



REFERENCE: 16/3/3/1/B1/10/1031/25
NEAS REFERENCE: WCP/EIA/0001649/2025
ENQUIRIES: Bernadette Osborne
DATE OF ISSUE: 23 September 2025

The Manager
Imperative Link Trade 22c
Post Net Suite No. 27
PO Box 662
Gonubie
EAST LONDON
5256

Attention: Mr. Alwyn Krull

Cell: 083 650 4845
E-mail: alwyn@suneggs.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 CLEARANCE OF INDIGENOUS VEGETATION FOR CULTIVATION ON ERF NO. 1995, MCGREGOR.

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

MR. ZAAHIR TOEFY

DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)

DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

Cc: (1) Ms. Michelle Naylor (Lornay Environmental Consultants)
(2) Ms. Tracy Brunings (Langeberg Municipality)
(3) Mr. Cor van der Walt (Department of Agriculture)

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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 CLEARANCE OF INDIGENOUS VEGETATION FOR CULTIVATION ON ERF NO. 1995, MCGREGOR.

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 activity specified in section B below with respect to the Preferred Alternative 3 described in the Basic Assessment Report ("BAR"), dated 20 June 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

Imperative Link Trade 22c
c/o Mr. Alwyn Krull
Postnet Suite No.27
PO Box 662
Gonubie
EAST LONDON
5256

Cell: 083 650 4845
E-mail: alwyn@suneggs.co.za

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

B. ACTIVITY AUTHORISED

Listed Activity	Project Description
<p>Listing Notice 1 – Activity Number: 27 <i>The clearance of an area of 1 hectare or more, but less than 20 hectares of indigenous vegetation, except where such clearance is required for –</i></p> <p>(i) The undertaking of linear activity; or (ii) Maintenance purposes that are undertaken in accordance with a maintenance management plan.</p>	<p>The development will result in the clearance of more than 1ha of indigenous vegetation.</p>

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

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

The proposal entails the clearance of approximately 2ha of indigenous vegetation for the establishment of two additional cultivation blocks and irrigation pipelines on Erf No. 1995, McGregor. Block 1 will be 1.5ha in extent and Block 2 will be 0.5ha in extent.

C. SITE DESCRIPTION AND LOCATION

The listed activity will be undertaken on Erf 1995, McGregor and have the following co-ordinates:

Co-ordinates	Latitude (S)	Longitude (E)
Block 1	33° 57' 29.98" South	19° 48' 54.72" East
Block 2	33° 57' 33.17" South	19° 49' 4.44" East

The SG digit code: C06500010000199500000

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

Lornay Environmental Consulting
c/o Ms. Michelle Naylor
Unit 5/1F Hemel en Aarde Wine Village
HERMANUS
7200

Cell: 083 245 6556
E-mail: michelle@lornay.co.za

E. CONDITIONS OF AUTHORISATION

Scope of authorisation

1. The holder is authorised to undertake the listed activity specified in Section B above in accordance with and restricted to the Preferred Alternative 3 described in the BAR dated 20 June 2025 on the site as described in Section C above.
2. The holder must commence with the listed activity on the site within a period of **5 (five) years** from the date of issue of this Environmental Authorisation.
3. The development must be concluded within **10 (ten) years** from the date of commencement of the listed activity.
4. The holder shall be responsible for ensuring compliance with the conditions by any person acting on his/her behalf, including an agent, sub-contractor, employee or any person rendering a service to the holder.
5. Any changes to, or deviations from the scope of the alternative described in section 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 activity, 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 activity, 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 once a year during the development phase.

A final Environmental Audit Report must be submitted within **6 (six)** months of completion of the development activities.

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 the directive from the relevant heritage resources authority.
17. The development areas must be clearly demarcated prior to the commencement of land clearing activities. All areas outside the demarcated areas must be regarded as "no-go" areas.
18. No agricultural shade netting may be erected in the areas approved for cultivation in this Environmental Authorisation.

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 activity.
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

MR. ZAAHIR TOEFY

DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)

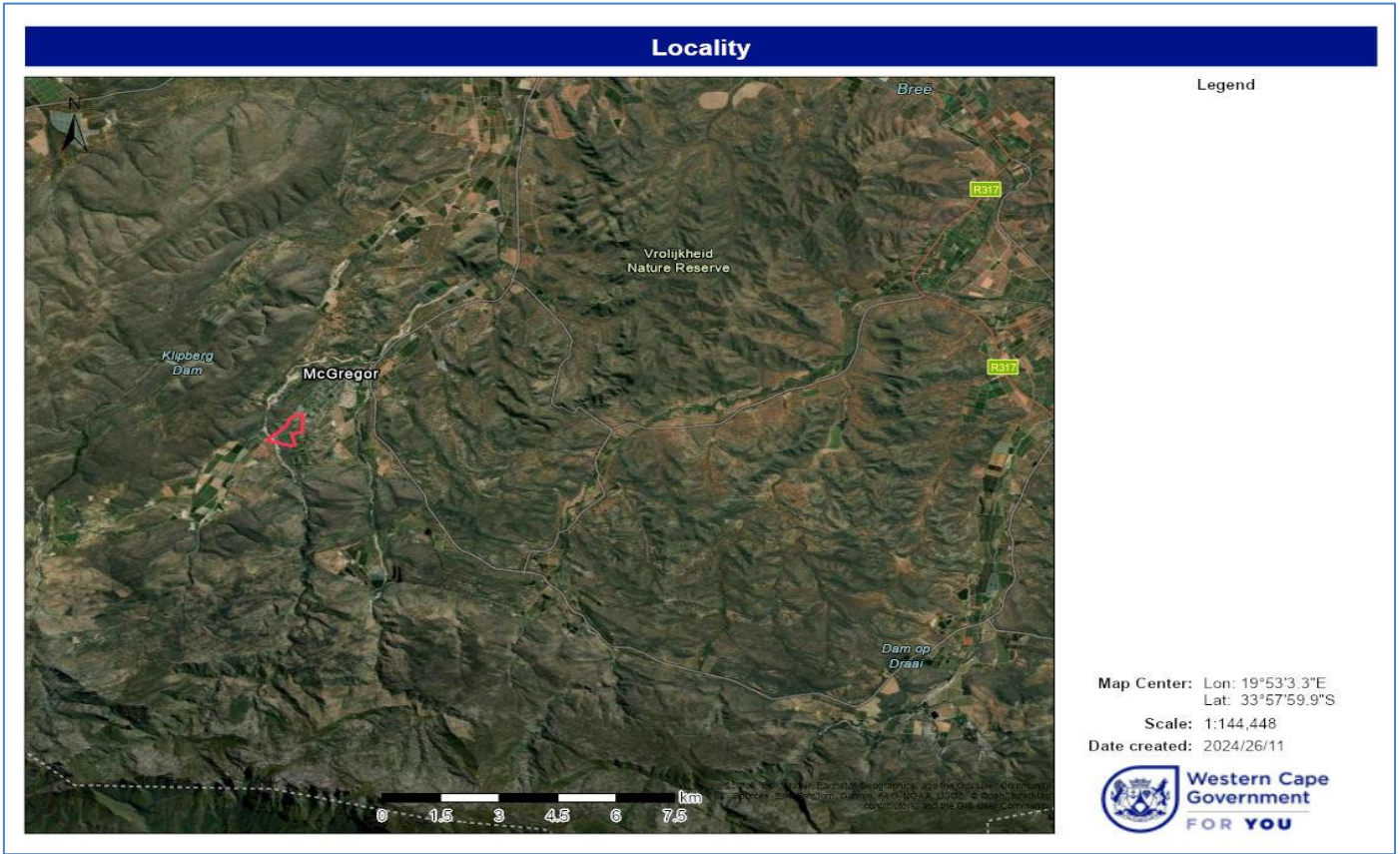
DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

DATE OF DECISION: 23 SEPTEMBER 2025

Cc: (1) Ms. Michelle Naylor (Lornay Environmental Consultants)
(2) Ms. Tracy Brunings (Langeberg Municipality)
(3) Mr. Cor van der Walt (Department of Agriculture)

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E-mail: tbrunings@langeberg.gov.za
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ANNEXURE 1: LOCALITY MAP



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 13 May 2025, the EMPr submitted together with the final BAR dated 20 June 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 20 June 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;
- Site notices were placed;
- the placing of a newspaper advertisement in the '*Standard*' on 16 January 2025;
- 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;
- making the pre-application Draft BAR available for a 30-day commenting period from 15 January 2025 until 14 February 2025; and
- making the in-process Draft BAR available for a 30-day commenting period from 14 May 2025 until 13 June 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 EMPr to adequately address the concerns raised.

2. **Alternatives**

Layout Alternative 1

This alternative entails the clearance of approximately 3.8 ha of indigenous vegetation for the establishment of two additional cultivation blocks on Erf No. 1995, McGregor. This alternative entails the placement of the new cultivation blocks on areas containing deep, loamy clay soils, which are highly favourable for grape and olive cultivation. The location is topographically suitable and close to existing farm infrastructure, thereby reducing the need for new infrastructure and limiting potential environmental disturbance. However, this alternative was not preferred since block 2 was partially located within areas of high botanical sensitivity and areas containing plant species of conservation concern ("SCC").

Layout Alternative 2

This alternative entails the clearance of approximately 4.1 ha of indigenous vegetation for the establishment of two additional cultivation blocks on Erf No. 1995, McGregor. This alternative entails the placement of the two additional cultivation blocks in areas of lower ecological sensitivity, thereby avoiding all areas mapped as having high or medium-high botanical sensitivity. This alternative was not preferred as the soil conditions are not suitable for the cultivation of grapes and olives.

Layout Alternative 3 (Preferred and herewith authorised)

This alternative entails the clearance of approximately 2 ha of indigenous vegetation for the establishment of two additional cultivation blocks on Erf No. 1995, McGregor. Block 1 will be 1.5ha in extent and Block 2 will be 0.5ha in extent.

This alternative was preferred since it avoids all areas of high botanical sensitivity and excludes habitats containing SCC. Furthermore, soil conditions are suitable for the cultivation of grapes and olives.

'No-go' Alternative

This alternative represents the current "*status quo*", where no additional blocks will be established for the cultivation of olives and grapes. This alternative was not preferred since it will not utilize the agricultural potential of the property and secure existing employment.

3. **Impact Assessment and Mitigation measures**

3.1 Activity need and desirability

The site is zoned as "Agriculture" and thus the development is accommodated within the property's existing land use rights. The cultivation areas will be irrigated in accordance with Existing Lawful Water Use rights for the property. The proposed expansion will create temporary and permanent employment opportunities and enhance agricultural production. Furthermore, the development is in line with the Provincial Spatial Development Framework ("SDF") and the Municipal SDF, will provide opportunities in terms of agricultural growth, and will secure the continued income of the farm.

Biophysical Impacts

According to the Botanical Impact Assessment (dated 25 March 2025, compiled by Nick Helme Botanical Surveys), the site is mapped to contain Robertson Karoo vegetation, which is classified as least threatened. The proposed site is not identified as a Critical Biodiversity Area and plant SCC were identified in the study area. However, the preferred alternative avoids the areas that contain plant SCC. According to the Addendum to the Botanical Impact Assessment (dated 1 May 2025, compiled by Nick Helme Botanical Surveys) the botanical impacts associated with the preferred alternative will be of low-medium negative significance after mitigation. The recommended mitigation measures have been included in the EMP for implementation.

Heritage Impacts

Heritage Western Cape indicated in comment dated 21 November 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 indigenous vegetation.

Positive impacts:

- The development will utilize the agricultural potential of the property;
- The creation of temporary and permanent employment opportunities; and
- Local economic benefits.

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 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.

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