



**Western Cape
Government**

Environmental Affairs and
Development Planning

**DIRECTORATE: ENVIRONMENTAL GOVERNANCE
SUB-DIRECTORATE: SECTION 24G APPLICATIONS**

REFERENCE: 14/2/1/2/B1/14/0005/13

ENQUIRIES: Ben Brimble

BY REGISTERED MAIL

The Owner
Galatea Investments (Pty) Ltd
P. O. Box 155
ASHTON
6715

Tel: (023) 615 2256
Fax: (023) 615 2257

Attention: Mr Jamie de Wet

Dear Sir

AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION IN TERMS OF SECTION 24G OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) ("NEMA") FOR THE UNLAWFUL CLEARING OF INDIGENOUS VEGETATION FOR AGRICULTURE PURPOSES ON PORTION 25 OF FARM APPELSDRIFT, ROBERTSON

With reference to your application, find below the amended environmental authorisation in respect of this application.

AMENDED ENVIRONMENTAL AUTHORISATION

A. DECISION

With reference to the abovementioned application, the competent authority has decided, in terms of the powers vested in it by regulation 38(3)(f) of the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA") Environmental Impact Assessment Regulations, 2010, ("EIA Regulations") as defined in GN No. R. 543 of 18 June 2010, to amend the Environmental Authorisation ("EA") issued on 15 August 2014 as follows -

Paragraph 2 of Annexure 1 of the Environmental Authorisation

"Layout Alternative 1 (herewith authorised)

This option entails the clearing and planting of areas A, B and C (already cleared) as well as D and F (already planted) which would allow a natural corridor to the Breede River (see Appendix A). The corridor will be 175m and 24.1m wide at its narrowest points but as wide as 600m in certain places. A total area of approximately 74 hectares will therefore be cleared.

Areas E, G, H and I will be conserved in the interests of maintaining the functionality of the ecological corridor."

Must be substituted with:

"Layout Alternative 1 (herewith authorised)

This option entails the clearing and planting of areas A, B and C (already cleared) as well as D and F (already planted) which would allow a natural corridor to the Breede River (see Appendix A). The corridor will be 175m at its narrowest point but as wide as approximately 970m in certain places. A total area of approximately 52 hectares will therefore be cleared.

Areas E, G, H and I will be conserved in the interests of maintaining the functionality of the ecological corridor."

And

"Galtea Investments (Pty) Ltd"

Must be substituted with:

"Galatea Investments (Pty) Ltd"

B. KEY REASONS FOR THE DECISION TO AMEND THE ENVIRONMENTAL AUTHORISATION:

- (a) The width of the CBA corridor was incorrectly stated, due to Block E being conserved, the corridor will have a width of approximately 970m at its widest point.
- (b) The total area cleared for agricultural purposes will therefore be 52 hectares in extent and not 74 hectares, due to the preservation of Block E.
- (c) The environment and the rights and interests of other parties are not likely to be adversely affected by this decision to amend the description of activity and the conditions of the environmental authorisation.
- (d) There are no changes to the assessment of the original application.
- (e) All the conditions of the Environmental Authorisation dated 15 August 2014 remain unchanged and must be adhered to by the applicant.

C. APPEALS

Appeals must comply with the provisions contained in Chapter 7 of the Environmental Impact Assessment Amendment Regulations, 2010.

1. An appellant must –

- 1.1. submit a notice of intention to appeal to the Minister, within 20 (twenty) calendar days of the date of the decision;
- 1.2. submit the appeal within 30 (thirty) calendar days after the lapsing of the 20 (twenty) calendar days contemplated in regulation 60(1), for the submission of the notice of intention to appeal; and
- 1.3. within 10 (ten) calendar days of having lodged the notice of intention to appeal, provide each person and organ of state registered as an interested and affected party in respect of the application, or the holder, with –
 - 1.3.1. a copy of the notice of intention to appeal form; and

- 1.3.2. a notice indicating where and for what period the appeal submission will be made available for inspection by such person, organ of state, or holder, on the day of lodging it with the Minister, and that a responding statement may be made on the appeal within 30 (thirty) calendar days from the date the appeal submission was lodged with the Minister.
2. A person, organ of state or holder who submits a responding or answering statement in terms of regulation 63 must within 10 (ten) calendar days of having submitted the responding or answering statement, serve a copy of the statement on the other party.
 3. If the person, organ of state or holder fails to meet a timeframe with respect to the requirements as detailed above, the person, organ of state or holder must immediately submit a written explanation to the Ministry providing a concise explanation for the non-compliance.
 4. All notice of intention to appeal and appeal forms must be submitted by means of one of the following methods:
 - By post: Western Cape Ministry of Local Government, Environmental Affairs and Development Planning
Private Bag X9186
CAPE TOWN
8000
 - By facsimile: (021) 483 4174; or
 - By hand: Attention: Mr J. de Villiers
Room 809
8th Floor, Utilitas Building (Entrance at: Utilitas Building, 1 Dorp Street, Cape Town, 8001)
 5. A prescribed notice of intention to appeal form and appeal form as well as assistance regarding the appeal processes is obtainable from the office of the Minister at: Tel. (021) 483 3721, E-mail Jaap.DeVilliers@westerncape.gov.za or URL <http://www.westerncape.gov.za/eadp>.

D. CONSEQUENCES OF NON-COMPLIANCE WITH CONDITIONS

Non-compliance with a condition of this environmental authorisation or EMP may result in suspension of this environmental authorisation and may render the holder liable for criminal prosecution.

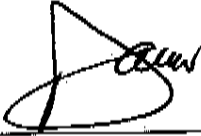
E. DISCLAIMER

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

Department of Environmental Affairs and Development Planning
Directorate: Environmental Governance

Your interest in the future of our environment is appreciated.

Yours faithfully



DR. E PALMER
DIRECTOR: ENVIRONMENTAL GOVERNANCE

DATE OF DECISION: 19/8/2014

CC: (1) Lindsay Speirs

(Doug Jeffrey Environmental Consultants)

Fax: (086) 660 2635



**Western Cape
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**DIRECTORATE: ENVIRONMENTAL GOVERNANCE
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Attention: Mr Jamie de Wet

Dear Sir

**APPLICATION IN TERMS OF SECTION 24G OF THE NATIONAL ENVIRONMENTAL
MANAGEMENT ACT, 1998 (ACT 107 OF 1998) ("NEMA") FOR THE UNLAWFUL
CLEARING OF INDIGENOUS VEGETATION FOR AGRICULTURE PURPOSES ON PORTION
25 OF FARM APPELSDRIFT, ROBERTSON**

With reference to your application in terms of section 24G of the NEMA for the rectification of the unlawful commencement or continuation of listed activities identified in terms of the NEMA, find below the decision in respect of your application.

ENVIRONMENTAL AUTHORISATION

DECISION

By virtue of the powers conferred on it by the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA"), section 24G of the NEMA and the Environmental Impact Assessment Amendment Regulations, 2010 ("NEMA EIA Regulations"), the competent authority herewith **grants environmental authorisation** to the applicant to undertake the list of activities specified in section B below with respect to the site layout as agreed upon between the applicant, CapeNature and this Department, as described in the Environmental Impact Report ("EIR") dated May 2014.

The granting of this environmental authorisation (hereinafter referred to as the "environmental authorisation") is for the commencement and continuation of the listed activities as described in section B and is subject to compliance with the conditions set out in section E below.

The environmental authorisation does not exempt the holder thereof from compliance with any other applicable legislation.

A. DETAILS OF THE APPLICANT FOR THIS ENVIRONMENTAL AUTHORISATION

The Owner
Galtea Investments (Pty) Ltd
P. O. Box 155
ASHTON
6715

Tel: (023) 615 2256
Fax: (023) 615 2257

The abovementioned company is the holder of this environmental authorisation and is hereinafter referred to as "the holder".

B. LIST OF ACTIVITIES AUTHORISED

Government Notice No. R546 of 18 June 2010–
Activity Number: 14
Activity Description:

The clearance of an area of 5 hectares or more of vegetation where 75% or more of the vegetative cover constitutes indigenous vegetation, except where such removal of vegetation is required for:

- (1) Purposes of agriculture or afforestation inside areas identified in spatial instruments adopted by the competent authority for agriculture or afforestation purposes;*
- (2) The undertaking of a process or activity included in the list of waste management activities published in terms of section 19 of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008) in which case the activity is regarded to be excluded from this list;*
- (3) The undertaking of a linear activity falling below the thresholds in Notice 544 of 2010.*

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

The holder is herein authorised to undertake the following alternative related to the listed activity:

The clearing of vegetation for agricultural purposes on Portion 25 of Farm Appelsdrift, No. 107. A total of 30.95 hectares of vegetation will be cleared, whilst 44.58 hectares conserved in the interests of maintaining an ecological corridor.

Blocks permitted to be cleared are outlined in Annexure A, section 2.

C. PROPERTY DESCRIPTION AND LOCATION

The listed activity commenced on Portion 25 of Farm Appelsdrift, No. 107, Robertson.

The SG 21 digit code is: C06500030000010700025

Co-ordinates: 33° 50' 20.67" South
19° 51' 27.48" East

hereinafter referred to as "the site".

D. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER

Doug Jeffery Environmental Consultants (Pty) Ltd
Ms Lindsay Speirs
PO Box 44
KLAPMUTS
7625

Tel: (021) 875 5272

Fax: (086) 660 2635

E. CONDITIONS OF AUTHORISATION

1. The holder of the Environmental Authorisation ("EA") must continue with the listed activities as described in section B within **three years** from the date of issue of the EA or it shall lapse and a new application for EA must then be submitted to the competent authority, unless the holder has lodged a valid application for the amendment of the validity period of this EA, before the expiry of this EA. In such instances, the validity period will be automatically extended ("the period of administrative extension") from the day before this EA would otherwise have lapsed, until the amendment application for the extension of the validity period is decided. The listed activity, including site preparation, may not commence and continue during the period of administrative extension.
2. In the event that an appeal notice and subsequent appeal is lodged with the competent authority, the effect of this environmental authorisation may be suspended until such time as the appeal is decided.
3. The holder must in writing, within 12 (twelve) calendar days of the date of this decision and in accordance with regulation 10(2)-
 - 3.1. notify all registered interested and affected parties of -
 - 3.1.1. the outcome of the application;
 - 3.1.2. the reasons for the decision as included in Annexure 1;
 - 3.1.3. the date of the decision; and
 - 3.1.4. the date of issue of the decision;

- 3.2. draw the attention of all registered interested and affected parties to the fact that an appeal may be lodged against the decision in terms of Chapter 7 of the Environmental Impact Assessment Amendment Regulations, 2010 detailed in section F below;
- 3.3. draw the attention of all registered interested and affected parties to the manner in which they may access the decision. And
- 3.4. publish a notice in the newspapers contemplated in regulation 54(2)(c) and (d), and which newspaper was used for the placing of advertisements as part of the Public Participation Process, that –
 - 3.4.1. informs all interested and affected parties of the decision;
 - 3.4.2. informs all interested and affected parties where the decision can be accessed; and
 - 3.4.3. informs all interested and affected parties that an appeal may be lodged against the decision in terms of Chapter 7 of the Regulations;
4. The holder is 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 description set out in section B above must be accepted or approved, in writing, by the competent authority before such changes or deviations may be implemented. In assessing whether to grant such acceptance/approval or not, the competent authority may request such information as it deems necessary 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.
6. The holder must notify the competent authority in writing, within 24 hours thereof if any condition herein stipulated is not being complied with.
7. The draft Environmental Management Programme ("EMP") submitted as part of the application for environmental authorisation is hereby approved and must be implemented.
8. A copy of the environmental authorisation and the EMP must be kept at the site where the listed activity will be undertaken. Access to the site referred to in section C above must be granted and, the environmental authorisation and EMP 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. The environmental authorisation and EMP must also be made available for inspection by any employee or agent of the holder who works or undertakes work at the site.
9. 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. Further, the rights granted by this environmental authorisation

are personal rights (i.e. not attached to a property, but granted to a natural or juristic person). As such, only the holder may undertake the activity authorised by the competent authority. Permission to transfer the rights and obligations contained herein must be applied for in the following manner:

- 9.1. The holder must submit an originally signed and dated application for amendment of the environmental authorisation to the competent authority stating that he/she wishes the rights and obligations contained herein to be transferred, and including (a) confirmation that the environmental authorisation is still in force (i.e. that the validity period has not yet expired or the activity was lawfully commenced with); (b) the contact details of the person who will be the new holder; (c) the reasons for the transfer; (d) an originally signed letter from the proposed new holder acknowledging the rights and obligations contained in the environmental authorisation and indicating that he/she has the ability to implement the mitigation and management measures and to comply with the stipulated conditions.
- 9.2. The competent authority will issue an amendment to the new holder either by way of a new environmental authorisation or an addendum to the existing environmental authorisation if the transfer is found to be appropriate.
10. Notwithstanding this environmental authorisation, the holder must comply with any other statutory requirements that may be applicable to the undertaking of the listed activity.
11. No surface or ground water may be polluted due to any actions on the site. The applicable requirements with respect to relevant legislation pertaining to water must be met.
12. The applicable requirements with respect to relevant legislation pertaining to occupational health and safety must be adhered to.
13. Only those blocks as described under Layout Alternative 1 are permitted to be cleared (See Annexure A, section 2).
14. The Critical Biodiversity Corridor ("CBA") corridor width must be maintained and protected during the lifecycle of the vineyard to ensure it continues to maintain ecological processes and function as a migration route. The width at the narrowest point of the corridor is 175m and at its widest is 800m.
15. The corridor must remain clear of invasive vegetation at all times.

F. APPEALS

Appeals must comply with the provisions contained in Chapter 7 of the Environmental Impact Assessment Amendment Regulations, 2010.

1. An appellant must –

- 1.1. submit a notice of intention to appeal to the Minister, within 20 (twenty) calendar days of the date of the decision;
- 1.2. submit the appeal within 30 (thirty) calendar days after the lapsing of the 20 (twenty) calendar days contemplated in regulation 60(1), for the submission of the notice of intention to appeal; and
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CAPE TOWN
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 - By facsimile: (021) 483 4174; or
 - By hand: Attention: Mr J. de Villiers
Room 809
8th Floor, Utilitas Building (Entrance at: Utilitas Building, 1 Dorp Street, Cape Town, 8001)
5. A prescribed notice of intention to appeal form and appeal form as well as assistance regarding the appeal processes is obtainable from the office of the Minister at: Tel. (021) 483 3721, E-mail Jaap.DeVilliers@westerncape.gov.za or URL <http://www.westerncape.gov.za/eadp>.

G. CONSEQUENCES OF NON-COMPLIANCE WITH CONDITIONS

Non-compliance with a condition of this environmental authorisation or EMP may result in suspension of this environmental authorisation and may render the holder liable for criminal prosecution.

H. DISCLAIMER

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

Your interest in the future of our environment is appreciated.

Yours faithfully



DR. E PALMER
DIRECTOR: ENVIRONMENTAL GOVERNANCE

DATE OF DECISION: 15/8/2014

CC:	(1) Lindsay Speirs	(Doug Jeffrey Environmental Consultants)	Fax: (086) 660 2635
	(2) Soyisile Mokweni	(Langeberg Municipality)	Fax: (023) 615 2272
	(3) Carth Mortimer	(CapeNature: Conservation Services)	Fax: (086) 270 7698
	(4) Clyde Lamberts	(CapeNature: Scientific Services)	Fax: (086) 554 4165



ANNEXURE 1: REASONS FOR THE DECISION

In order to rectify the illegal commencement or continuation 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 R87 500 (eighty seven thousand five hundred 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 30 October 2013 and received by the competent authority on 31 October 2013, the Environmental Impact Report ("EIR") received by the competent authority on 17 June 2014, the EMP submitted together with the EIR, and the additional information received by the competent authority on 24 July 2014;
- b) Relevant information contained in the Departmental information base, including the Guidelines on Public Participation, Alternatives and Exemptions (dated March 2013);
- c) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the National Environmental Management Act, 1998 (Act No. 107 of 1998);
- d) The comments received from interested and affected parties and the responses provided thereon, as included in the EIR dated 17 June 2014;
- e) The sense of balance of the negative and positive impacts and proposed mitigation measures; and
- f) The site visit conducted on 05 June 2014

Attended by: Environmental Officers Ben Brimble, Ziyaad Allie and Emile Esquire of this Department.

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

In terms of section 24G(1)(iii) of 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 issues raised have been addressed...”, is required.

The public participation process therefore comprised of the following:

- identification of and engagement with interested and affected parties;
- fixing a notice board at the site where the listed activity is to be undertaken on 17 February 2014;
- giving written notice to the owners and occupiers of land adjacent to the site where the listed activity is to be undertaken, the municipality and ward councillor, and the various organs of state having jurisdiction in respect of any aspect of the listed activity on 17 February 2014; and
- the placing of a newspaper advertisement in the *Breederivier Gazette* on 11 February 2014.

All the concerns raised by interested and affected parties were responded to and adequately addressed during the public participation process. CapeNature noted that the activity occurs within a CBA that forms part of an ecological corridor with the Breede River that is of high environmental importance. CapeNature therefore requested that Block E as well as Blocks G, H and I (see Appendix A) not be authorised for development. The applicant agreed to CapeNature's request and Block E will not be cleared.

The Department concurs with the environmental assessment practitioner's responses to the issues raised during the public participation process and has included appropriate conditions in this environmental authorisation and in the EMP. Specific management and mitigation measures have been considered in this environmental authorisation and in the EMP to adequately address the concerns raised.

2. Alternatives

No technological or operational alternatives were considered; the proposed development will make use of the latest viticulture techniques including cultivation practices and efficient irrigation systems. The applicant is familiar with the cultivation of vineyards and will ensure that the best practical operational practises are implemented.

Layout Alternative 1 (Herewith authorised)

This option option entails the clearing and planting of areas A, B and C (already cleared) as well as D and F (already planted) which would allow a natural corridor to the Breede River (see Appendix A). The corridor will be 175m and 24.1m wide at its narrowest points but as wide as 600m in certain places. A total area of approximately 74 hectares will therefore be cleared.

Areas E, G, H and I will be conserved in the interests of maintaining the functionality of the ecological corridor.

Layout Alternative 2

This would entail the clearing of areas A, B and C (already cleared) D, F (already planted) as well as G, H and I (see Appendix A). This would significantly disturb the CBA corridor and is not seen as viable from an environmental point of view.

"No-Go" Alternative

The no-go alternative would be detrimental to the economic viability of the existing farming operations; it would negatively affect agricultural output for the region and would impact on employment levels. It would also not be viable to rehabilitate the areas that have been cleared.

3. Impact Assessment and Mitigation measures

3.1. Need and desirability

The objective of any EIA is to find the best practicable option that will ensure the maintenance of ecological integrity while promoting justifiable social and economic development. The Department's Guideline on Need and Desirability (March 2013) speak to balancing the need of the individual or applicant and the desirability of the rectification of the illegal activity from an environmental and social / economic point of view.

There is a clear need for Farm Appelsdrift to be financially viable so that it can continue to make a meaningful contribution to the economy and workforce of the area. This need has to be balanced with the desirability of the clearing and planting from an environmental perspective and the maintenance of the ecological corridor.

3.2. Regional/ Planning Context

The site is zoned as Agriculture and is consistent with the Western Cape Provincial Spatial Development Framework ("PSDF"), which recognises agriculture as the basis of the Western Cape economy. The PSDF also seeks to consolidate agricultural landscapes by preventing their fragmentation through the promotion of agriculture as a dominant land use in rural landscapes, by maintaining viable agriculture units and encouraging sustainable farming practises.

The proposed development entails the expansion of farming operations on correctly zoned land and is located adjacent to existing vineyards. It can therefore be considered in line with the planning context of the area.

3.3. Geographical and physical impacts

Potential impacts may be associated with storm water and irrigation run-off as a result of the clearing. This can be mitigated to within acceptable levels if the drainage system designed by the Department of Agriculture is installed.

3.4. Biodiversity Impacts:

3.4.1. Impact on vegetation

The site is located within a terrestrial CBA, according to the CBA Map from SANBI BGIS: CAPE Fine-Scale Planning Project. The development area meets the following criteria used to identify terrestrial CBAs; landscape corridors required to meet the predefined thresholds for spatially explicit processes (e.g.: upland-lowland corridors, coastal and sand movement corridors, etc.)

The vegetation found on the site is Bonnievale Renosterveld Thicket (Gwarrieveld). According to the CAPE fine-scale planning data this is a Least Threatened species and approximately 84 per cent of it currently remains, the proposed development would cause the loss of 0.3 per cent of the remaining extent.

During the specialist site visit more than 100 plant species were recorded, none of these were endangered or critically endangered.

3.4.2. Loss of habitat

It is envisioned that the proposed development will have a localised impact on the habitat of certain organisms. The typical arid Renosterveld type vegetation will still be available elsewhere to organisms and the loss of habitat is not seen as being a significant impact.

3.4.3. Botanical Assessment findings

An independent Botanical Assessment was undertaken by Johlene Krige. The assessment concluded that from a purely biodiversity perspective, it would be desirable that no further clearing take place. The report recommended, however, that the site be partially developed due to its high agricultural importance and a lay-out plan be adopted that would allow some cultivation within the proposed development area to maintain functionality of the of the CBA corridor.

A field survey was completed and it was confirmed the site consists of Bonnievale Gwarrieveld, a Least Threatened vegetation type; more than 100 plant species were recorded. The extent of alien plant species found on the site was very low and the site was described as being in a pristine condition. In terms of current land use, a major portion of the natural corridor is now completely transformed and it is doubtful that cleared land could be successfully rehabilitated as most Succulent Karoo plant communities recover very slowly. It was also noted that the remainder of the property that could potentially be cleared for planting consists of Breede Sand Fynbos which is Vulnerable and would therefore be unfeasible for agricultural purposes.

The report therefore recommended the partial development of the target area under strict control.

3.5. Socio-economic Benefit

The development will create employment during its implementation and will contribute to the local economy by increasing agricultural output. It will result in the farming unit becoming financially better-off and therefore able to secure the futures of existing labour.

National Environmental Management Act Principles

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

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

The development will result in both negative and positive impacts.

Negative Impacts:

The clearing will reduce the physical extent of Bonnievale Gwarrieveld. This vegetation type is considered Least Threatened and impacts can be mitigated to within manageable levels; the clearing plan will ensure that the CBA corridor linking areas of ecological importance will remain. Storm water and irrigation run-off impacts will be mitigated by the irrigation plan put forward by the Department of Agriculture.

Positive impacts:

The clearing and planting of vineyards will further reinforce the financial future of the farming unit and thereby ensure continued employment for existing labour and contribute to the local and provincial economy. The activity falls in line with the all the relevant spatial development frameworks.

In view of the above, the NEMA principles, compliance with the conditions stipulated in this environmental authorisation, and compliance with the EMP, 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 National Environmental Management Act, 1998 (Act No. 107 of 1998) and that any potentially detrimental environmental impacts resulting from the listed activity can be mitigated to acceptable levels.

Appendix A

