

APPENDIX M: EA for the Vineyard



Department of Environmental Affairs and Development Planning

Ayesha Hamdulay

Development Management

Ayesha.Hamdulay@westerncape.gov.za | Tel.: 021 483 0756

EIA REFERENCE: 16/3/3/1/B4/45/1034/20
NEAS REFERENCE: WCP/EIA/0000786/2020
DATE: 01 April 2021

The Board of Directors
 Spier Wine Estate (Pty) Ltd.
 P. O. Box 99
LYNEDOCH
 7603

Attention: Orlando Filander

Cell: 083 235 2255
 E-mail: orlando@spier.co.za

Dear Sir

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) ("NEMA") AND THE ENVIRONMENTAL IMPACT ASSESSMENT ("EIA") REGULATIONS, 2014 (AS AMENDED): THE PROPOSED CLEARANCE OF INDIGENOUS VEGETATION FOR THE ESTABLISHMENT OF VINEYARDS ON PORTION 10 OF THE FARM NO. 502, SPIER WINE ESTATE, STELLENBOSCH

1. With reference to the above application, this Department hereby notifies you of its decision to **grant** Environmental Authorisation, attached herewith, together with the reasons for the decision.
2. In terms of Regulation 4 of the EIA Regulations, 2014 (as amended), you are hereby instructed to ensure, within fourteen (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 Appeal Regulations, 2014 (as amended), which prescribes the appeal procedure to be followed. This procedure is summarized in the attached Environmental Authorisation.

Your interest in the future of the environment is greatly appreciated.

Yours faithfully

Zaahir Toefy

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MR. ZAAHIR TOEY

DIRECTOR: DEVELOPMENT MANAGEMENT – REGION 1

DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

CC: Mrs. Mische Molife (GroenbergEnviro (Pty)Ltd)
 Mr. Schalk Van der Merwe (Stellenbosch Municipality)

E-mail: Mische@groenbergenviro.co.za
 E-mail: Schalk.VanderMerwe@stellenbosch.gov.za



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ENVIRONMENTAL AUTHORISATION

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT ("EIA") REGULATIONS, 2014 (AS AMENDED): THE PROPOSED CLEARANCE OF INDIGENOUS VEGETATION FOR THE ESTABLISHMENT OF VINEYARDS ON PORTION 10 OF THE FARM NO. 502, SPIER WINE ESTATE, STELLENBOSCH

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 (as amended), the Competent Authority herewith **grants Environmental Authorisation** to the applicant to undertake the listed activities specified in section B below with respect to the preferred Alternative that is described in the Basic Assessment Report ("BAR") received by this Department on 11 January 2021.

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

Spier Wine Estate (Pty) Ltd.
c/o Orlando Filander
P. O. Box 99
LYNEDOCH
7603

Cell: 083 235 2255
E-mail: orlando@spier.co.za

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

B. LISTED ACTIVITIES AUTHORISED

Listed Activities	Project Description
<p>Listing Notice 1</p> <p>Activity Number: 27</p> <p>Activity Description:</p> <p>"The clearance of an area of 1 hectares or more, but less than 20 hectares of indigenous vegetation, except where such clearance of indigenous vegetation is required for—</p> <p>(i) the undertaking of a linear activity; or</p> <p>(ii) maintenance purposes undertaken in accordance with a maintenance management plan."</p>	The establishment of the vineyards will result in the clearance of more than 1ha (approximately 10ha) of indigenous vegetation.
<p>Listing Notice 3</p> <p>Activity Number: 12</p> <p>Activity Description:</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> <p>i. Western Cape</p> <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; orv. 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."	The establishment of the vineyards will result in the clearance of more than 300m ² of Critically Endangered Swartland Granite Renosterveld.

The abovementioned listed activities are hereinafter referred to as "**the listed activities**".

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

The proposed development will entail the clearance of indigenous vegetation for the establishment of vineyards on Portion 10 of the Farm No. 502, Spier Wine Estate, Stellenbosch.

The proposed development will entail the following:

3.1. The clearance of an area of approximately 10ha for the establishment of vineyards;

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- 3.2. A buffer area of approximately 11ha; and
- 3.3. A conservation area of approximately 10ha.

C. SITE DESCRIPTION AND LOCATION

The listed activities will be undertaken on Portion 10 of the Farm No. 502, Spier Wine Estate, Stellenbosch.

The SG 21-digit code: C06700330000050200010

The co-ordinates of the site are given below:

Site	Latitude (S)	Longitude (E)
Portion 10 of the Farm No. 502, Spier Wine Estate, Stellenbosch	33° 58' 38.19"	18° 48' 23.01"

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

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

D. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER

GroenbergEnviro (Pty) Ltd.
c/o Mrs. M. Molife
P. O. Box 1058
WELLINGTON
7654

Cell: 082 776 3422
E-mail: Mishe@groenbergenviro.co.za

E. CONDITIONS OF ENVIRONMENTAL 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 the preferred alternative described in Section B above.
2. The holder must commence with the listed activities within the stipulated validity period which this Environmental Authorisation is granted for, or this Environmental Authorisation shall lapse and a new application for Environmental Authorisation must be submitted to the competent authority.
3. The holder must commence with the listed activities on site within a period of five years from the date of issue of this Environmental Authorisation.
4. The holder shall be responsible for ensuring compliance with the conditions by any person acting on his behalf, including an implementing 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 approved in writing by the Competent Authority before such changes or deviations may be implemented. In assessing whether or not to grant such approval, 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. A written notice of seven (7) calendar days must be given to the Competent Authority before construction work can be commenced with.
 - 6.1. The notice must make clear reference to the site details and EIA Reference number given above.
 - 6.2. The notice must include proof of compliance with the following conditions described herein:
Conditions: 7, 8, 12 and 21

Notification of Environmental Authorisation and Administration of Appeal

7. The holder must in writing, within fourteen (14) calendar days of the date of this decision–
 - 7.1. notify all registered Interested and Affected Parties ("I&APs") of –
 - 7.1.1. the decision reached on 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 Appeal Regulations, 2014 (as amended) 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 the:
 - 7.4.1. 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. 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 Appeals Regulations, 2014 (as amended).

Commencement

8. The listed activities, including site preparation, must not be commenced with within (20) twenty calendar days from the date the applicant notifies the registered I&APs of this decision.
9. 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 Activities

10. The EMPr dated August 2020 (submitted with the BAR to the Department on 1 March 2021), and the updated Rehabilitation Plan compiled by Prof. Patricia M. Holmes of Cape Ecological Services dated 26 March 2021, is hereby approved and must be implemented.
11. The EMPr, including the abovementioned appendices must be included in all contract documentation for all phases of implementation.

Monitoring

12. The holder must appoint a suitably experienced Environmental Control Officer ("ECO") before the Listed Activities can be commenced with, to ensure compliance with the EMPr and the conditions contained herein.
13. A copy of the Environmental Authorisation, EMPr, ECO reports, audit reports and compliance monitoring reports must be kept at the contractor's site office and must be made available to any authorised official of the Competent Authority on request.
14. Access to the site referred to in Section C must be granted, and the environmental reports mentioned above must be produced, to any authorised official representing the Competent Authority who requests to see the reports for the purposes of assessing and/or auditing compliance with the conditions contained herein.

Auditing

15. In terms of Regulation 34 of the EIA Regulations, 2014 (as amended), the holder must conduct environmental audits to determine compliance with the conditions of the Environmental Authorisation, the EMPr and the updated Rehabilitation Plan. Environmental audit reports must be compiled and be submitted to the Competent Authority. Environmental audit reports must be prepared by an independent person and must contain all the information required in Appendix 7 of the EIA Regulations, 2014 (as amended).
16. The audit reports must be compiled and subsequently submitted to the Department in the following manner:
 - 16.1. The first audit report must be submitted to the Competent Authority within three (3) months after clearing the indigenous vegetation;
 - 16.2. Thereafter, an audit reports must be submitted every five (5) years while the Environmental Authorisation remains valid;
17. The audit report must indicate compliance status with the conditions of this Environmental Authorisation, and the EMPr and make recommendations for improved environmental management;
18. The holder must, within seven (7) calendar days of the submission of the audit report to the Competent Authority, notify all registered I&APs of the submission and make the audit report available to any registered I&AP on request.

Specific Conditions

19. Should any heritage remains be exposed during excavations or any other actions on the site, this 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 disturbed further until the necessary approval has been obtained from Heritage Western Cape.

Heritage remains include, *inter alia*, 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 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.

20. A qualified archaeologist and/or paleontologist 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.

21. The areas required for land clearing must be clearly demarcated and all areas outside the demarcated land clearing area must be demarcated as "no-go" areas prior to the commencement of land clearing activities.
22. The remainder of the area north and east of the development site, the buffer area, the proposed conservation area and existing conservation areas must be entered into a minimum of a biodiversity agreement with CapeNature within one year of the clearing of the authorised area commencing.

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 any Condition of this Environmental Authorisation or EMPr may render the holder liable for criminal prosecution.
3. If the holder does not commence with the listed activities within the period referred to in Condition 3, this Environmental Authorisation shall lapse. If the holder wishes to extend the validity period of the Environmental Authorisation, an application for amendment in this regard must be lodged with the Competent Authority.
4. An application for amendment of the Environmental Authorisation must be submitted 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 (as amended) must be submitted.
5. Please note that an amendment of the Environmental Authorisation is not required for a change in the contact details of the holder. In such a case, the Competent Authority must only be notified of such changes.
6. The manner and frequency for updating the EMPr must be as follows:
 - 6.1. Amendments to the EMPr must be made in accordance with Regulations 35 to 37 of GN No. R.982 (as amended) 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, 2014 (as amended).

1. An appellant (if the holder of the decision) must, within twenty (20) 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, 2014 (as amended) 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 twenty (20) 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, 2014 (as amended) 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 twenty (20) 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 2659)
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 at 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 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 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 greatly appreciated.

Yours faithfully

**Zaahir
Toefy**

Digitally signed by
Zaahir Toefy
Date: 2021.04.01
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MR. ZAAHIR TOEFY

**DIRECTOR: DEVELOPMENT MANAGEMENT – REGION 1
DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING
DATE OF DECISION: 01 APRIL 2021**

CC: Mrs. Mische Molife (GroenbergEnviro (Pty)Ltd)
Mr. Schalk Van der Merwe (Stellenbosch Municipality)

E-mail: Mische@groenbergenviro.co.za
E-mail: Schalk.VanderMerwe@stellenbosch.gov.za

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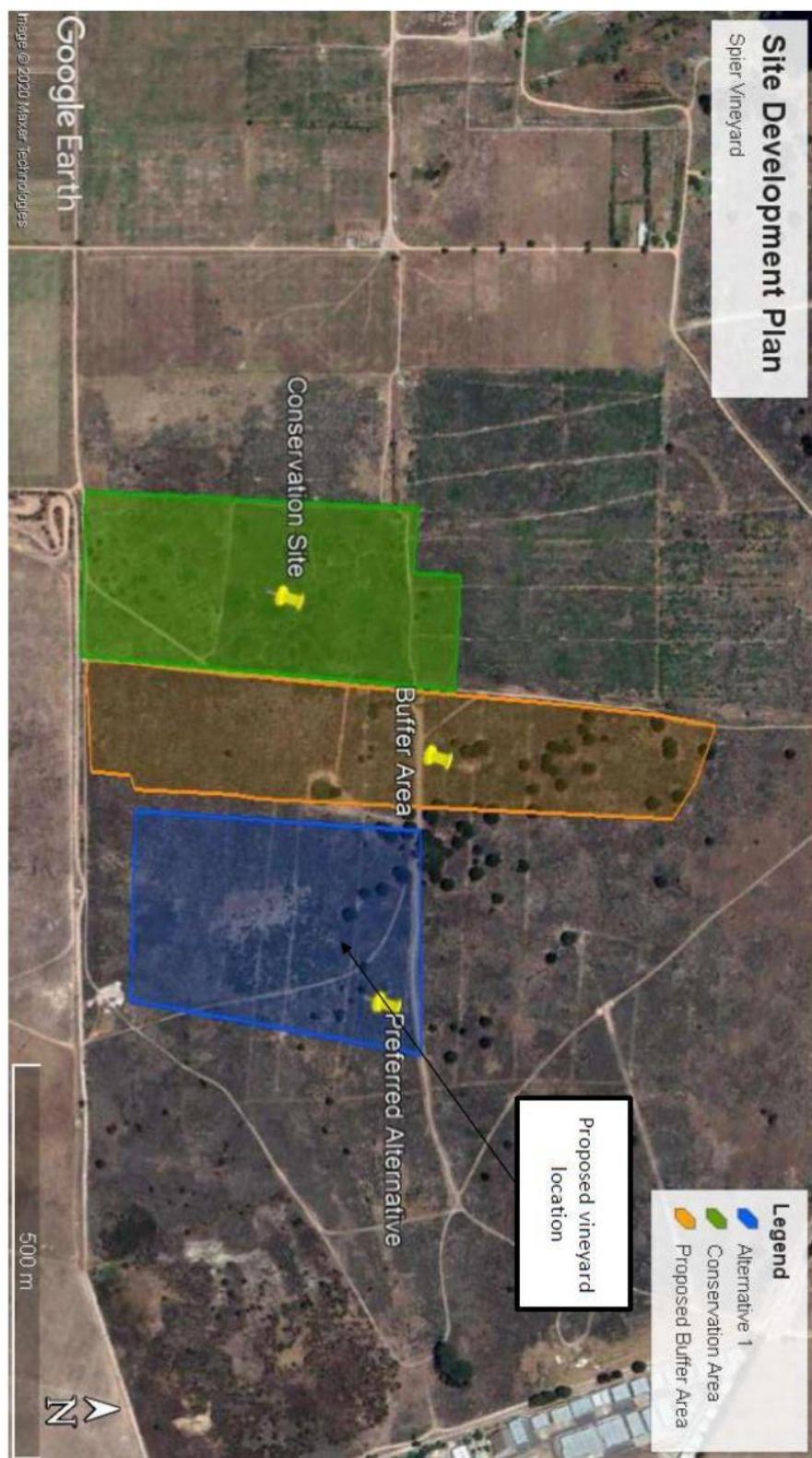
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ANNEXURE 1: LOCALITY PLAN(S)



ANNEXURE 2: SITE MAP(S)



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 by this Department on 7 September 2020, and the EMPr submitted together with the BAR for decision-making on 11 January 2021;
- b) Relevant information contained in the Departmental information base, including the Guidelines on Public Participation, Need and Desirability and Alternatives (dated March 2013);
- c) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the NEMA;
- d) The comments received from I&APs and the responses thereto, included in the BAR;
- e) The balancing of negative and positive impacts and proposed mitigation measures; and
- f) No site visit was 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

- identification of and engagement with interested and affected parties;
- fixing a notice board at the site where the listed activities are to be undertaken on 10 September 2020;
- giving written notice to the owners of the land and owners and occupiers of land adjacent to the site where the listed activities are 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 10 September 2020; and
- the placing of a newspaper advertisement in the 'Eikestadnuus' on 10 September 2020.

This 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 responses report. Specific management and mitigation measures have been considered in this Environmental Authorisation and in the EMPr to adequately address significant concerns raised.

2. Alternatives

Alternatives

Three alternatives with respect to the amount of indigenous vegetation to be cleared for the establishment of vineyards were investigated. These included either clearing 10ha, 12ha or 19.5ha of indigenous vegetation. All alternatives included the establishment of a buffer and conservation area of approximately 11ha and 10ha respectively. The need for the establishment of new vineyards arose from the fact that some of the existing vineyards are old and diseased, and needs to be replaced as a result.

The preferred alternative (herewith authorised) entails the clearance of 10ha of indigenous vegetation including the establishment of a buffer and conservation area of approximately 11ha and 10ha respectively. This alternative was put forward in response to input received from CapeNature and is preferred as the area is heavily degraded, with minimal Swartland Granite Renosterveld vegetation and no species of conservation concern found in this 10ha area.

'No-Go' Alternative

The 'No-Go' Alternative means abandoning the proposal of establishing new vineyards on Portion 10 of the Farm No. 502, Spier Wine Estate, Stellenbosch.

The 'No-Go' Alternative is deemed undesirable, given that the diseased vineyards still necessitates its replacement to ensure no net loss of socio-economic opportunity costs for the Spier Wine Estate.

3. Key Factors Affecting the Decision

3.1 Need and Desirability

The proposed site is zoned as 'Agriculture' and the development entails a use in line with the said zoning of the property. The establishment of vineyards on the existing Spier Wine Estate is required to replace diseased vineyards on the existing Spier Wine Estate. The proposed development will secure the continued income of the farm. The proposed development will utilise water from the existing allocations, as confirmed in a letter by Wynland Water Users Association dated 2 July 2020.

3.2 Heritage Resources

According to the Heritage Impact Assessment (dated May 2019 and updated February 2020, compiled by CTS Heritage), the field assessment found that although the landscape is one of heritage significance with known Early Stone Age resources from this area, the archaeological field assessment did not identify any archaeological resources of heritage significance located within the development footprint. Additionally, the proposed development will not impact on the historic commonage located on the adjacent property that currently forms part of the Stellenbosch Smallholding Trust.

Heritage Western Cape, in their correspondence dated 17 December 2020, endorsed the Heritage Impact Assessment ("HIA") and supports the recommendation made by the specialist, as having satisfied Section 38 of the National Heritage Resources Act, 1999 (Act No. 25 of 1999).

Additionally, the applicant will comply with Conditions 19 and 20 of this Environmental Authorisation. This will help to ensure the protection of any heritage resources that may be encountered on the site.

3.3 Biodiversity Impacts

3.3.1 Botanical Impacts

According to the Botanical Impact Assessment Report (dated January 2020 and compiled by Dr Dave McDonald of Bergwind Botanical Surveys and Tours cc), the vegetation on the site would have originally comprised of Critically Endangered Swartland Granite Renosterveld. However, what was found on the site can be regarded as a uniform, secondary, species-poor plant community of the indigenous vegetation type.

The botanical specialist has indicated that the vegetation on the site is not deemed to be sensitive. No plant species of conservation concern were recorded by the botanist within the 10ha site. A rehabilitation plan will be implemented to rehabilitate the buffer area.

The specialist and CapeNature supported the proposed development from a botanical perspective, should the semi-natural habitat elsewhere on the property be conserved and managed. This has been included as a condition of the authorisation. The specialist has rated the significance of the impacts associated with the loss of indigenous vegetation as very low negative significance after mitigation.

3.3.2 Wetland/Freshwater Impacts

The Aquatic Compliance Statement (dated July 2020 and compiled by everWater) concluded that no aquatic areas of conservation concern, wetlands or watercourses are situated on the site. The proposed development is located approximately 800m south of the Blouklip River and 350m north of a small drainage channel.

In light of the above, the impact on the surrounding catchment and its freshwater system is deemed negligible. The development proposal is therefore deemed acceptable from a freshwater perspective.

The development proposal will result in both negative and positive impacts.

Negative impacts include:

- Loss of indigenous vegetation; and
- Potential faunal mortalities.

The Competent Authority took into consideration the abovementioned negative impacts and although some impacts cannot altogether be prevented/avoided, they can be mitigated/reduced to acceptable levels.

Positive impacts include:

- Job security for existing employees;
- The creation of additional temporary employment opportunities during the development phase;
- Local economic benefit;
- Removal of alien vegetation;
- The rehabilitation of Critically Endangered Swartland Granite Renosterveld within the buffer and conservation areas; and
- Expansion of the Spier Wine Estate's ecological corridor project with the addition of the buffer and conservation areas.

4. National Environmental Management Act, 1998 (Act No. 107 of 1998) 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 activity (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 authorised listed activities will not conflict with the general objectives of Integrated Environmental Management stipulated in Chapter 5 of the NEMA and that any potentially detrimental environmental impacts resulting from the undertaking of the listed activities can be mitigated to acceptable levels.

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