax: (021) 864 2321
Email: clinton@doolhof.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
<p>Government Notice No. 324 of 7 April 2017 -</p> <p>Activity Number: 17</p> <p>Activity Description: <i>"The expansion of a resort, lodge, hotel, tourism or hospitality facilities where the development footprint will be expanded and the expanded facility can accommodate an additional 15 people or more.</i></p> <p>Western Cape</p>	<p>The proposed development will accommodate more than 15 people, is located in the Cape Winelands Biosphere Reserve, and is within 5km of the Hawequa Provincial Nature Reserve. The activity commenced in October 2021.</p>

i. Inside a protected area identified in terms of NEMPAA; ii. Outside urban areas: (aa) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans; or (bb) Within 5km from national parks, world heritage sites, areas identified in terms of NEMPAA or from the core area of a biosphere reserve; - excluding the conversion of existing buildings where the development footprint will not be increased."	
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The abovementioned list is hereinafter referred to as "the listed activity".

D. PROPERTY DESCRIPTION AND LOCATION

The listed activity commenced on 3/1270, Doolhof Farm, Wellington.

The SG digit code is: C05500000000012700003

The co-ordinates for the property boundary are:

Point	Latitude (S)	Longitude (E)
1	33° 37' 32.73" South	19° 05' 07.67" East
2	33° 37' 48.82" South	19° 05' 30.12" East
3	33° 37' 59.64" South	18° 05' 16.88" East
4	33° 37' 43.70" South	18° 04' 55.12" East

The co-ordinates for the site boundary are:

Point	Latitude (S)	Longitude (E)
1	33° 37' 37.83" South	19° 05' 04.60" East
2	33° 37' 39.00" South	19° 05' 13.11" East

3	33° 37' 41.94" South	19° 05' 12.53" East
4	33° 37' 40.51" South	19° 05' 04.33" 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")

KHULA Environmental Consultants

C/o Ms Monique Sham

71 Kommetjie Road

FISH HOEK

7975

Cell: (072) 989 5119

Fax: (086) 546 5552

Email: monique@khulaec.co.za

F. DETAILS OF THE ACTIVITY/IES UNDERTAKEN

The development upon completion would comprise ten luxury tented accommodation units each with a capacity of up to 5 persons per unit. Each unit would comprise a raised deck of approximately 75m², with a tent of ± 45m² erected on it, with the remainder ±30m² left as an open deck.

Each tent comprises the following:

- Two bedrooms
- En-suite bathroom
- Kitchen
- Open plan living area
- Wood-burning heated spa tub

Each unit would be serviced with a potable water supply, power supply and a sewerage system that comprises an existing "Clarus Fusion Decentralised Wastewater Treatment Plant". The potable water will be obtained from existing boreholes and power supply would be provided by the Municipality while the sewage would be treated and disposed of on-site.

The applicant commenced with installation of the platforms for the tents in October 2021 and had installed the wooden posts (approximately 12 per tent) and deck before ceasing with construction.

None of the associated infrastructure was commenced with although it must be noted that the services are existing and the only infrastructure that would form part of the project would be the additional lines / pipes to link the tents to the services.

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 described in the application and assessment report dated 01 August 2023 on the site as described in Section D above.
2. The Environmental Authorisation is valid for a period of **five years** from the date of the decision.
3. The development must be concluded within 2 years from the date of continuation of the first listed activity.
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 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

6. Seven (7) calendar days' notice, in writing, must be given to the competent authority before continuation of commencement of the construction activities.

6.1 The notice must make clear reference to the site details and 24G Reference number given above.

6.2 The notice must also include proof of compliance with the following condition:
Condition 7

PART III

Notification and administration of an 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* detailed in Section I below.

7.3 draw the attention of all registered I&APs to the manner in which they may access the decision.

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 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*.

8. 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

9. The draft Environmental Management Programme ("EMPr") of March 2023 compiled by Khula Environmental Consultants and 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.

PART V

Monitoring

11. The holder must appoint a suitably experienced Environmental Control Officer ("ECO" before continuation of commencement of any land clearing or construction activities to ensure compliance with the EMPr and the conditions contained herein.
12. A copy of the Environmental Authorisation, EMPr, 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, including a publicly accessible website (if applicable).
13. 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

14. 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 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

15. 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.

16. 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 EMPr may render the holder liable to criminal prosecution.
3. If the holder does not continue, conduct or undertake listed activities within the period referred to in Condition 2 of Section G, this Environmental Authorisation shall lapse for that activity or 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 must be made on condition that the environmental authorisation is valid on the date of receipt of such amendment application.

Note that:

(1) In terms of regulation 28(1A) of the *EIA Regulations, 2014* the competent authority shall not accept or process an application for amendment of an environmental authorisation if such environmental authorisation is not valid on the day of receipt of such amendment application but may consider an application for environmental authorisation for the same development.

(2) In terms of regulation 28(1B) of the *EIA Regulations, 2014* an environmental authorisation which is the subject of an amendment application remains valid pending the finalisation of the amendment application.

(3) It is an offence in terms of section 49A(1)(a) of the NEMA for a person to commence with a listed activity if the competent authority has not granted an environmental authorisation for the undertaking of the activity.

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* 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* 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

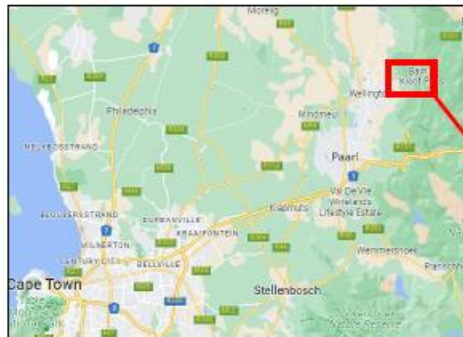
MRS Z TOEFY

ACTING DIRECTOR: ENVIRONMENTAL GOVERNANCE

CC: (1) Monique Sham (EAP)

Email: monique@khulaec.co.za

ANNEXURE 1: LOCALITY MAP



KHULA | environmental consultants
Integrated Environmental Management
& Natural Resource Management Planning



ANNEXURE 2: SITE PLAN



FOR OFFICIAL USE ONLY:

S24G REFERENCE:

14/2/4/2/2/B3/38/0007/23

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 R50 000 (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 dated 01 August 2023 with supporting environmental impact assessment and mitigation measures.
- b) The Environmental Management Programme ("EMPr") dated March 2023 submitted for the 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) The site visit conducted on 31 May 2023
Attended by: Officials of the 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.
- 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 10 May 2023.
- the placing of a newspaper advertisement in the **Bolander** on 11 January 2023.

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

The following organs of state provided comment on the application:

- Department of Agriculture
- CapeNature
- Heritage Western Cape
- Drakenstein Municipality – Environmental Management
- Drakenstein Municipality – Heritage Services Sub-Section
- Drakenstein Municipality – Spatial Planning
- Drakenstein Municipality – Land Use Management
- Drakenstein Municipality – Electro-Technical Engineering
- Drakenstein Municipality – Environmental Management
- Drakenstein Municipality – Engineering services

The Department of Agriculture indicated that Citrus must also be planted between the permanent tent sites. As the ten (10) units are not aligned with goals of the Western Cape Land Use Guidelines for Rural Areas (2019), in terms of scale and context, Portion 3 of the Farm

No. 1270 must be consolidated with Remainder of the Farm N. 1270: Additional land must be cultivated as indicated by the landowner and management team during the site visit and discussion.

The EAP indicated that the applicant has started preparing the land and installed the anchors for the additional vineyard.

CapeNature confirmed that the development site was historically covered by Swartland Shale Renosterveld, which is a critically endangered ecosystem according to the 2018 National Biodiversity Assessment. However, the site has been cultivated over a long period of time and there is no significant natural vegetation remaining. It is confirmed the accommodation is also not close to any watercourse or wetlands.

CapeNature has no objection to the existing and proposed tourist accommodation facilities provided all water, sewage, waste removal and other services are fully functional.

In a letter dated 06 May 2022, Heritage Western Cape (HWC) indicated that there is no reason to believe that the proposed development of tented accommodation on Portion 3 of Farm No. 1270, Doolhof, Wellington will impact on heritage resources. No further action is required under Section 38 of the *National Heritage Resources Act (Act 25 of 1999)*. However, should any heritage resources, including evidence of graves and human burials, archaeological material and paleontological material be discovered during the execution of the activities above, all works must be stopped immediately, and HWC must be notified without delay.

The comments below is a summary of a joint comment from the different departments within the Drakenstein Municipality:

The proposed expansion of tourist facilities on Portion 3 of Farm 1270, Wellington, is supported from a heritage point of view.

The development proposal is supported from a spatial planning point of view based on the fact that it complies with all relevant spatial planning policy.

As land use application is currently in process. There are no comments from the land use management point of view. The area is situated within an area that falls under the jurisdiction of the Eskom distribution area. The landowner must therefore contact Eskom for any infrastructure and electrical related queries.

The EAP indicated that Eskom has been contacted regarding the electrical requirements. The proposal is for the farm to be almost off grid. The applicant is currently installing solar back up batteries and back-up power solutions.

It is noted that sewage will be treated and disposed of on site. Clarity must be provided on how treated sewage will be disposed of.

The EAP indicated that sewage is treated at the existing on-site treatment plant. After purification in the treatment system the water is used to irrigate the horse paddocks.

Comments from the Department of Water and Sanitation (DWS) for the use of the existing plant that will now serve the additional accommodation units must be obtained.

The DWS was notified of the application as part of the public participation process and has not submitted any comment to date. The necessary GA/WULA will be initiated shortly.

The Environmental Management Section should be notified of any non-compliance of the effluent standards, or any pollution incident caused by the wastewater treatment plant.

The EAP indicated that this requirement has been included in the EMPr.

Continuous monitoring of effluent should be undertaken, and these records should be made available to the municipality upon request.

The EAP indicated daily checks and cleaning is undertaken with water samples taken and tested on a regular basis. This is a daily task of a dedicated staff member.

The municipality should be allowed to sample effluent from the plant at any given time.

This is noted by the EAP, the applicant has indicated that access to the treatment plant can be obtained. The plant is situated next to the horse paddock and in front of the office.

The Environmental Management Programme must be amended to include the fact that the disturbance of fauna and flora must be limited as far as reasonably possible if construction continues.

No killing of any animal must take place if construction continues, and all animal encounters must be reported to the Environmental Control Officer. Where dangerous animals are encountered and/or sighted, these immediately be reported to an appropriately qualified person(s) for the removal and or capture of such animals.

In principle this Municipality does not object to the proposed development provided that the above-mentioned matters are adhered to as far as reasonably possible.

All potable water supplied to consumers on the farm shall comply with SANS 241 as amended. Proof of compliance test no older than 6 months must be available on request. All testing must be done by an accredited service provider.

The developer will be required to connect to future Drakenstein Municipal networks (for water) when it is provided. Water saving devices shall be installed in toilets, bathrooms and basins. Any existing (water) system that is to remain shall be upgraded to minimum municipal standards.

Any abstraction from any natural water source on the property must be metered (type of meter to be confirmed by Department of Water and Sanitation). The developer shall be responsible to adhere to all conditions in terms of the Drakenstein Municipality, Water Services By-law (2014).

No septic tanks allowed, all old/existing septic tank and soakaway systems must comply with the Water Research Commissions Report TT 114/99. No conservancy tanks will be allowed within 100m of the 1:50 year floodline.

The municipality cannot guarantee a tanker service at all times and the owner remains responsible for the servicing of the conservancy tank. Any private company used must be registered with the Municipality and must provide the owner of an invoice for services rendered. All invoices must be submitted on a monthly basis to the Wastewater Services section as proof of compliance.

The Operation and Management system must be discussed with and approved by Drakenstein Municipality Civil Engineering Services Department.

Any existing (wastewater) system that is to remain shall be upgraded to minimum municipal standards.

Any new stormwater networks will be the responsibility of the developer, including all internal and bulk connectors.

Contaminated run-off (washing water, storm water etc) must be disposed off in such a manner so as to not cause any pollution to surface water, ground water or create a nuisance.

Only pre-development run-off of a 1:2 year storm event will be accepted into the existing system. Provision must be made to accommodate the detention of run-off for a 1:50 year storm event. The EAP indicated that, due to the size and location of the tents, no additional stormwater management is necessary.

Provision must be made for an effective rainwater harvesting system to be planned and designed for all roof water. The volume of the storage facilities should be based on 0.02m³ roof area. The EAP confirmed that the runoff from the tents is diverted to the surrounding planted vegetation.

All solid waste disposal shall comply with the National Environmental Management Waste Act 59 of 2008. Proof of compliance must be available on request.

A waste recovery/recycling initiative has been implemented in Drakenstein and the development will have to be prepared to comply with any requirements as the project is rolled out.

The developer shall indemnify the Municipality from any damages as a result in rendering the refuse removal service. Further comments will be given if an application in terms of the

Drakenstein Municipality: Land Use by-law is received. Any upgrading to bulk infrastructure can be offset against any Development Contributions payable for the proposed development. The developer is responsible for the funding of all connections to the bulk services and all internal works.

All of the works, including but not limited to; roads, stormwater, water, sewers, landscaping, irrigation etc. shall be designed by a suitably registered (ECSA registration for the civil works and SACLAP registration for the landscaping) person and any such works shall be constructed under supervision of such registered person. All such design plans shall be submitted to the Civil Engineering Services Department of Drakenstein Municipality for approval prior to the commencement of construction. All works where applicable shall be constructed to at least the minimum standards as set out in, Engineering Services: Municipal Standards.

2. Alternatives

2.1 Property/Location Alternatives

The site was selected as feasible for tented camps as the land itself has the least agricultural potential on the farm. Secondly, it has no natural, indigenous vegetation. Thirdly, access roads are existing, and services are located close to the site. No other sites were deemed as feasible as the one chosen.

2.2 Activity Alternatives

Doolhof has existing tourist accommodation on the farm (similar luxury tents and a guesthouse). As the tents are popular, additional tents were required in order to capitalise on their popularity. Therefore, no activity alternatives were considered, other than, in addition to the tents, the development of two luxury cabins. This alternative was not preferred as the location of the cabins was in close proximity to the winery, the operation and associated noise emissions of which would negatively impact on guests.

2.3 Design/ Layout Alternatives

The construction of the tents on raised decks has considerable fewer potential environmental impacts than traditional accommodation unit construction. Concrete work is minimal, no painting is required, and the wood used for the deck is sourced from a supply. In addition, the construction period is significantly shorter, resulting in less noise, visual, and traffic impacts.

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

Should the luxury tents be decommissioned (i.e. the application be refused or the decision is reached for the site to be rehabilitated) then the decks could be removed, and it could possibly be used for agricultural purposes in future. However, given the low agricultural potential of the soils at the site it is unlikely that any viable form a crop cultivation would be possible.

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. Pollution Impacts

Each unit would be serviced with a potable water supply, power supply and a sewerage system that comprises an existing "Clarus Fusion Decentralised Waste-Water Treatment Plant". Waste produced by each tent will be minimal and therefore the existing on-site treatment plant will be able to handle the extra capacity.

3.2. Biodiversity Impacts

The site was completely transformed due to previous cultivation over the last 20+ years. No loss of biodiversity will occur with the construction of the camp sites. Although the land was used for agricultural purposes, the fields have laid fallow for the last 2-3 years due to poor crop production.

3.3. Visual / Sense of Place

The activity of providing luxury tented accommodation opportunities within an agricultural landscape is not uncommon and fits in with the current layout and mixed land use of the surrounding area. The proposed tourism facility is an appropriate and compatible rural activity, as provided for by the Development Managing Scheme, that can be permitted outside the urban edge / existing urban areas as it generates positive socio-economic returns and does not compromise the natural environment, agricultural operations or the service delivery ability of the municipality.

3.4. Socio-economic Impacts

the activity provided economic incentive for the farm and does result in any negatively socio-economic impacts.

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 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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