



REFERENCE: 16/3/3/1/E4/4/1064/24
NEAS REFERENCE: WCP/EIA/0001592/2024
DATE OF ISSUE: 16 APRIL 2025

The Board of Directors
Erin de Vigne (Pty) Ltd
Private Bag X15
HERMANUS
7200

Attention: Mr Ted Adams

Cell: 082 772 3135
Email: seashore@hermanus.co.za

Dear Sir

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT ("EIA") REGULATIONS, 2014: THE PROPOSED CONSTRUCTION OF A NEW DAM, EXPANSION OF AN EXISTING DAM AND EXPANSION OF THE EXISTING VINEYARDS ON PORTION 3 OF FARM NO. 781, ERIN DE VIGNE, BOT RIVIER.

1. With reference to the above application, the Department hereby notifies you of its decision to **grant** Environmental Authorisation ("EA") together with the reasons for the decision.
2. In terms of Regulation 4 of the Environmental Impact Assessment Regulations, 2014, (as amended), you are instructed to ensure, within 14 days of the date of the environmental authorisation, that all registered Interested and Affected Parties ("I&APs") are provided with access to and reasons for the decision, and that all registered I&APs are notified of their right to appeal.
3. Your attention is drawn to Chapter 2 of the National Appeal Regulations, 2025, which prescribes the appeal procedure to be followed. This procedure is summarized in the attached environmental authorisation.

Yours faithfully

MR. ZAAHIR TOEFY
DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)
DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

CC: (1) Ms. Jenna Theron (PHS Consulting)
(2) Mr. Johan Viljoen (Theewaterskloof Local Municipality)
(3) Ms. R Volschenk (Overberg District Municipality)
(4) Ms. S Phologane (DALRRD)
(5) Ms. V. Ligudu (BOCMA)
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REFERENCE: 16/3/3/1/E4/4/1064/24
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ENVIRONMENTAL AUTHORISATION

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014: THE PROPOSED CONSTRUCTION OF A NEW DAM, EXPANSION OF AN EXISTING DAM AND EXPANSION OF THE EXISTING VINEYARDS ON PORTION 3 OF FARM NO. 781, ERIN DE VIGNE, BOT RIVIER.

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

DECISION

By virtue of the powers conferred on it by the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA") and the Environmental Impact Assessment ("EIA") Regulations, 2014, the Competent Authority herewith **grants Environmental Authorisation** to the applicant to undertake the listed activities specified in section B below with respect to Alternative 2 described in the Basic Assessment Report ("BAR"), received on 12 December 2024.

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

A. DETAILS OF THE APPLICANT FOR THIS ENVIRONMENTAL AUTHORISATION

Mr. Ted Adams
Erin de Vigne (Pty) Ltd
Private Bag X15
HERMANUS
7200
Cell: 082 772 3135
Email: seashore@hermanus.co.za

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

B. LIST OF ACTIVITIES AUTHORISED

Listed Activities	Project Description
<p>Listing Notice 1</p> <p>Activity Number 27</p> <p>The clearance of an area of 1ha or more, but less than 20ha of indigenous vegetation, except where such clearance of indigenous vegetation is required for –</p> <ul style="list-style-type: none"> (i) The undertaking of a linear activity, or (ii) maintenance purposes undertaken in accordance with a maintenance management plan. 	<p>The proposed development would require the clearance of an area of 10.75ha of indigenous vegetation.</p>
<p>Listing Notice 3</p> <p>Activity Number 12</p> <p>The clearance of an area of 300 square metres or more of indigenous vegetation except where such clearance of indigenous vegetation is required for maintenance purposes undertaken in accordance with a maintenance management plan.</p> <ul style="list-style-type: none"> I. Western Cape <ul style="list-style-type: none"> i. Within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA or prior to the publication of such a list, within an area that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004; ii. Within critical biodiversity areas identified in bioregional plans; iii. Within the littoral active zone or 100 metres inland from high water mark of the sea or an estuarine functional zone, whichever distance is the greater, excluding where such removal will occur behind the development setback line on erven in urban areas; iv. On land, where, at the time of the coming into effect of this Notice or thereafter such land was zoned open space, conservation or had an equivalent zoning; or v. On land designated for protection or conservation purposes in an Environmental Management Framework adopted in the prescribed manner, or a Spatial Development Framework adopted by the MEC or Minister. 	<p>The proposed development would require the clearance of an area of 10.75 ha of endangered and critically endangered indigenous vegetation.</p>

The abovementioned list is hereinafter referred to as “**the listed activities**”.

The holder is herein authorised to undertake the following alternative that includes the listed activities as it relates to the development:

The clearance of approximately 10.75ha of indigenous vegetation for the construction of a new dam directly downstream of Dam 1, expansion of an existing dam (Dam 2) and to develop additional cultivation

areas across three areas. The existing cultivation area will be expanded by approximately 10ha. The new dam will have a storage capacity of 2000m³, a 4.9m wall height, and a 0.15ha footprint. A new open channel spillway will also be excavated on the embankment left flank. The existing 25 000 m³ dam will be expanded to a 67 000m³ storage capacity, with a new core and cut-off trench. The dam will have a 4.2m wall height, a 2.5ha footprint, with a 250mm diameter outlet pipe and a 315mm diameter overflow spillway pipe.

C. SITE DESCRIPTION AND LOCATION

The site where the authorised listed activities will be undertaken is on Portion 3 of Farm No. 781, Erin De Vigne, Bot Rivier, and has the following co-ordinates:

Co-ordinates:	Latitude (S)	Longitude (E)
Location	34° 15' 58.86" South	19° 11' 16.50" East

The SG digit code is: C01300000000078100003

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

The above is hereinafter referred to as "**the site**".

D. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER

PHS Consulting
c/o Ms. Jenna Theron
P.O. Box 1752

HERMANUS

7200

Tel: (028) 312 1734

Email: jenna@phsconsulting.co.za

E. CONDITIONS OF AUTHORISATION

Scope of authorisation

1. The holder is authorised to undertake the listed activities specified in Section B above in accordance with and restricted to Alternative 2 described in the Basic Assessment Report ("BAR"), received on 12 December 2024 on the site as described in Section C above.
2. The holder must commence with, and conclude, the listed activities within the stipulated validity period which this Environmental Authorisation is granted, or this Environmental Authorisation shall lapse and a new application for Environmental Authorisation must be submitted to the competent authority

This Environmental Authorisation is granted for-

- (a) A period of **five years** from the date of issue, during which period the holder must commence with the authorised listed activities.
- (b) A period of **ten (10) years**, from the date the holder commenced with the authorised listed activities, during which period the authorised listed activities must be concluded.

3. No agricultural shade netting may be erected in the areas approved for cultivation in this Environmental Authorisation.
4. The holder shall be responsible for ensuring compliance with the conditions by any person acting on his/her behalf, including an agent, sub-contractor, employee or any person rendering a service to the holder.
5. Any changes to, or deviations from the scope of the alternative described in section B above must be accepted or approved, in writing, by the Competent Authority before such changes or deviations may be implemented. In assessing whether to grant such acceptance/approval or not, the Competent Authority may request information in order to evaluate the significance and impacts of such changes or deviations, and it may be necessary for the holder to apply for further authorisation in terms of the applicable legislation.

Written notice to the Competent Authority

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

Conditions: 6, 7 and 11

Notification and administration of appeal

7. The holder must in writing, within 14 (fourteen) calendar days of the date of this decision–
 - 7.1 notify all registered Interested and Affected Parties ("I&APs") of –
 - 7.1.1 the outcome of the application;
 - 7.1.2 the reasons for the decision as included in Annexure 3;
 - 7.1.3 the date of the decision; and
 - 7.1.4 the date when the decision was issued.
 - 7.2 draw the attention of all registered I&APs to the fact that an appeal may be lodged against the decision in terms of the National Appeals Regulations, 2025 detailed in Section G below;
 - 7.3 draw the attention of all registered I&APs to the manner in which they may access the decision;
 - 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,

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 2025 National Appeals Regulations.

8. The listed activities, including site preparation, may not commence within 20 (twenty) calendar days from the date of issue of this Environmental Authorisation. In the event that an appeal is lodged with the Appeal Authority, the effect of this Environmental Authorisation is suspended until the appeal is decided.

Management of activity

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

Monitoring

11. The holder must appoint a suitably experienced environmental control officer ("ECO"), before commencement of any land clearing or construction activities to ensure compliance with the provisions of the EMPr and the conditions contained herein.
12. The ECO must conduct monthly site visits, and report on compliance with the EMPr to this Department and the relevant authorities, in writing, on a quarterly basis during the construction phase.
13. A copy of the Environmental Authorisation, EMPr, audit reports and compliance monitoring reports must be kept at the site of the authorised activities, and must be made available to anyone on request, including a publicly accessible website.
14. Access to the site referred to in Section C above must be granted, and the environmental reports mentioned above must be produced, to any authorised official representing the Competent Authority who requests to see it for the purposes of assessing and/or monitoring compliance with the conditions contained herein.

Auditing

15. In terms of Regulation 34 of the NEMA EIA Regulations, 2014, the holder must conduct environmental audits to determine compliance with the conditions of the Environmental Authorisation, the EMPr. The Environmental Audit Report must be prepared by an independent person (other than the appointed Environmental Assessment Practitioner and Environmental Control Officer) and must contain all the information required in Appendix 7 of the NEMA EIA Regulations, 2014.

The holder must undertake an environmental audit and submit an Environmental Audit Report to the Competent Authority during the construction phase. The first audit must be undertaken and submitted six months after construction activities commenced and the final Environmental Audit Report must be submitted to the Competent Authority within six months of completion of the development.

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

Specific Conditions

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

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

17. A qualified archaeologist and/or palaeontologist must be contracted where necessary (at the expense of the holder) to remove any heritage remains. Heritage remains can only be disturbed by a suitably qualified heritage specialist working under a directive from the relevant heritage resources authority.
18. The Applicant must enter into a Stewardship Agreement with CapeNature and a mutual agreement must be reached between the two parties taking the most suitable area for conservation purposes into consideration. The Biodiversity/ Stewardship Agreement must be signed within a period of **three (3)** years from the date of this Environmental Authorisation. Progress reports must be submitted to the Department every **three (3)** months for the duration of the period in which the Biodiversity Agreement must be concluded.

F. GENERAL MATTERS

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

G. APPEALS

Appeals must comply with the provisions contained in the National Appeal Regulations 2025.

1. An appellant (if the holder of the decision) must, within 20 (twenty) calendar days from the date the notification of the decision was sent to the holder by the Competent Authority –
 - 1.1. Submit an appeal in accordance with Regulation 4 of the National Appeal Regulations 2025 to the Appeal Administrator; and
 - 1.2. Submit a copy of the appeal to any registered I&APs, any Organ of State with interest in the matter and the decision-maker i.e. the Competent Authority that issued the decision.
2. An appellant (if NOT the holder of the decision) must, within 20 (twenty) calendar days from the date the holder of the decision sent notification of the decision to the registered I&APs–
 - 2.1. Submit an appeal in accordance with Regulation 4 of the National Appeal Regulations 2025 to the Appeal Administrator; and
 - 2.2. Submit a copy of the appeal to the holder of the decision, any registered I&AP, any Organ of State with interest in the matter and the decision-maker i.e. the Competent Authority that issued the decision.
3. The holder of the decision (if not the appellant), the decision-maker that issued the decision, the registered I&AP and the 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. The appeal and the responding statement must be submitted to the address listed below:
By post: Western Cape Ministry of Local Government, Environmental Affairs and
Development Planning
Private Bag X9186
CAPE TOWN
8000

By facsimile: (021) 483 4174; or

By hand: Attention: Mr Marius Venter (Tel: 021 483 3721)
Room 809
8th Floor Utilitas Building, 1 Dorp Street, Cape Town, 8001

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

5. A prescribed appeal form as well as assistance regarding the appeal processes is obtainable from Appeal Authority at: Tel. (021) 483 3721, E-mail DEADP.Appeals@westerncape.gov.za or URL <http://www.westerncape.gov.za/eadp>.

H. DISCLAIMER

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

Your interest in the future of our environment is appreciated.

Yours faithfully

MR. ZAAHIR TOEFY

DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)

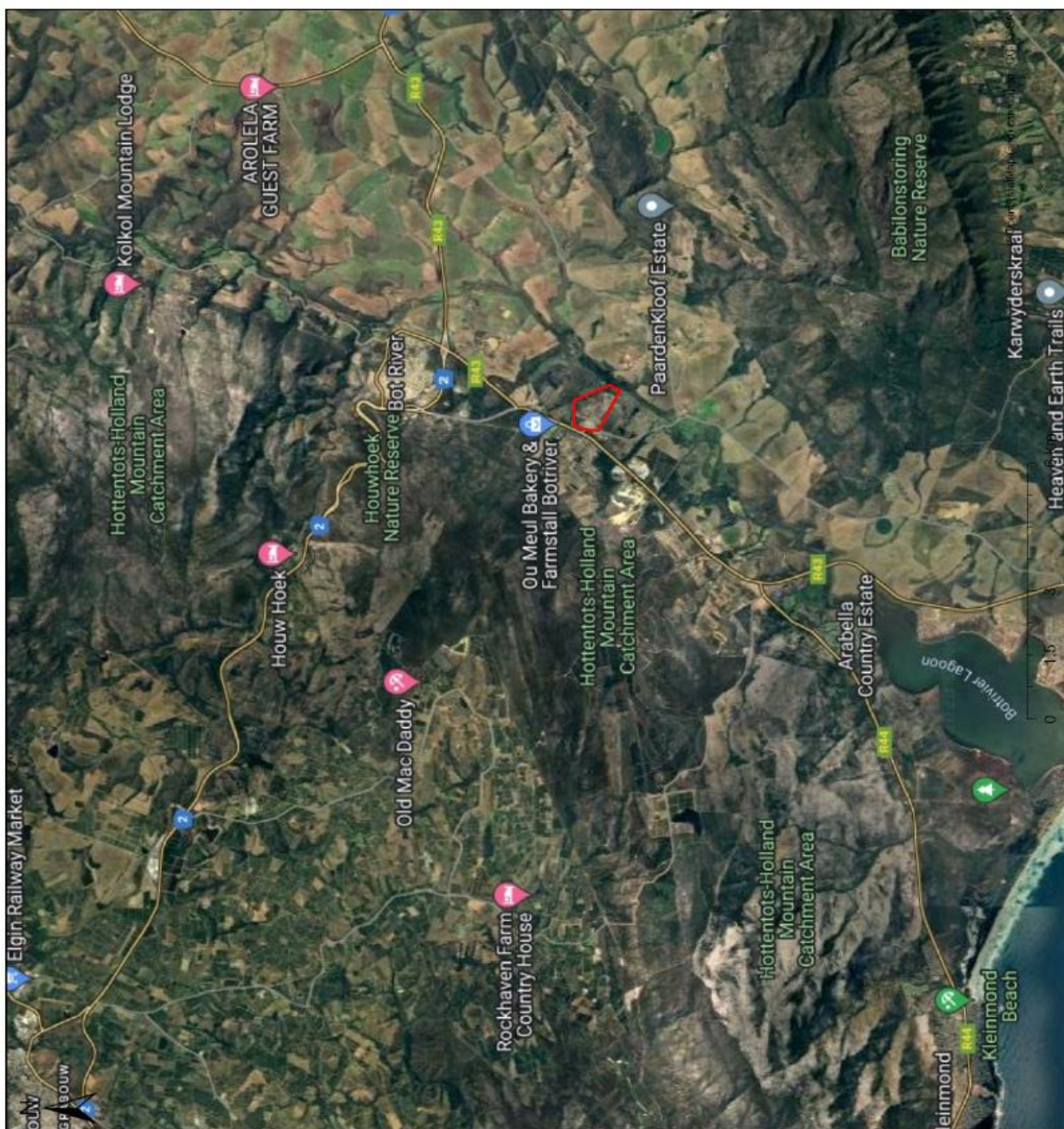
DATE OF DECISION: 16 APRIL 2025

CC: (1) Ms. Jenna Theron (PHS Consulting)
(2) Mr. Johan Viljoen (Theewaterskloof Local Municipality)
(3) Ms. R Volschenk (Overberg District Municipality)
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ANNEXURE 1: LOCALITY MAP

Locality Map 1: Erin de Vigne Legend



Map Center: Lon: 19°8'47.2"E
Lat: 34°15'15.7"S

Scale: 1:144 448

Date created: July 31, 2023



ANNEXURE 2: SITE PLAN

Erin de Vigne: SDP

Legend

— Portion 3 of Farm 781

Expansion of Dam 2

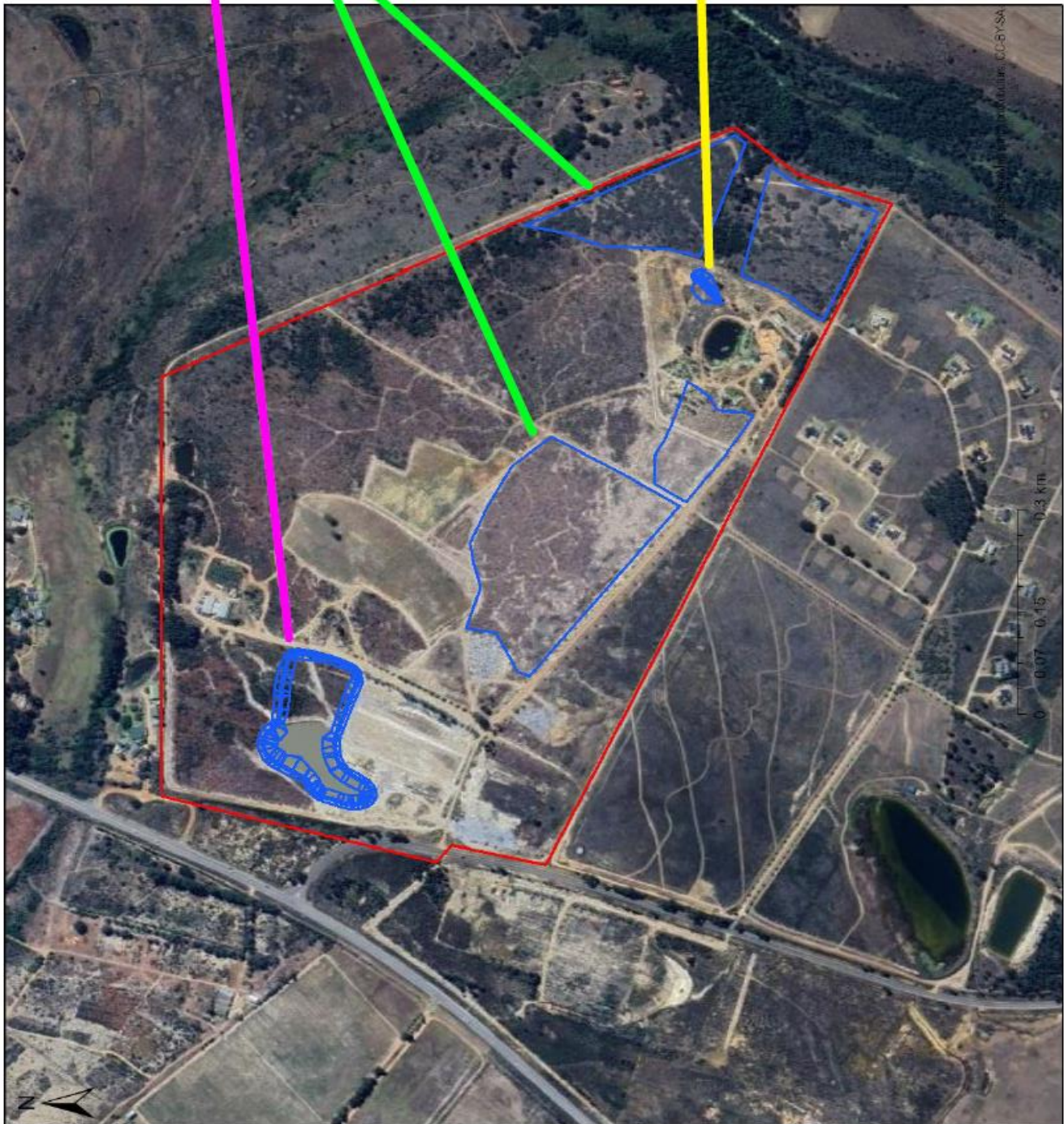
Cultivation Areas 10ha

New Dam

Map Center: Lon: 19°11'13.5"E
Lat: 34°15'57.9"S

Scale: 1:9 028

Date created: August 11, 2023



ANNEXURE 3: REASONS FOR THE DECISION

In reaching its decision, the Competent Authority considered, inter alia, the following:

- a) The information contained in the Application Form received on 9 October 2024, the EMPr submitted together with the final Basic Assessment Report on 12 December 2024.
- b) Relevant information contained in the Departmental information base, including the Guidelines on Public Participation and Alternatives (dated March 2013);
- c) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the National Environmental Management Act, 1998 (Act No. 107 of 1998);
- d) The comments received from I&APs and responses to these, included in the final Basic Assessment Report received on 12 December 2024;
- e) The balancing of negative and positive impacts and proposed mitigation measures.

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

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

1. Public Participation

The Public Participation Process ("PPP") included:

- identification of and engagement with I&APs;
- placing notice boards at the site where the listed activities are to be undertaken;
- giving written notice to the owners and occupiers of land adjacent to the site where the listed activities are to be undertaken, the municipality and ward councilor, and the various organs of state having jurisdiction in respect of any aspect of the listed activities on 23 October 2023 and 8 October 2024;
- placing of a newspaper advertisement in the 'Hermanus Times' on 25 October 2023 and 9 October 2024;
- the pre-application draft BAR was circulated for a 30-day commenting period from 26 October 2023 and the in-process draft BAR from 9 October 2024.

The Department is satisfied that the PPP that was followed met the minimum legal requirements and the comments raised and responses thereto were included in the comments and response report.

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

2. Alternatives

Alternative 1

Alternative 1 includes the clearance of a 7ha cultivation area and expanding Dam 1 to a 35 000m³ storage capacity with a new core and cut-off trench. The dam will have a 12.5m wall height and a

total footprint area of 1.5ha. This option includes installation of a 250mm diameter outlet pipe and 160mm diameter pipeline to downstream irrigation areas. A new open channel spillway will be excavated on the embankment left flank and a pump station (4m x 4m) will be constructed below the dam. Alternative 1 would result in the loss of about 1.6ha of very high sensitivity vegetation, and about 0.7ha of medium sensitivity vegetation. In addition, it is likely to result in the loss of at least six different plant species of conservation concern ("SCC"). It will therefore have a high negative botanical impact and is thus not supported.

Alternative 2 (Preferred Alternative herewith authorised):

The preferred alternative entails the clearance of three new cultivation areas of approximately 10ha in extent. A new dam with a storage capacity of 2000 m³ will be constructed directly downstream of existing dam 1. The dam will have a 4.9m wall height and a total footprint area of 0.15ha. This option includes the excavation of a new open channel spillway on the embankment left flank. Dam 2 will be expanded to a 67 000m³ storage capacity (existing storage capacity of 25 000m³) with a new core and cut-off trench. The dam will have a 4.2m wall height and a total footprint area of 2.5ha. This will include a 250mm diameter outlet pipe, and a 315mm diameter overflow spillway pipe. This layout will have a lower botanical impact, compared to Alternative 1, since it is restricted to the low sensitivity botanical areas. It excludes the majority of the patches of plant species of conservation concern ("SCC") that were identified by the botanist. The impact significance for the construction phase is low before and after mitigation, while the operational phase is medium before mitigation and low after mitigation. The recommended mitigation measures include conserving the approximately 14ha high sensitivity area as part of a steward agreement between the proponent and CapeNature, which is included as condition of this environmental authorisation. This option is therefore regarded as acceptable by the specialists. Expansion of the existing dam (Dam 2) limits the extent of disturbance. The expansion of Dam 2 also negates the requirement for a pump station (gravity fed).

No-go Option

The no-go option was also assessed but is not deemed as the preferred alternative. The opportunity to improve the economic viability of the farm through cultivation expansion and increased irrigation water storage will be lost. It will not enable securing the high sensitivity botanical for formal conservation. There would also be no associated additional employment opportunities created during the development and operational phases.

3. Impact Assessment and Mitigation measures

3.1 Activity need and desirability

The farm is used and zoned for agriculture activities and is located within an established agricultural community outside Bot Rivier. The development is therefore in line with the existing land use rights, as well as the surrounding areas. The proposal will comply with the objectives of the Spatial Development Framework that supports socio-economic initiatives in the agricultural sector. It will secure additional irrigation water storage and ensure that viable land is used for cultivation, which will increase the productivity of a working agricultural farm in accordance with its current water rights. This, in turn, allows for improving the agricultural potential of the farm and increasing its financial viability. The proposal will also contribute to existing employment security and create additional job opportunities. Furthermore, the preferred development proposal was informed by specialist input and comments received during the public participation process.

3.2 Biophysical Impacts

Based on the findings of the Biodiversity Impact Assessment compiled by Nick Helme Botanical Surveys, dated 20 July 2023, approximately 65% of the study area is of low botanical sensitivity, an approximately 14ha supports very high sensitivity indigenous vegetation, with at least 9 recorded plant SCC, and a

further plant SCC in one of the two medium sensitivity areas. The vegetation types present on the site are a mix of endangered Elim Ferricrete Fynbos, endangered Rûens Silcrete Renosterveld, and critically endangered Western Rûens Shale Renosterveld. The preferred alternative excludes the high and medium sensitivity botanical areas and is deemed acceptable from a botanical impact perspective (i.e. a low negative impact after mitigation), provided that all required mitigation is adequately implemented. This includes formal conservation and long-term ecological management of the remaining 14ha of very high sensitivity habitat on site.

Based on the findings of the Aquatic and Freshwater Assessment compiled by FEN Consulting, dated July 2023, no freshwater ecosystems were found in the immediate vicinity of the assessed alternatives. The drainage line to the east of the site was evaluated to be artificial as a result of the dam overflow, as the soils did not indicate a wetland. The Bot River and associated floodplain wetland is located directly to the east of the property. The overflow of the newly proposed dam directly downgradient of Dam 1 could however impact on the Bot River which is approximately 220 m and 35 m downgradient respectively. The freshwater specialist findings confirmed that the activities pose a low risk significance impact to the Bot River subject to the implementation and adherence to the recommended mitigation measures. Consequently, the proposed development is deemed acceptable from a freshwater impact perspective. The mitigation measures proposed by the specialists have been incorporated into the preferred alternative and the project's EMPr.

An application for a Water Use Licence Authorisation ("WULA") in terms of the National Water Act, 1998 (Act 38 of 1998), that also considers the watercourse related impacts, is underway with the the Breede-Olifants Catchment Management Agency.

The development will result in both negative and positive impacts.

Negative Impacts:

- The development will result in a loss of natural habitat and will have an impact on the watercourses present on the site. These impacts will, however, be mitigated to an acceptable level with the implementation of the recommended mitigation measures, the preferred alternative and adherence to the EMPr.
- Construction phase impacts associated with the development are likely to be present, including elevated noise and dust levels. These impacts will be of temporary duration and mitigation measures have been incorporated into the EMPr for implementation during the construction phase.

Positive impacts:

- The proposed expanded cultivation areas and additional irrigation water storage will increase the economic viability of the farm and secure continued income.
- The high sensitivity botanical areas will be formally conserved.
- It will contribute towards the creation of temporary employment opportunities during the construction phase and secure permanent employment during the operational phase.

4. National Environmental Management Act Principles

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

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

5. Conclusion

In view of the above, the NEMA principles, compliance with the conditions stipulated in this Environmental Authorisation, and compliance with the EMPr, the Competent Authority is satisfied that the proposed listed activities will not conflict with the general objectives of integrated environmental management stipulated in Chapter 5 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) and that any potentially detrimental environmental impacts resulting from the listed activities can be mitigated to acceptable levels.

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