Province of the
EASTERN CAPE
ECONOMIC DEVELOPMENT,
ENVIRONMENTAL AFFAIRS & TOURISM

Corner of Athol Fugard Terrace / Castle Hill Central Port Elizabeth 6001
Private Bag X5001 Greenacres 6057 Republic of South Africa
Contact Person: *Andries Struwig*
Tel: 041 5085840 Fax: 041 5085865 Email: Andries.Struwig@dedea.gov.za

Ref: EC06/C/LN2/M/32-2020

Venter Wildlife Trust
P.O. Box 112
Kirkwood
6120

Attention: Mr Nico Venter e-mail: **nicoventer@srvalley.co.za**

APPLICATION FOR AUTHORISATION IN TERMS OF SECTION 24 OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, ACT 107 OF 1998, TO UNDERTAKE LISTED ACTIVITIES AS SCHEDULED IN THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 AS AMENDED: PROPOSED AGRICULTURAL DEVELOPMENT ON PORTION 11 OF THE FARM KREMLIN NO. 100 (TANGO) NEAR ENON WITHIN THE SUNDAYS RIVER VALLEY MUNICIPALITY

1. With reference to the above-mentioned application (Ref No. EC06/C/LN2/M/32-2020), please be advised that the Department has decided to grant authorisation as set out in the attached Environmental Authorisation. The Authorisation Notice and reasons for the decision are attached herewith.
2. In terms of Regulation 4(2) of the Environmental Impact Assessment Regulations, 2014 as amended, you are instructed to notify all registered interested and affected parties, in writing and within fourteen (14) calendar days of the date of this letter, of the Department's decision in respect of your application as well as the provisions regarding the making of appeals that are provided for in the 2014 Appeal Regulations.
3. The written notification referred to above must -
   3.1. Specify the date on which the Environmental Authorisation was issued;
   3.2. Inform interested and affected parties of the appeal procedure provided for in the Appeal Regulations published in GN R993 of 8 December 2014 in terms of Section 44 read together with Section 43 of the National Environmental Management Act, Act 107 of 1998; and
   3.3. Advise interested and affected parties that a copy of the Environmental Authorisation and reasons for the decision will be furnished on request.
4. In the event that an appeal is lodged, copies of such appeal must be served on the applicant (if not the appellant), all registered interested and affected parties as well as juristic state departments (organ of state with interest in the matter within 20 days of having been notified in accordance with the requirements stipulated in paragraph 1.

Only appeals on environmental grounds can be considered. All appeals should be accompanied by relevant supporting documentation.

5. Any appeal against the decision contained in this Authorisation must be addressed in writing, to the MEC for Economic Development, Environmental Affairs & Tourism (hereinafter referred to as "the MEC") in terms of Regulation 4(1) of the NEMA Appeal Regulations 2014 and within 20 (twenty) days after the appellant has been notified in terms of paragraphs 2 and 3, of the decision. The address to which the **original** of such appeal must be mailed is outlined below. Please note that originals may also be delivered per hand or courier.
6. An Appeal Submission must be made on a form obtainable from the Department Appeal Administrator and/or the Departmental website on www.dedea.gov.za or relevant Regional Office.
7. The Appellant must also submit a copy of the appeal to the regional office that processed the application.

   Only appeals on environmental grounds can be considered. All appeals should be accompanied by relevant supporting documentation.
8. The address to which the **original** of such appeal must be mailed is outlined below. Please note that originals may also be delivered per hand or courier.

Department	Economic Development, Environmental Affairs & Tourism
Attention	General Manager: Environmental Affairs
Postal Address	Private Bag X0054, **BHISHO**, 5605
Hand delivery	Old Safety and Liaison Building (Global Life Complex) opposite Engen Garage, Bhisho
In order to facilitate efficient administration of appeals **copies** of any appeal and supporting documentation must also be submitted as follows:	
Manager Environmental Affairs: Mr S. Gqalangile by email: Administrative assistant: Ms P. Gxala	Siyabonga.Gqalangile@dedea.gov.za Phumeza.Gxala@dedea.gov.za

9. In the event that an appeal is lodged with regard to this Authorisation, the listed activities described in this Authorisation may not commence prior to the resolution of the appeal and prior to the Department's written confirmation of compliance with all conditions that must be met before construction can commence, whichever event is the latter.

DAYALAN GOVENDER
DEPUTY DIRECTOR: ENVIRONMENTAL AFFAIRS
CACADU REGION
DATE: 03 September 2021

Province of the
EASTERN CAPE
ECONOMIC DEVELOPMENT,
ENVIRONMENTAL AFFAIRS & TOURISM

Corner Belmont Terrace / Castle Hill Central Port Elizabeth 6001

Private Bag X5001 Greenacres 6057 Republic of South Africa

Contact Person: ***Andries Struwig***

Tel: 041 5085800 Fax**:** 041 5085865 Email**:** Andries.Struwig@dedea.gov.za

Environmental Authorisation

AUTHORISATION NOTICE REGISTER NUMBER	Provincial: EC06/LN2/M/32-2020 NEAS: ECP/EIA/0000969/2020
LAST AMENDED	Not Applicable
HOLDER OF AUTHORISATION	Venter Wildlife Trust
LOCATION OF ACTIVITY	The proposed agricultural development will take place within the Sundays River Valley on Portion 11 of the Farm Kremlin No. 100 (to be known as Tango). The subject property is located approximately 9km north of Sunland and approximately 19km east of Kirkwood and borders on the gravel access road to Slagboom.

DEFINITIONS:

The following definitions are applicable to this Environmental Authorisation:

Audit" as used in the context of this Environmental Authorisation refers to an audit of compliance with conditions contained in this Environmental Authorisation and the requirements / stipulations of a Construction and / or Operational Environmental Management Programme and not to an Environmental Audit undertaken in terms of an accredited environmental management system by a certified environmental management systems auditor.

"CBA" – Critical Biodiversity Area.

"Commencement" – Any physical activity on site that can be viewed as associated with the clearing of vegetation and installation of associated infrastructure on Portion 11 of the Farm Kremlin No. 100 as described under Section 2 of this Environmental Authorisation, inclusive of initial site preparation.

"DFFE" – The Forestry Branch of the Department of Forestry, Fisheries and the Environment.

"ECO" – Environmental Control Officer.

"EIA Listed Activities" – These are the list of NEMA EIA activities published in Government Notice GN R. 983 and 985 (as amended in GN R. 327 and 324) 13 July 2018, Act 107 of 1998 as amended.

"EIA regulations" – These are the 2014 Environmental Impact Assessment Regulations as amended and published in Government Notice R326 of 07 April 2017 in terms of Chapter 5 of the National Environmental Management Act, Act 107 of 1998 as amended.

"EMPr" – Draft Environmental Management Programme for the establishment phase of the project which includes construction / installation of water supply infrastructure, clearing of vegetation and establishment of agricultural crops / orchards.

"FEIR" - Final Environmental Impact Assessment Report inclusive of its appendices compiled by Public Process Consultants titled "Final Environmental Impact Assessment Report Tango Citrus: Agricultural Development on Portion 11 of Farm Kremlin No. 100, Sundays River Valley Municipality" dated May 2021.

"NEMA" – National Environmental Management Act, Act 107 of 1998.

"NEMBA" – National Environmental Management: Biodiversity Act, Act 10 of 2004.

"NFA" – The National Forest Act, Act 84 of 1998.

"OEMP" – Operational Phase Environmental Management Programme.

"The Department" – The Department of Economic Development, Environmental Affairs & Tourism, Eastern Cape Province.

1. Decision

The Department is satisfied, on the basis of information available to it and subject to compliance with the conditions of this Environmental Authorisation that the applicant should be allowed to undertake the activity specified below. Details regarding the basis on which the Department reached this decision are set out in Section 4 (Reasons for Decision) of this Environmental Authorisation.

2. Activities and regulations for which authorisation has been granted

By virtue of the powers conferred on it by the National Environmental Management Act, Act 107 of 1998 as amended and the Environmental Impact Assessment Regulations, 2014 as amended the Department hereby authorises Venter Wildlife Trust being the legal or natural organisation who has applied for this authorisation, with the following contact details:

Name	**Venter Wildlife Trust**		
Address	**Post Box 112, Kirkwood, 6120**		
Telephone	**None supplied**	**e-mail**	**nicoventer@srvalley.co.za**
Cell Phone	**082 360 4263**	**Fax**	**None supplied**
Contact	**Mr. Nico Venter**		

To undertake the following activities (hereafter referred to as "the activity"), in terms of the scheduled activity or activities listed in the table below:

Detailed description of activity
Venter Wildlife Trust proposes to develop a portion of Portion 11 of the Farm Kremlin No. 100 (hereafter referred to as Tango) for the establishment of citrus orchards and associated infrastructure (internal roads and internal irrigation pipes). Tango is approximately 110.17ha in extent and the development of citrus orchards is proposed to take place on 67ha. This Environmental Authorisation however only authorises development of citrus orchards on 57ha which excludes the approximately 10ha that is situated within the no-go area on the eastern portion of Tango. The proposed citrus orchards on Tango is planned to form part of a larger agricultural development on the adjacent property known as Intsomi which already received an Environmental Authorisation. Irrigation water for the development will be supplied from an existing dam and pump station on the adjacent farm Hopefield (Farm 713) which is located south of the DR 02006 and also owned by Venter Wildlife Trust. The water will be supplied via two 450mm diameter uPVC pipes which will be extended underneath the DR 02006 road onto Tango over a distance of approximately 205m. Irrigation infrastructure on Tango will vary between 150mm to 250mm in diameter. No logistical services area is required on Tango as the holder of the Environmental Authorisation will make use of existing support infrastructure (offices, stores, workshops) on adjacent and nearby farms (Hopefield, Intsomi and Two Step) to provide technical and logistical support to the citrus development on Tango. Tango can be access directly from the intersection of the DR 02006 (Enon Road) and Slagboom Road and the existing access point at this intersection will be utilized to access the citrus development on Tango. Internal access roads on Tango will be approximately 4m in width with the main internal roads being provided with a gravel wearing course and while the vehicle tracks amongst the individual orchards will remain unpaved. Site preparation and establishment of citrus orchards will entail the following: • Clearing of indigenous vegetation; • Landscaping and leveling the site for citrus orchards as well as to provide runoff control and stormwater management; • Establishment of internal unpaved service roads; • Installation of two 450mm diameter irrigation water transfer pipes onto Tango from the pump station on Hopefield under the DR 02006 road; • Installation of internal irrigation water reticulation; and • Planting of orchards and if necessary, windbreaks.

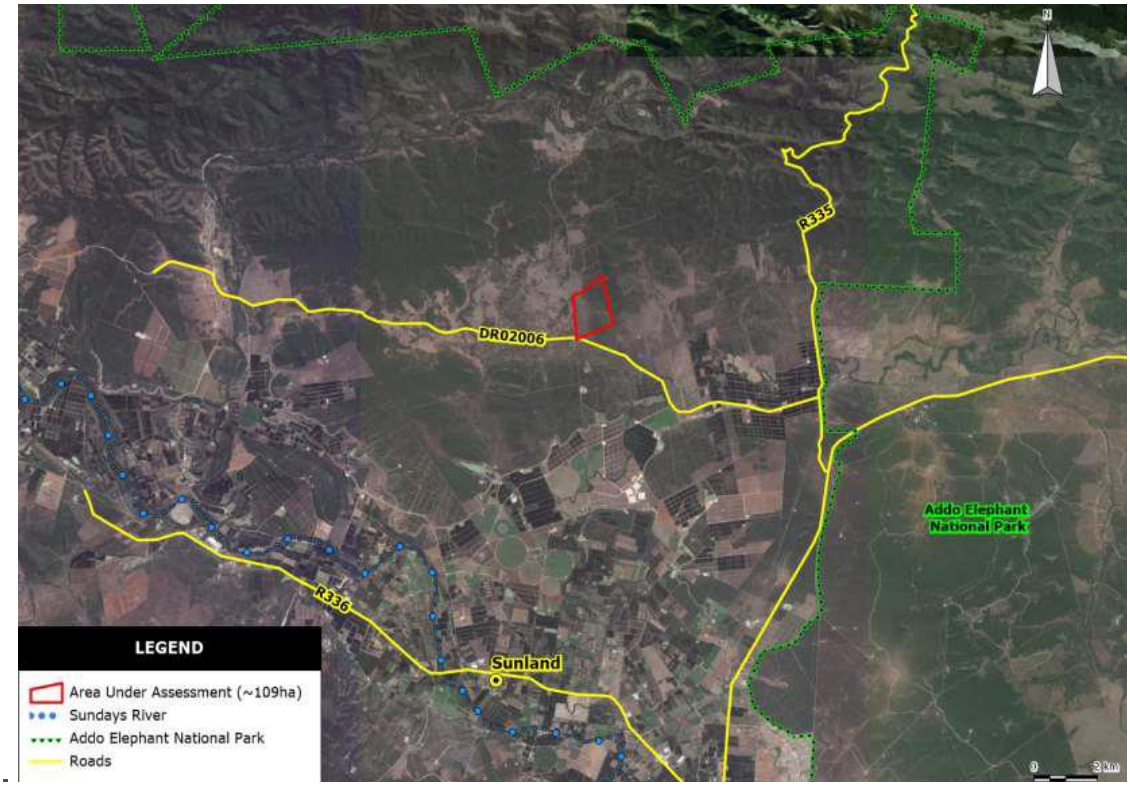
Listed Activities applied for in terms of the EIA Regulations and hereby authorised.	
GN R327 (LN1) Activity 24	The development of a road- (ii) with a reserve wider than 13.5 metres, or where there no reserve exists where the road is wider than 8 metres.
GN R325 (LN2) Activity 15	The clearance of an area of 20 hectares or more of indigenous vegetation.

GN R324 (LN3) Activity 4	The Development of a road wider than 4 metres with a reserve less than 13.5 metres a. Eastern Cape i. Outside urban areas (bb) National Protected Area Expansion Strategy Focus areas; (ee) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans; (gg) Areas within 10 kilometres from national parks or word heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from core areas of a biosphere reserve.

At the locality defined in the Table below, and hereafter referred to as "the property" and as depicted in Figure 1:

District	Sarah Baartman
Municipal Area	Sundays River Municipality
Farm Name	Portion 11 of Kremlin No. 100 known as Tango
Farm Number and Portion	Portion 11 of Farm 100
Erf Number and Township Extension or Suburb	N/A
Co-ordinates of corner points	33° 24' 50.31" S and 25° 38' 55.58" E 33° 24' 47.62" S and 25° 39' 4.86" E 33° 24' 34.33" S and 25° 39' 25.72" E 33° 25' 15.13" S and 25° 39' 36.26" E 33° 25' 27.17" S and 25° 38' 58.91" E
Physical address	Portion 11 of the farm Kremlin 100 known as Tango.

Figure 1: General location of Portion 11 of the Farm Kremlin 100 known as Tango as taken from the FEIR



This Environmental Authorisation is granted subject to the conditions set out below.

3. Conditions

The Department of Economic Development, Environmental Affairs and Tourism may from time to time review this Environmental Authorisation and on good grounds and after written notice to the holder thereof, suspend or amend such Environmental Authorisation.

3.1. Duration of authorisation

3.1.1. Clearing of vegetation and installation / establishment of associated irrigation and internal access roads on Tango Farm as described in Section 2 of this Environmental Authorisation must commence within a period of 18 (months) months of the date of issue of this Environmental Authorisation. Should the activity not have commenced within this time period, this Environmental Authorisation will lapse and the applicant will be required to re-apply for authorisation in terms of the Environmental Impact Assessment regulations promulgated in terms of the National Environmental Management Act, Act 107 of 1998.

3.1.2. Vegetation clearing to be complete within 12 months of commencement and subsequent establishment of agricultural crops / citrus orchards to be completed within 12 months of vegetation clearing being completed.

3.1.3. Extension of the Environmental Authorisation may be applied for in writing provided that the Environmental Authorisation is still valid at the time submission of such application. If no request for extension is received prior to the date of expiry of this Environmental Authorisation, the Environmental Authorisation will be deemed to have lapsed.

3.1.4. On receipt of any such application for extension, the Department reserves the right to request such information as it may deem necessary to consider the application for extension which may include but not limited to:

3.1.4.1. An updated CEMP; and

3.1.4.2. Such public participation process as may be deemed necessary at the time of the application for extension.

3.1.5. Conditions relating to the operation of the project are valid for the lifetime of the project inclusive of decommissioning.

3.2. Standard conditions & Declarations

3.2.1. Environmental Authorisation is subject to the conditions contained in this Environmental Authorisation which conditions form part of the Environmental Authorisation and are binding on the holder thereof.

3.2.2. This Environmental Authorisation applies only to the activities and property described therein.

3.2.3. This Environmental Authorisation does not negate the holder thereof of his/her responsibility to **comply with any other statutory requirements** that may be applicable to the undertaking of the activity, including but not limited to:

3.2.3.1. The National Water Act, Act 36 of 1998 in as far as it relates to water use and storage;

3.2.3.2. The National Environmental Management: Biodiversity Act, Act 10 of 2004;

3.2.3.3. The National Forests Act, Act No. 84 of 1998;

3.2.3.4. The Nature and Environmental Conservation Ordinance, Ordinance No. 19 of 1974;

3.2.3.5. The Conservation of Agricultural Resources Act, Act No. 43 of 1983; and

3.2.3.6. The National Heritage Resources Act, Act 25 of 1999.

3.2.4. The holder of this Environmental Authorisation being Venter Wildlife Trust shall be responsible for ensuring compliance with the conditions by any person acting on his or her behalf, including but not limited to, an agent, sub-contractor, employee or person rendering a service to the holder of this Environmental Authorisation.

3.2.5. Should any environmental damage be detected, that in the opinion of this Department, is the result of the development, then the applicant shall be required to make good that damage to the satisfaction of the said authority at his/her own expense, this without limiting the generality of the provisions of Section 28 of the National Environmental Management Act, Act 107 of 1998.

3.2.6. In the event of any dispute as to what constitutes environmental damage, this Department's opinion will prevail.

3.2.7. This Department reserves the right to impose additional conditions or requirements on the applicant in respect of impacts identified during the EIA process, or withdraw this authorisation, in the event that such impacts exceed its significance as predicted in the consultant's FEIR and supporting documentation referenced in Section 4.1 of this Environmental Authorisation.

3.2.8. **This authorisation applies strictly to the project description as outlined in Section 2 of this Authorisation. Should the applicant wish to amend any component or aspect of the project hereby authorised, then approval will be required from this Department. The Department will advise what information is required as well as the process that must be followed in order to apply for an amendment to this Environmental Authorisation or, if needed, for authorisation in terms of the applicable EIA regulations promulgated in terms of the National Environmental Management Act, Act 107 of 1998.**

3.2.9. This Environmental Authorisation is issued to the applicant described above. Should the applicant wish to transfer this Environmental Authorisation to another person (whether legal or natural), such transfer is to be affected by means of an amendment to the Environmental Authorisation. Such amendment to be applied for in terms of the relevant provisions contained in the EIA Regulations that may be applicable at the time.

3.2.10. This Environmental Authorisation must be made available to any interested and affected party who has registered their interest in the proposed development. The applicant is responsible for ensuring that a copy of this Environmental Authorisation is given to any such interested and affected party within 12 (twelve) days of receiving this Environmental Authorisation.

3.2.11. **This Environmental Authorisation or a certified copy thereof must be kept at the property where the activity will be undertaken.** The authorisation must be produced to any authorised official of the Department who requests to see it and must be made available for inspection by any employee or agent of the holder of the authorisation who works or undertakes work at the site.

3.2.12. **Where any of the applicant's contact details change, including the name of the responsible person, the physical or postal address and/or telephonic details, the applicant must notify the Department as soon as the new details become known to the applicant.**

3.2.13. In all cases, the holder of the Environmental Authorisation must notify the Department, in writing, within 30 days if a condition of this authorisation is not adhered to. Any notification in terms of this condition must be accompanied by reasons for the non-compliance.

3.2.14. Non-compliance with a condition of this Environmental Authorisation may result in criminal prosecution or other actions provided for in the National Environmental Management Act, Act 107 of 1998 and the regulations.

3.2.15. Venter Wildlilfe trust will be held liable in the event of non-compliance with any condition of this Authorisation Notice or any stipulation of the CEMPr and / or the OEMPr by any contractor associated with this activity.

3.3. Project specific Conditions

3.3.1. Fourteen days written notice must be given to the Department that the activity will commence. Commencement for the purposes of this condition includes site preparation. The notice must include a date on which it is anticipated that the activity will commence.

3.3.2. Vegetation clearing for the purposes to establish citrus orchards and associated infrastructure to be restricted to a maximum of 57ha.

3.3.3. The remaining extent of Portion 11 of the Farm Kremlin No. 100 to remain in its natural state and only extensive agricultural practices such as grazing to be allowed in these areas.

3.3.4. Further to Condition 3.3.3, Venter Wildlife Trust to ensure that such restrictions are contained in the title deed of the property in the event that the property is to be sold to a third party.

3.3.5. The necessary wayleave servitude for the crossing of the two pipelines across District Road DR 02006 (from Hopefield to Tango) to be obtained and provided to the Department prior to commencement of the development as authorised in this Environmental Authorisation.

3.3.6. Prior to the commencement of any activities as authorised in this Environmental Authorisation a layout / planting plan of appropriate scale / size to be submitted to the Department for approval. Such planting plan must provide for amongst others:

3.3.6.1. The areas to be planted with citrus orchards inclusive of associated infrastructure as authorised in this Environmental Authorisation which areas may not exceed a total of 57ha;

3.3.6.2. Exclusion of the approximately 10ha of proposed citrus orchards in the eastern portion of the property from any citrus development and inclusion thereof in the portion of the site that will remain in its natural state.

3.3.6.3. The areas on the subject property that are to remain in its natural state.be set aside for conservation purposes as required in Condition 3.3.3;

3.3.6.4. The 4.1ha of Koedoeskloof Karriod Thicket on the adjacent Farm 661 to be set aside as an offset;

3.3.6.5. Orchard layout (inclusive of roads) on the area to be planted; and

3.3.6.6. The pipeline route from Hopefield to Tango.

3.3.7. Any recommendations / mitigatory measures contained in the FEIR and its appendixes and not explicitly covered under the conditions contained in this Environmental Authorisation, are regarded as conditions in terms of this Environmental Authorisation. In the event that any such recommendation / mitigatory measure is contradictory to a condition contained in this Environmental Authorisation, such condition will be deemed to take precedence

3.3.8. Further to Condition 3.3.7, the holder of this Environmental Authorisation being Venter Wildlife Trust to compile a detailed record of all Conditions, inclusive of recommendations / mitigatory measures contained in the Final EIR, in tabular format for inclusion in the EMPr and / or Operational Phase Environmental Management Programme as applicable.

3.3.9. The portion of the draft EMPr included in the FEIR that addresses construction to be updated, submitted to and approved by the Department prior to the commencement of the development as authorised in this Environmental Authorisation. The EMPr to include as a minimum:

3.3.9.1. The approved layout / planting plan referenced in Condition 3.3.6;

3.3.9.2. All recommendations, measures, responsibilities, key actions and other provisions contained in the FEIR as per the requirement of Condition 3.3.8;

3.3.9.3. General principles of environmental management as applicable to construction activities and the clearing of vegetation including environmental best practice, erosion prevention and control, etc;

3.3.9.4. Copies of all permits / licences issued to Venter Wildlife Trust in relation to this project that have relevance to the environment;

3.3.9.5. A general code of conduct for any contractor that may be carrying out any work on the relevant development sites;

3.3.9.6. A clear description of the construction and vegetation clearing activities to be carried out on the site;

3.3.9.7. Details regarding the management of stormwater during construction / clearing of vegetation;

3.3.9.8. Details regarding any construction camp site and associated storage of construction material on site; and

3.3.9.9. A framework for all contracts associated with the construction phase of the development and the Environmental Method Statements that will be associated with such contracts.

3.3.10. General principles of environmental management as contemplated in Condition 3.3.9.3 to include amongst others the following if not already contained in the EMPr:

3.3.10.1. No cement/concrete mixing to take place on the soil surface. Cement mixers to be placed on large trays to prevent accidental spills from coming into contact with the soil surface;

3.3.10.2. Generators and fuel supply needed during construction must be placed on trays, which rest on clean sand. Once construction has been completed, this sand must be removed from site and disposed of at a registered waste disposal site;

3.3.10.3. Any substrate contaminated by the spillage of hydrocarbons or other pollutants to be removed from the site and disposed of at a registered waste disposal site;

3.3.10.4. No servicing of vehicles and other machinery to take place on site and no fuel or other hazardous material to be stored on site;

3.3.10.5. All excess construction material and any waste generated during construction must be removed from site on an ongoing basis;

3.3.10.6. Adequate waste disposal and sanitation facilities to be provided and the applicant must ensure that these facilities are properly used and maintained; and

3.3.10.7. Clear stipulations as to who is responsible and accountable for what actions.

3.3.11. Prior to the commencement of the development the 4.1ha of Koedoeskloof Karriod Thicket to be set aside as an offset on Farm 661 to be demarcated and the necessary measures put in place to ensure its conservation.

3.3.12. Prior to the commencement of the development, a pre-commencement compliance audit to be conducted and submitted to the Department to verify compliance with all conditions that are to be complied with / met prior to the commencement of the development.

3.3.13. The holder of this Environmental Authorisation being Venter Wildlife Trust will be held liable in the event of non-compliance by any contractor and/or subcontractor involved in this activity.

3.3.14. The EMPr referred to in Condition 3.3.9 to be implemented and strictly adhered to for the duration of the construction, vegetation clearing and subsequent establishment of agricultural crops/orchards.

3.3.15. Any upgrading of water supply infrastructure or expansion of areas to be cleared of natural vegetation for the establishment of agricultural crops or pastures over and above that as authorised in this Environmental Authorisation will be subject to further approval from this Department. For the purposes of this condition, upgrading is defined as the enlargement or expansion of such water supply infrastructure and citrus orchards, inclusive of its development footprint, but excluding regular or routine maintenance where such will not result in a detrimental impact on the environment that will be more significant than that predicted in the FEIR.

3.3.16. Furthermore, any approval required in terms of Condition 3.3.15 to be considered in terms of the EIA Regulations applicable at the time if relevant or else by any such process as the Department may prescribe in terms of this condition provided that such process must be in line with the applicable Environmental Assessment Processes prescribed by law.

3.3.17. The relevant conditions of this Environmental Authorisation as well as the relevant requirements of the EMPr shall form part of any contracts entered into between the applicant and any contractor(s) and or any sub-contractor(s).

3.3.18. Further to Condition 3.3.17, a performance based requirement with regard to environmental impact management must be included in all contracts related to any activity relating to this Environmental Authorisation inclusive of incentives and penalties.

3.3.19. An Environmental Control Officer to be appointed for the duration of construction activities, clearing of vegetation and subsequent establishment of agricultural crops/orchards to oversee implementation of the EMPr as well as adherence to the conditions contained within this Environmental Authorisation. Confirmation of appointed of the ECO to be provided to the Department together with the notice of commencement contemplated in Condition 3.3.1. The ECO is amongst others responsible for the following:

3.3.19.1. To keep record of all activities on site, problems identified, transgressions noted as well as a schedule of tasks undertaken by the ECO;

3.3.19.2. To keep and maintain a detailed incident and complaints register (inclusive of any spillages of hazardous substances

and other materials) indicating how these issues were addressed (including any rehabilitation measures implemented) and preventative measures implemented to avoid re-occurrence of such incidents;

3.3.19.3. To keep copies of all reports submitted to the Department on site; and

3.3.19.4. To obtain and keep record of all documentation, permits, licences and authorisations relevant to the project on site.

3.3.20. The areas to be cleared in accordance with the planting plan contemplated in Condition 3.3.6 must be clearly demarcated before any vegetation clearing commences and no disturbance of vegetation to take place outside the demarcated areas.

3.3.21. The indigenous vegetation on the remainder of the farm to be retained in its natural state and no disturbance (inclusive of overgrazing by livestock) to be allowed that will allow such to degenerate.

3.3.22. All Conditions stipulated on any permit / licence issued by DAFF must be adhered to.

3.3.23. Prior to vegetation clearing taking place, species of special concern or protected plant species, and trees protected in terms of the NFA within the development footprint must be identified.

3.3.24. In the event that any species of special concern or protected species in terms of the relevant provincial and national legislation and or the NFA are to be removed the necessary permits / licences to be obtained from the Department and/or DAFF for the removal and/or translocation of such species.

3.3.25. Any species identified in terms of Condition 3.3.24 as well as any other species that could be translocated are to be removed and relocated to other suitable areas elsewhere on Tango or the adjacent Intsomi in consultation with a suitably qualified botanist / ecologist..

3.3.26. A suitably qualified individual is to carry out a faunal “search and rescue” prior to the commencement of vegetation clearing, which fauna are to be relocated to a suitable area elsewhere on Intsomi.

3.3.27. No activities, inclusive of site preparation and related pedestrian /vehicle traffic should be allowed within the areas designated as No-Go Areas in terms of the planting plan contemplated in Condition 3.3.6.

3.3.28. The disposal of any waste as provided for in Conditions 3.3.10.5 and 3.3.10.6 to take place at a registered waste disposal site.

3.3.29. The South African Heritage Resources Agency (SAHRA) must be contacted immediately should any archaeological findings be discovered during the course of the development.

3.3.30. Any areas disturbed as a result of construction and / or vegetation clearing activities that will not form part of the completed development as authorised to be rehabilitated immediately using vegetation indigenous to the area.

3.3.31. All the necessary precautions to prevent contamination of soil and water by fuel, oil and chemical products during the lifetime of the project are to be undertaken.

3.3.32. No servicing of vehicles or machinery is to take place on site. All such servicing is to take place at a recognised workshop facility.

3.3.33. Adequate measures to protect against soil erosion must be implemented in all areas during the initial clearing of vegetation as well as the subsequent operational phase of the project, including access roads and roads within the developed area.

3.3.34. An environmental audit must be carried out by the ECO monthly and submitted to the Department within two weeks of such audit being completed.

3.3.35. A post construction / development environmental audit to be carried out and the report submitted to this Department within one (1) month of the completion of construction activities / establishment of agricultural crops as contemplated in the Environmental Authorisation. This audit to, as a minimum, consider adherence to the relevant conditions contained in this Environmental Authorisation and the stipulations of the EMPr.

3.3.36. An Operational Environmental Management Plan (OEMP) to be compiled and submitted to the Department three months prior to the commissioning of part or all of the components of the development as authorised in this Environmental Authorisation and implemented for the duration of the operational phase of the development. In this regard the portion of the EMPr attached to the FEIR that deals with operational aspects can be used as a framework.

3.3.37. The OEMP contemplated in Condition 3.3.36 to provide for amongst others:

3.3.37.1. A Code of conduct for any contractors and or workers;

3.3.37.2. A comprehensive storm water management plan to manage storm water during the operational phase of the development;

3.3.37.3. A comprehensive waste management plan inclusive of the appropriate disposal of chemicals and associated container, and diseased plant material;

3.3.37.4. An appropriate environmental management protocol, such as ISO 14001, for the handling and management of herbicides, pesticides and chemicals throughout the lifetime of the development;

3.3.37.5. Management / systematical removal and subsequent destruction of all alien invasive species listed in terms of CARA that may occur on the property or that may colonise disturbed ground prior to it attaining the seed formation stage during the lifetime of the project;

3.3.37.6. Management of those portions of the site that will remain undeveloped as per the planting plan contemplated in Condition 3.3.12;

3.3.37.7. A comprehensive vegetation monitoring plan to monitor the status of the vegetation that will remain in its natural state; and

3.3.37.8. Management / maintenance of water supply and storage infrastructure.

3.3.38. The Code of Conduct contemplated in Condition 3.3.37.1 to address amongst others:

3.3.38.1. Appropriate mechanisms to ensure that the conduct of any contractors, service providers, staff as well as any other visitors to the site conduct themselves in a manner which is in keeping with the norms and standards set by the code of conduct and the OEMP; and

3.3.38.2. Mechanisms to ensure the on-going overseeing of adherence to the norms and standards set by the code of conduct and the OEMP.

3.3.39. An appropriately qualified individual to be appointed / allocated by Venter Wildlife Trust to oversee the management and operation of the development.

3.3.40. No shade cloth or netting may be used to cover the citrus orchards at any point in the operational phase of the development.

3.3.41. Prior to decommission all or part of the operations the applicant must submit a decommissioning plan to DEDEAT.

3.3.42. All decommissioned areas must be left in a state that is equal to or better than the original environment.

4. Reasons for Decision

4.1 Information considered in making the decision

In reaching its decision, the Department took, inter alia, the following into consideration:

4.1.1 The information contained in the following documentation:

- Completed application form dated 5 November 2020 as submitted electronically on 6 November 2020 under cover of a letter from Public Process Consultants dated 6 November 2020 providing notice of the Scoping and Environmental Impact Assessment Process;
- Draft Scoping Report by Public Process Consultants inclusive of all its appendices titled “Consultating Scoping Report Tango Citrus: Agricultural development on Portion 11 of Farm Kremlin No. 100, Sundays River Valley Municipality” dated November 2020;
- Final Scoping Report by Public Process Consultants inclusive of all its appendices titled “Final Scoping Report Tango Citrus: Agricultural development on Portion 11 of Farm Kremlin No. 100, Sundays River Valley Municipality” dated December 2020;
- Draft Environmental Impact Report by Public Process Consultants inclusive of all its appendices titled “Draft Environmental Impact Assessment Report Tango Citrus: Agricultural development on Portion 11 of Farm Kremin No 100, Sundays River Valley Municipality” dated March 2020;
- Final Environmental Impact Report by Public Process Consultants inclusive of all its appendices titled “Final Environmental Impact Assessment Report Tango Citrus: Agricultural development on Portion 11 of Farm Kremin No 100, Sundays River Valley Municipality” dated May 2020;

4.1.1 Observations made during a site visit undertaking by Mr Struwig from the Department on 7 December 2020 in the company of Ms Sandy Wren, Ms Marisa Jacoby and Mr JP Hechter of Public Process Consultants.

4.1.2 Comments by Interested & Affected parties on the various documents provided to them for comment during the Scoping and EIA Process.

4.1.3 The EIA regulations of 2014 as amended and the objectives and requirements of relevant legislation, policies and guidelines, including Section 2 of the National Environmental Management Act, Act 107 of 1998.

4.2 Key factors considered in making the decision

4.2.1 Venter Wildlife Trust operates existing intensive agricultural activities on the farms Two Step and Hopefield in close proximity to Tango and is in the process of developing citrus orchards on Intsomi immediately to the east of Tango. They proposed to expand their current operations by establishing an additional 67ha of citrus orchards on Tango. This Environmental Authorisation however only authorises the transformation of 57ha to be planted with citrus orchards inclusive of internal access roads and irrigation infrastructure. This is due to the fact that approximately 10ha that was proposed for establishment of citrus orchards occurs within the eastern portion of Tango and is surrounded by no-go areas. Under the circumstances it was not deemed appropriate to allow the transformation of this isolated block but to rather restrict the proposed development of citrus orchards to a homogenous block.

4.2.2 When considering the need and desirability of the proposed development it is relevant to consider that the National Development Plan of 2030 has as one of its focal points, the expansion of agriculture in order to facilitate job creation as states “Expanding commercial agriculture has the potential to create 250 000 direct jobs and a further 130 000 indirect jobs. This can be achieved by picking winning agricultural sub-sectors where the expansion in production and further value-adding processes are sustainable over the long term.”

Furthermore the Sunday River Valley Municipal Integrated Development Plan recognises that agricultural production generally and citrus production specifically is a major economic driver in the municipality.

Venter Wildlife Trust intend to build on this economic base by making optimum use of the available resources in the area that are at their disposal i.e. a sustainable supply of irrigation water from the Lower Sundays River Water Users Association canal system and the suitability / fertility of the soils on the property under consideration. In addition Venter Wildlife Trust has existing supporting infrastructure in close proximity to Tango on their existing agricultural operations on Hopefield, Two Step and Intsomi which include workshops, offices, storage sheds, workers rest areas, ablution facilities and collection and delivery areas. These existing facilities have sufficient capacity to provide supporting services to the proposed citrus orchards on Tango.

4.2.3 When considering the removal of vegetation for the establishment of intensive agricultural crops / orchards it is important to consider the availability of water and the adequacy of supply. In this regard it must be noted that Venter Wildlife Trust has approximately 125ha of spare water rights assigned to other properties they own which are not required for irrigation on those farms. A portion of this spare water will be used to irrigate the citrus orchards on Tango.

4.2.4 The proposed development will entail a total development footprint of approximately 57ha of the total land area of 110ha. Most of this 57ha has been degraded in various degrees and only a small portion of vegetation that is in good will be impacted on. The vegetation types that occur on Tango is Sundays Mesic Thicket which covers an area of approximately 62ha and Koedoeskloof Karroid Thicket which covers an area of approximately 48ha. The anticipated loss of each vegetation type as a result of the proposed development is as follows:

- Approximately 12ha of Sundays Mesic Thicket which is approximately 19% of the current extent of Sundays Mesic thicket on Tango; and
- Approximatey 43ha of Koedoeskloof Karroid Thicket which is approximately 90% of the current extent of Koedoeskloof Karriod Thicket on Tango.

The conservation targets for each vegetation type is 19% for Sundays Mesic Thicket and 19% for Koedoeskloof Karriod Thicket. If this target is applied to the original extent of each vegetation type it amounts to 11.78ha of Sundays Mesic Thicket and 9ha of Koedoeskloof Karriod Thicket.

Approximately 50ha or 80% of the Sundays Mesic Thicket will remain undeveloped which by far exceeds the conservation target of 19%. In contrast only 5ha of Koedoeskloof Karroid Thicket will remain undeveloped which only 10% of the conservation target of 19%. To meet the conservation target for Koedoeskloof Karroid Thicket an area of 4.1ha will be set aside on the adjacent property namely Farm 661 (Intsomi) and will be incorporated into the conservation network on Intsomi.

The areas that will remain undeveloped i.e. where the natural vegetation will remain intact may not be used for any other intensive agricultural activities and this Environmental Authorisation only allows grazing to take place on these areas. As grazing in itself can impact severely on vegetation in the event that overstocking is allowed, conditions have been included in this Environmental Authorisation that requires the monitoring of the natural vegetation to ensure that any grazing activities that may take place thereon will not result in any degradation thereof from its current state.

4.2.5 The Environmental Impact Assessment process undertaken satisfies the procedural requirements of the EIA Regulations and the National Environmental Management Act, Act 107 of 1998.

4.2.6 The project has been advertised and has been subjected to Public Participation as per the EIA Regulations. Comments by I&AP's during the comment period for Public Participation during the various stages of the assessment process has been considered by the Department. The EAP has confirmed that all relevant organs of state had been informed of the development and provided with the opportunity comment on the relevant reports.

4.2.7 The documents submitted during the process and more specifically the FEIR and its associated appendices provide adequate information on which to base an informed decision on the environmental implications of the various elements of the proposed project.

4.2.8 The Department is satisfied that the risks to the natural environment and to humans can be adequately managed if all the conditions contained within this Environmental Authorisation are adhered to.

4.2.9 The Department is of the opinion that after implementation of the mitigation measures described in the EMPr and OEMP together with the conditions contained within this Authorisation, that the residual impacts and risks to the environment are acceptable.

4.2.10 The conditions set out in this Environmental Authorisation have been designed to ensure that the negative impacts and risks associated with the project are identified, addressed and/or managed effectively.

4.2.11 In conclusion, this Department is satisfied that the benefits associated with the proposed project outweigh the environmental costs and are consistent with sustainable development principles.

4.2.12 In general the environmental process followed is deemed to be satisfactory. It is the opinion of the Department that the information at hand is sufficient and adequate to make an informed decision. In this regard the Department is satisfied that, subject to compliance with the conditions contained in the Environmental Authorisation, the proposed activity will not conflict with the general objectives of integrated environmental management as laid down in Chapter 5 of the National Environmental Management Act, Act 107 of 1998, and that any potentially detrimental environmental impacts resulting from the proposed activities can be mitigated to acceptable levels.

5 Appeal of Environmental Authorisation

5.1 In terms of Regulation 4(2) of the Environmental Impact Assessment Regulations, 2014 as amended, you are instructed to notify all registered interested and affected parties, in writing and within 14 (fourteen) calendar days of the date of this letter, of the Department's decision in respect of your application.

5.2 The written notification referred to in Condition 5.1 above must:

5.2.1. Specify the date on which the Authorisation was issued;

5.2.2. Inform interested and affected parties of the appeal procedure provided for in the Appeal Regulations published in GN R993 of 8 December 2014 in terms of Section 44 read together with Section 43 of the National Environmental Management Act, Act 107 of 1998 as amended; and

5.2.3. Advise interested and affected parties that a copy of the Environmental Authorisation and reasons for the decision will be furnished on request.

5.3 Any appeal against the decision contained in this Authorisation must be addressed in writing, to the MEC for Economic Development, Environmental Affairs & Tourism (hereinafter referred to as "the MEC") in terms of Regulation 4(1) of the NEMA Appeal Regulations 2014 and within 20 (twenty) days after the appellant has been notified in terms of paragraphs 5.1 and 5.2 of the decision.

5.4 "An Appeal Submission must be made on a form obtainable from the Department Appeal Administrator and/or the Departmental website on www.dedea.gov.za or relevant Regional Office; and

5.5 The Appellant must also serve a copy of the appeal to the regional office that processed the application."

Only appeals on environmental grounds can be considered. All appeals should be accompanied by relevant supporting documentation.

5.6 The address to which the **original** of any appeal and any other documents pertaining to the appeal must be mailed is outlined below. Please note that originals may also be delivered per hand or courier.

Department	Economic Development, Environmental Affairs and Tourism
Attention	General Manager: Environmental Affairs
Postal Address	Private Bag X0054, **BHISHO**, 5605
By Hand	Old Safety and Liaison Building (Global Life Complex) opposite Engen Garage, Bhisho
In order to facilitate efficient administration of appeals **copies** of any appeal and supporting documentation must also be submitted as follows:	
Manager Environmental Affairs: Mr S. Gqalangile by email:	Siyabonga.Gqalangile@dedea.gov.za Phumeza.Gxala@dedea.gov.za

5.7 In the event that an appeal is lodged with regard to this Authorisation, the listed activities described in this Authorisation may not commence prior to the resolution of the appeal and prior to the Department's written confirmation of compliance with all conditions that must be met before construction can commence, whichever event is the latter.

5.8 Please note that due to the restrictions imposed by the Covid-19 pandemic, all documents and correspondence should be submitted or sent to I & AP's electronically where possible unless such I&AP does not have access to electronic means to access such in which case alternative means to be utilised to informed such I&AP

ANDRIES STRUWIG
MANAGER: EQM
CACADU REGION
DATE: 3 September 201

DAYALAN GOVENDER
DEPUTY DIRECTOR: ENVIRONMENTAL AFFAIRS
CACADU REGION
DATE: 03 September 2021