

Appendix C: Environmental Authorisation



Department of Environmental Affairs and Development Planning
Bernadette Osborne
Development Management: Region 1
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REFERENCE: 16/3/3/1/B4/45/1086/24
NEAS REFERENCE: WCP/EIA/0001591/2024
ENQUIRIES: Bernadette Osborne
DATE OF ISSUE: 08 September 2025

The Board of Directors
Spier Farm Management (Pty) Ltd.
PO Box 99
STELLENBOSCH
7603

Attention: Ms. Heidi Newton-King

Cell: 082 449 9912
E-mail: HeidiNK@spier.co.za

Dear Madam

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 INSTALLATION OF SOLAR PANELS AND ASSOCIATED INFRASTRUCTURE ON PORTION 10 OF FARM NO. 502, STELLENBOSCH.

1. With reference to the above application, the Department hereby notifies you of its decision to **grant** Environmental Authorisation together with the reasons for the decision.
2. In terms of Regulation 4 of the EIA Regulations, 2014, 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 Appeal Regulations, 2025, which prescribes the appeal procedure to be followed. This procedure is summarised in the attached Environmental Authorisation.

Yours faithfully

Zaahir Toefy Digitally signed by Zaahir Toefy
Date: 2025.09.08 11:41:12
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MR. ZAAHIR TOEFY
DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)
DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

Cc: (1) Ms. Mische Molife (Groenbergenviro (Pty) Ltd)
(2) Mr. Schalk van der Merwe (Stellenbosch Municipality)

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REFERENCE: 16/3/3/1/B4/45/1086/24
NEAS REFERENCE: WCP/EIA/0001591/2024
ENQUIRIES: Bernadette Osborne
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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 INSTALLATION OF SOLAR PANELS AND ASSOCIATED INFRASTRUCTURE ON PORTION 10 OF FARM NO. 502, 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, 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 Site Alternative 1 described in the Basic Assessment Report ("BAR"), dated May 2025.

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 Farm Management (Pty) Ltd.
c/o Ms. Heidi Newton-King
PO Box 99
STELLENBOSCH
7603

Cell: 082 449 9912
E-mail: HeidiNK@spier.co.za

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

B. ACTIVITIES AUTHORISED

Listed Activity	Project Description
<p>Listing Notice 1 – Activity Number: 1 The development of facilities or infrastructure for the generation of electricity from a renewable resource where- (i) the electricity output is more than 10 megawatts but less than 20 megawatts; or (ii) the output is 10 megawatts or less but the total extent of the facility covers an area in excess of 1 hectare;</p> <p><i>excluding where such development of facilities or infrastructure is for photovoltaic installations and occurs-</i> <i>(a) within an urban area; or</i> <i>(b) on existing infrastructure.</i></p>	<p>The combined electricity output of the development for both Phases 1 and 2 will be 10.8 megawatts.</p>
<p>Listing Notice 1 – Activity Number: 27 The clearance of an area of 1 hectares or more, but less than 20 hectares of indigenous vegetation, except where such clearance if indigenous vegetation is required for –</p> <p><i>(i) The undertaking of linear activity; or</i> <i>(ii) Maintenance purposes undertaken in accordance with a maintenance management plan.</i></p>	<p>The development will result in the clearance of more than 1ha of indigenous vegetation.</p>
<p>Listing Notice 1 – Activity Number: 67 Phased activities for all activities- <i>(i) listed in this Notice, which commenced on or after the effective date of this Notice or similarly listed in any of the previous NEMA notices, which commenced on or after the effective date of such previous NEMA Notices;</i></p> <p><i>excluding the following activities listed in this Notice-</i></p> <p><i>17(i)(a-d);</i> <i>17(ii)(a-d);</i> <i>17(iii)(a-d);</i> <i>17(iv)(a-d);</i> <i>17(v)(a-d);</i></p>	<p>The development will be constructed in two phases.</p>

20; 21;; 24(i); 29; 30; 31; 32; 34; 54(i)(a-d); 54(ii)(a-d); 54(iii)(a-d); 54(iv)(a-d); 54(v)(a-d); 55; 61; 64; and 65; or (ii) listed as activities 5, 7, 8(ii), 11, 13, 16, 27(i) or 27(ii) in Listing Notice 2 of 2014 or similarly listed in any of the previous NEMA notices, which commenced on or after the effective date of such previous NEMA Notices; where any phase of the activity was below a threshold but where a combination of the phases, including expansions or extensions, will exceed a specified threshold.	
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The abovementioned activities are hereinafter referred to as “**the listed activities**”.

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

The proposal entails the development of solar panels and associated infrastructure at the northeastern boundary of Portion 10 of Farm No. 502, Stellenbosch. The development will be constructed in the following two phases:

- Phase 1 with an electrical output of 1.8MW and a development footprint of approximately 2.4ha.
- Phase 2 with an electrical output of 9MW and a development footprint of approximately 12ha.

The associated infrastructure includes underground feeder cables routed along existing farm roads, a container for inverters and a security fence around the solar panel site. The electricity generated during Phase 1 will be used by Spier as an alternative source of electricity, while the electricity generated during Phase 2 will be fed into the grid.

C. SITE DESCRIPTION AND LOCATION

The listed activities will be undertaken in Portion 10 of Farm No. 502 and have the following co-ordinates:

Solar Panel Site	Latitude (S)	Longitude (E)
Co-ordinates:	33° 58' 28.50" South	18° 48' 46.77" East

Underground feeder cables	Latitude (S)	Longitude (E)
Co-ordinates (Starting point):	33° 58' 21.72" South	18° 48' 34.06" East
Co-ordinates (Middle point):	33° 58' 44.89" South	18° 47' 46.90" East
Co-ordinates (End point – Spier cellar):	33° 59' 3.91" South	18° 47' 10.25" East
Co-ordinates (End point – Spier hotel):	33° 58' 33.89" South	18° 46' 48.28" East

The SG digit code: C06700000000050200010

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

GroenbergEnviro (Pty) Ltd.
c/o Ms. Mische Molife
PO Box 1058
Wellington
7654

Cell: 079 111 7378
E-mail: mische@groenbergenviro.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 the Preferred Site Alternative 1 described in the BAR dated May 2025 on the site as described in Section C above.

2. The holder must commence with the listed activities on the site within a period of **five years** from the date of issue of this Environmental Authorisation.
3. The development must be concluded within **ten years** from the date of commencement of the listed activities.
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: 7, 8, 11 and 17

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 construction phase 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"), or site agent where appropriate, before commencement of construction activities to ensure compliance with the provisions of the EMPr and the conditions contained herein. The ECO must conduct monthly site visits and must submit ECO reports on a quarterly basis to the competent authority.
12. A copy of the Environmental Authorisation, EMPr, audit report and compliance monitoring report must be kept at the site of the authorised activities, and must be made available to anyone on request, including a publicly accessible website.
13. 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

14. 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 and the EMPr. The Environmental Audit Report must be prepared by an independent person (other than the appointed Environmental Assessment Practitioner or 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 within 3 (three) months of commencement of construction activities.

A final Environmental Audit Report must be submitted within 3 (three) months after construction activities have been completed.

The holder must, within 7 days of the submission of the above-mentioned report 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

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

Heritage remains include: meteorites, archaeological and/or 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.

16. A qualified archaeologist and/or palaeontologist must be contracted where necessary (at the expense of the holder) to remove any heritage remains. Heritage remains can only be disturbed by a suitably qualified heritage specialist working under a directive from the relevant heritage resources authority.
17. The development areas must be clearly demarcated prior to the commencement of construction activities. All areas outside the demarcated areas must be regarded as "no-go" areas.

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 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 the National Appeal Regulations, 2025 (Government Notice No. R. 5985 in Government Gazette No. 52269 of 13 March 2025. Please note the provisions of Regulation 1(2) & (3) of the National Appeal Regulations, 2025 when calculating the period of days.

1. The holder (applicant) of this decision must submit an appeal to the Appeal Administrator, any registered Interested and Affected Parties (I&AP's) and the decision maker (Competent Authority who issued the decision) within 20 calendar days from the date this decision was sent by the decision maker.
2. The I&AP's (not the holder of this decision) must submit an appeal to the Appeal Administrator, the holder (applicant) of the decision and the decision maker within



20 calendar days from the date this decision was sent to the registered I&AP's by the holder (applicant) of the decision.

3. All appeals submitted must:
 - a. be in writing in the appeal form obtainable from the Departmental website;
 - b. include supporting documents referred to in the appeal; and
 - c. include proof of payment of the prescribed non-refundable appeal fee, if prescribed.
4. The holder (applicant) of the decision must:
 - a. notify registered I&AP's and affected organs of state of any appeal received, and make the appeal available to them, within 5 calendar days after the 20-day appeal period ends.
 - b. submit proof of this notification to the Appeal Administrator within 5 calendar days after sending the last notification.
5. The applicant, where applicable, the decision-maker, or any person notified under regulation 4 of the National Appeal Regulations, 2025 may submit a Responding Statement within 20 calendar days from the date they received the appeal, in the form obtainable from the Department website to the Appeal Administrator and to the appellant, where the appellant is not the applicant.
6. Appeals, Responding Statements and supporting documents must be submitted to the Appeal Administrator by means of one of the following methods:
 - a. **By e-mail:**
DEADP.Appeals@westerncape.gov.za; or
 - b. **By hand** where that person submitting does not hold an electronic mail account:
Attention: Mr Marius Venter
Room 809, 8th Floor Utilitas Building,
1 Dorp Street, Cape Town, 8001

Note: You are also requested to submit an electronic copy (Microsoft Word format) of the appeal, responding statement and any supporting documents to the Appeal Administrator via email or to the address listed above.

A prescribed appeal form, responding statement form as well as assistance regarding the appeal processes is obtainable from the relevant website of the appeal authority: <http://www.westerncape.gov.za/eadp> or the office of the Minister at: Tel. (021) 483 3721 or email DEADP.Appeals@westerncape.gov.za.

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

Zaahir Toefy Digitally signed by Zaahir Toefy
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MR. ZAAHIR TOEFY

DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)

DATE OF DECISION: 08 SEPTEMBER 2025

Cc: (1) Ms. Mische Molife (Groenbergenviro (Pty) Ltd)
(2) Mr. Schalk van der Merwe (Stellenbosch Municipality)

E-mail: mische@groenbergenviro.co.za
E-mail: Schalk.vanderMerwe@stellenbosch.gov.za

Locality Map
 Portion 10 of Farm 502

Legend

Stellenbosch

Proposed development area (farm border in red)

YNEDOEH

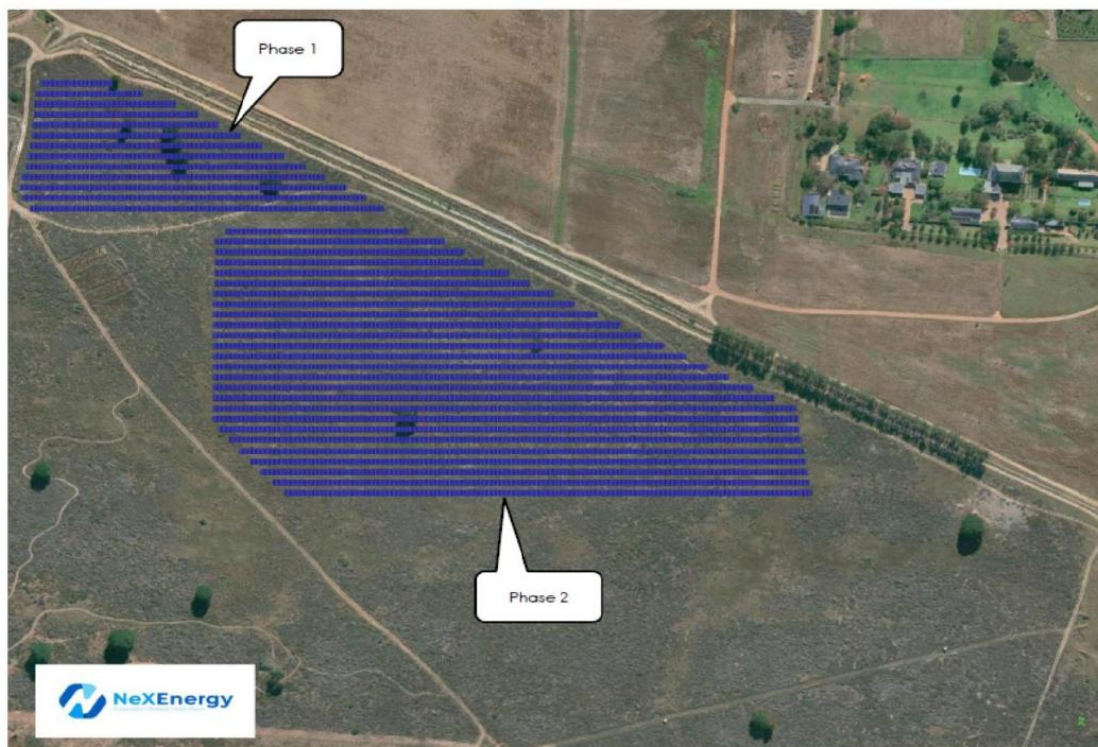
STELLENBOSCH NJ

Google Earth

R310

2 km

ANNEXURE 2: SITE PLAN



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 dated 5 December 2024, the Amended Application Form dated 4 April 2025 and the EMPr submitted together with the final BAR dated May 2025;
- 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 BAR dated May 2025; and
- 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 included:

- identification of and engagement with I&APs;
- A site notice was placed;
- the placing of a newspaper advertisement in the '*Eikestadnuus*' on 5 December 2024;
- 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 councillor, and the various organs of state having jurisdiction in respect of any aspect of the listed activities on 6 December 2024;
- making the Draft BAR available for a 30-day commenting period from 9 December 2024 until 29 January 2025; and
- making the revised Draft BAR available for a 30-day commenting period from 14 April 2025 until 19 May 2025.

The Department is satisfied that the Public Participation Process 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 EMP to adequately address the concerns raised.

2. Alternatives

Site alternative 1 (Preferred and herewith authorised):

This alternative entails the development of solar panels and associated infrastructure at the northeastern boundary of Portion 10 of Farm No. 502, Stellenbosch. The development will be constructed in the following two phases:

- Phase 1 with an electrical output of 1.8MW and a development footprint of approximately 2.4ha.
- Phase 2 with an electrical output of 9MW and a development footprint of approximately 12ha.

The associated infrastructure includes underground feeder cables routed along existing farm roads, a container for inverters and a security fence around the solar panel site. The electricity generated during Phase 1 will be used by Spier as an alternative source of electricity, while the electricity generated during Phase 2 will be fed into the grid.

This site alternative is preferred for the following reasons:

- The site is situated within a suitable distance of the existing Eskom substation.
- Access to the site is available via Annandale Road and existing farm roads.
- Botanical impacts have been assessed as being of low negative significance.
- No impacts on heritage resources are expected.
- The site is not located within, or within 32 metres of a watercourse.
- Current agricultural activities on the property will not be affected.

Site alternative 2:

This alternative entails the installation of solar panels towards the north-western boundary of Portion 10 of Farm No. 502, Stellenbosch.

This alternative was not preferred for the following reasons:

- The site is located further from the existing Eskom substation than the preferred alternative.
- The site is highly visible from R310/Baden Powell drive.

Site Alternative 3:

This alternative involves the installation of solar panels along the eastern boundary of Portion 10 of Farm No. 502, Stellenbosch, adjacent to the airfield.

This alternative was not preferred for the following reasons:

- The site is located further from the existing Eskom substation than the preferred alternative.
- The site is located adjacent to an airfield and can impact flights due to glint and glare.

- The site is highly visible from the R44 road and Annandale Road.

No-go Alternative:

This alternative represents the current “status quo”, in which the installation of the solar panels would not proceed. This alternative was not preferred as it would prevent the realisation of a reliable alternative energy source for the existing facility.

3. Impact Assessment and Mitigation measures

3.1 Activity need and desirability

There is a need for a stable alternative energy source due to frequent power outages which disrupt operations at Spier and pose a risk to business continuity. The solar energy facility will meet this need by supplying electricity directly to Spier, improving energy security. In addition, Phase 2 of the development will enable any surplus electricity to be fed into the grid, supporting broader energy resilience. Although the site is currently zoned for agricultural use, the proposed development is permissible through a consent use application.

Biophysical Impacts

The site is mapped to contain Swartland Granite Renosterveld vegetation, which is classified as endangered. According to the Botanical and Biodiversity Assessment (compiled by Bergwind Botanical Surveys and Tours, dated April 2025) the site has been transformed by historic agricultural activities and the mapped Swartland Granite Renosterveld vegetation no longer remains on the site. Only secondary semi-natural vegetation in a moderate to poor condition is present on the site. No species of conservation concern were found on the site and the secondary vegetation found on site is not regarded to be sensitive. The study concluded that the botanical impacts are regarded to be of very low significance after mitigation. The mitigation measures have been included in the EMP for implementation.

Heritage Impacts

Heritage Western Cape indicated in comment dated 7 August 2024 that there is no reason to believe that the proposed development will impact on heritage resources, and no further action under Section 38 of the National Heritage Resources Act (Act 25 of 1999) was required.

The development will result in both negative and positive impacts.

Negative Impacts:

- Loss of vegetation.

Positive impacts:

- The proposed development will reduce reliance on Eskom's electricity supply by generating electricity from a renewable resource; and
- The creation of temporary employment opportunities during the construction 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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