

# POST-APPLICATION DRAFT SCOPING REPORT

For Comment from

**Wednesday, 26 April 2023 until Monday, 29 May 2023**

*PREPARED IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998),  
ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS OF 2014, AS AMENDED*

## PROJECT:

ENVIRONMENTAL IMPACT ASSESSMENT PROCESS FOR THE  
PROPOSED CLEARANCE OF INDIGENOUS VEGETATION FOR  
CULTIVATION ON PORTION 38 OF THE FARM UITNOOD NO. 129,  
ROBERTSON REGISTRATION DIVISION, WESTERN CAPE PROVINCE

DEA&DP Reference Number (NOI): 16/3/3/6/7/2/B1/14/1127/21



## APPLICANT:

EILANDIA PLASE (Pty) Ltd.

## PREPARED BY:



**April 2023**

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## INVITATION FOR PUBLIC COMMENT

Interested and Affected Parties (I&APs) are invited to submit written comments on this Post-application Draft Scoping Report (Post-app. DSR) and its Appendices to Annemarie Hurter from Cornerstone Environmental Consultants, whose contact details are provided below.

Written comments can be submitted by means of e-mail or by post.

**Please note that all information / comment submitted by I&APs will become public information.**

**The comment period on this report is from  
Wednesday, 26 April 2023 until Monday, 29 May 2023**

A copy of this report will be available at the Robertson Public Library during the above comment period.

The Post-application Draft Scoping Report will also be available on the following website:

<http://www.cornerstoneenviro.co.za/projects-and-downloads/>

I&APs are requested to please include the following information in all written submissions:

- **Departmental Reference Number:** 16/3/3/6/7/2/B1/14/1127/21;
- Your name, contact details (postal address, fax number and e-mail address); and
- An indication of any direct business, financial, personal or other interest which you may have in the project.

**For any queries on any aspect of the project, please contact:**

**Attention: Annemarie Hurter**

**Postal:** PO Box 12606, Die Boord, Stellenbosch, 7613

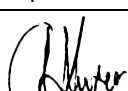
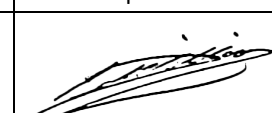
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**Report Review and Quality Management:**

|                            | <b>Issue 1</b>                                                                    | <b>Revision 1</b>                                                                  | <b>Revision 2</b> |
|----------------------------|-----------------------------------------------------------------------------------|------------------------------------------------------------------------------------|-------------------|
| <b>Issue/Revision Name</b> | Pre-app Draft Scoping Report                                                      | Post-app Draft Scoping Report                                                      | EIA Draft Report  |
| <b>Report prepared by:</b> | Annemarie Hurter<br>(Registered EAP)                                              | Annemarie Hurter<br>(Registered EAP)                                               | -                 |
| <b>Date:</b>               | 2 August 2021                                                                     | 12 April 2023                                                                      | -                 |
| <b>Signature:</b>          |  |  |                   |
| <b>Report reviewed by:</b> | Pieter de Villiers<br>(Registered EAP)                                            | Pieter de Villiers<br>(Registered EAP)                                             |                   |
| <b>Date:</b>               | 9 August 2021                                                                     | 19 April 2023                                                                      | -                 |
| <b>Signature:</b>          |  |  | -                 |

## EXECUTIVE SUMMARY

### Background and Introduction

The Applicant, Eilandia Plase (Pty) Ltd., who is also the landowner, proposes to expand the existing cultivation activities on Portion 38 of Farm Uitnood No. 129, Robertson Registration Division (RD), hence forth referred to as “the farm” or “Uitnood Farm”, by means of clearing indigenous vegetation and establishing new agricultural areas. Five cultivation areas, collectively  $\pm 72$  ha in extent, have been identified for clearance. The entire farm is  $\pm 390$  ha in extent of which  $\pm 200$  ha in the eastern section of the farm is currently developed (vineyards, dams, housing, roads and agricultural infrastructure).

All the required infrastructure to farm these areas are already in place. Irrigation pipelines (with a length of  $\pm 2\,000$  m and width of 250 mm diameter) will be laid inside the already disturbed footprint of existing farm roads and cultivation areas. No new farm roads are required. Different sections of irrigation pipelines will have to be constructed from the pump station near the existing dam, to the respective proposed cultivation areas.

Irrigation water for the proposed vineyards will be sourced from the Breede River, from Brandvlei Dam. A water license for this additional water is being applied for.

The application area is located approximately 4.5 km south of Robertson and 9 km north of McGregor, in the Langeberg Municipal area within the Cape Winelands District, in the Western Cape Province.

A full Scoping and Environmental Impact Assessment (EIA) process must be undertaken in terms of the National Environmental Management Act, Act No. 107 of 1998, as amended (NEMA) and subsequent Environmental Authorisation must be obtained from the decision-making/competent authority before the proposed project may be developed. Eilandia Plase (Pty) Ltd. has appointed Cornerstone Environmental Consultants (Pty) Ltd. as the Environmental Assessment Practitioners (EAP) to undertake the required EIA process for this proposed project.

*A Notice of Intent to submit an application in terms of the NEMA and the EIA Regulations of 2014, as amended, has been submitted to the Competent Authority, the Western Cape Department of Environmental Affairs and Development Planning (DEA&DP), during April 2021. The DEA&DP acknowledged (5 May 2021) and issued comments (14 May 2021) on the Notice of Intent (DEA&DP Reference Number: 16/3/3/6/7/2/B1/14/1127/21 (see **Appendix F1a** and **F1c**).*

It was decided by the EAP to send a Pre-application Draft Scoping Report (Pre-app. DSR) out for public participation prior to submitting the “official” Post-application Draft Scoping Report (Post-app. DSR) (this Report) along with the Application for Environmental Authorisation to the DEA&DP.

All identified interested and affected parties (I&APs) and relevant Organs of State, were invited to comment on the Pre-app. DSR. A 30-day registration and commenting period was allowed for, from **Tuesday, 10 August 2021 until Thursday, 9 September 2021**.

All registered I&APs (those I&APs that commented on the Pre-app. DSR, or who asked to be registered) and relevant Organs of State, have been invited to comment on this Post-app. DSR. A 30-day comment period has been allowed to comment on this document, from **Wednesday, 26 April 2023 until Monday, 29 May 2023**.

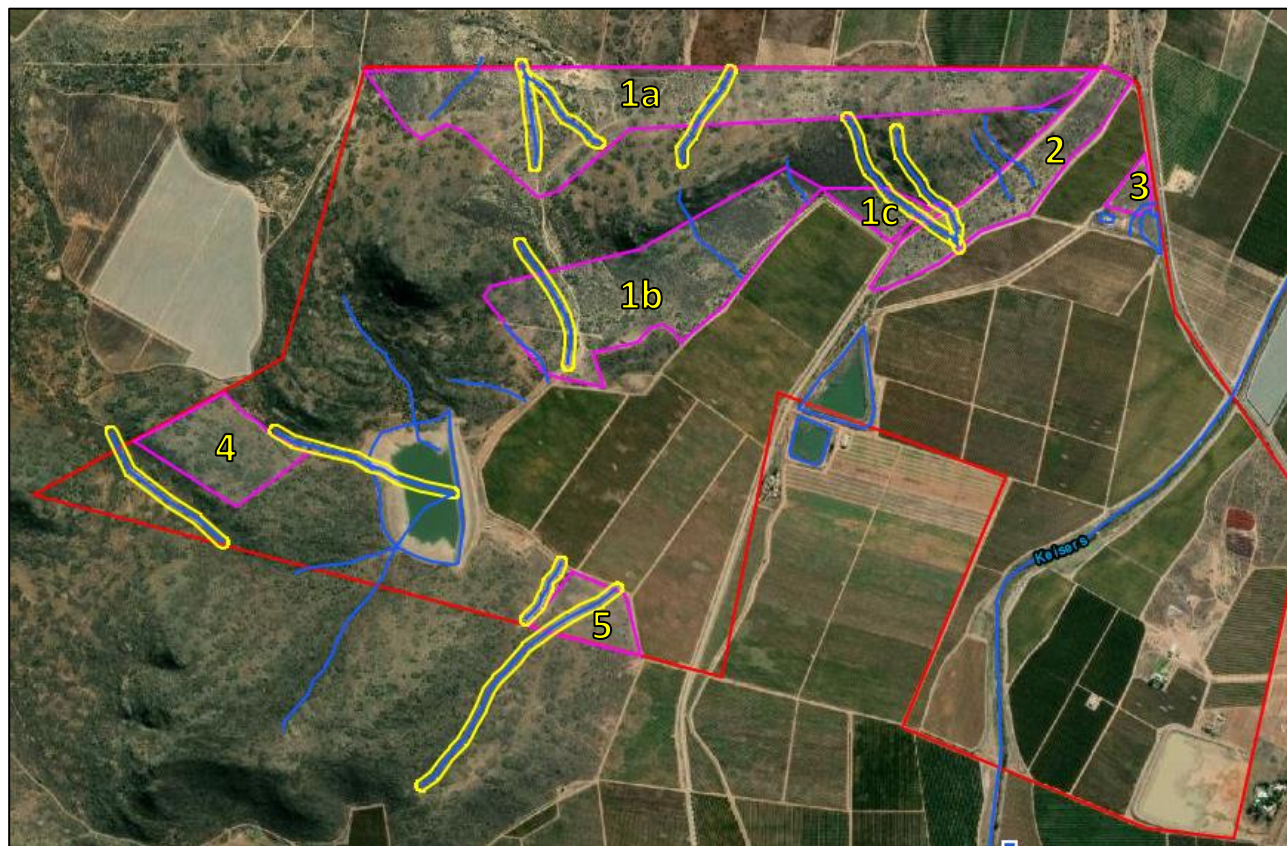
### Project Summary

The landowner proposes to expand the existing cultivation activities on the farm. The proposed development will entail the clearance of indigenous vegetation at selected areas on Uitnood Farm, totalling  $\pm 72$  ha, for the establishment of new vineyards.

Originally,  $\pm 128.6$  ha was proposed for agricultural expansion, and comprised five areas. The original five proposed cultivation areas were reduced to  $\pm 72$  ha after botanical, aquatic and soil constraints have been identified by the terrestrial, freshwater and soil specialists, and excluded from the proposed cultivation areas

as part of the scoping phase. These environmental constraints included very steep areas, areas containing plant species of conservation concern (SoCC), sensitive aquatic features and soil constraints.

Refer to **Figure a**, for the layout and **Table a**, for the sizes and co-ordinates of the proposed cultivation areas.



**Figure a:** Aerial image showing the Preferred Proposed Layout of the Cultivation Areas (1 – 5), reduced in size and subdivided to avoid sensitive environmental areas.

**Table a:** Sizes and coordinates of the proposed Preferred Cultivation Areas at Uitnood Farm.

| Area name    | Area Size      |           | Description of Area                                                                                                                                                                       | Coordinates    |                |
|--------------|----------------|-----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|----------------|
|              |                |           |                                                                                                                                                                                           | Latitude (S)   | Longitude (E)  |
| Area 1a      | ± 30.3 ha      | ± 52.4 ha | Large area in the northern portion of the farm, subdivided into 3 parts namely Area 1a, 1b and 1c. Three drainage lines have been buffered in Area 1a, one in Area 1b and one in Area 1c. | 33° 51' 04.36" | 19° 51' 53.79" |
| Area 1b      | ± 20 ha        |           |                                                                                                                                                                                           | 33° 51' 22.52" | 19° 51' 52.41" |
| Area 1c      | ± 2.1 ha       |           |                                                                                                                                                                                           | 33° 51' 15.15" | 19° 52' 42.52" |
| Area 2       | ± 8.2 ha       |           | Narrow strip of land situated between the road and a canal. Two drainage lines have been buffered in this area.                                                                           | 33° 51' 12.98" | 19° 52' 29.42" |
| Area 3       | ± 1 ha         |           | Small triangular area on the east of Area 2. There is a remnant wetland just south of Area 3, excluded from the development.                                                              | 33° 51' 12.38" | 19° 52' 42.40" |
| Area 4       | ± 6.8 ha       |           | West of the existing dam.                                                                                                                                                                 | 33° 51' 36.15" | 19° 51' 07.61" |
| Area 5       | ± 3.7 ha       |           | South-east of the existing dam with one buffered drainage line.                                                                                                                           | 33° 51' 49.47" | 19° 51' 44.94" |
| <b>Total</b> | <b>72.1 ha</b> |           |                                                                                                                                                                                           |                |                |

## Regulatory Framework

The proposed development will trigger four listed activities in terms of the NEMA EIA Regulations of 2014, as

amended, and a full Scoping and EIA process is being undertaken for the proposed development.

The Listed Activities, as per NEMA EIA Regulations Listing Notices 1, 2 and 3 of 2017, as amended, which will be triggered by the proposed project are provided below:

| <b>Listing Notice 1 of 2014, as amended</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <b>Relevant project activities</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>Listed Activity 19</b><br/>The infilling or depositing of any material of more than 10 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 10 cubic metres from a watercourse; but excluding where such infilling, depositing, dredging, excavation, removal or moving;<br/>(a) will occur behind a development setback;<br/>(b) is for maintenance purposes undertaken in accordance with a maintenance management plan;</p>                                                      | <p>This listed activity will be triggered where tributaries or drainage lines will be infilled as part of vegetation clearance and land development.</p>                                                                                                                                                                                                                                                                                                                                                                                      |
| <p><b>Listed Activity 27</b><br/>The clearance of an area of 1 hectares or more, but less than 20 hectares of indigenous vegetation, except where such clearance of indigenous vegetation is required for;<br/>(i) the undertaking of a linear activity; or<br/>(ii) maintenance purposes undertaken in accordance with a maintenance management plan.</p>                                                                                                                                                                                                             | <p>This activity will be triggered because the area to be cleared is <math>\pm 72</math> ha of indigenous vegetation.</p>                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>Listing Notice 2 of 2014, as amended</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <b>Relevant project activities</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <p><b>Listed Activity 15</b><br/>The clearance of an area of 20 hectares or more of indigenous vegetation, excluding where such clearance of indigenous vegetation is required for;<br/>(i) the undertaking of a linear activity; or<br/>(ii) maintenance purposes undertaken in accordance with a MMP.</p>                                                                                                                                                                                                                                                            | <p>The sites to be cleared are collectively <math>\pm 72</math> ha in extent, which is more than 20 ha.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Listing Notice 3 of 2014, as amended</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <b>Relevant project activities</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <p><b>Listed Activity 12</b><br/>The clearance of an area of 300 square metres or more of indigenous vegetation except where such clearance of indigenous vegetation is required for maintenance purposes undertaken in accordance with a maintenance management plan – Western Cape<br/>i. Within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA or prior to the publication of such a list, within an area that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004;</p> | <p>Two vegetation types are evident within the surveyed areas including Robertson Karoo (LT) and Breede Sand Fynbos (V). Only a small portion (<math>\pm 2\,221\text{ m}^2</math>) of Area 3 is mapped as a terrestrial CBA based on the mapped occurrence of the <u>Critically Endangered ecosystem Muscadel Riviere</u>.</p> <p>However, the botanist confirmed that there is no representation of Muscadel Riviere vegetation within Area 3. <b>Therefore, this Listed Activity will not be triggered by the proposed development.</b></p> |

## Existing Environment

The farm is located approximately 4.5 km south of Robertson and 9 km north of McGregor, within the Langeberg Municipal Area, which forms part of the Cape Winelands District Municipality. Access to the property is gained via the Langverwagten Road, a gravel road that splits off Reitz Street to the north of the farm. The Breede River passes by the farm on the northern side, however, it does not border the farm. A perennial tributary of the Breede River, namely Keisers River, transects the farm in its south-eastern section. Several small ephemeral features are draining the proposed cultivation areas. The ephemeral streams are minor tributaries of the Keisers River in the middle reaches of the Breede River System. The Koningsrivier

branch of the Le Chasseur & Goree Canal System runs from north to south, on the western side of the servitude road, through the centre of the farm.

Please refer to the Locality Map attached as **Appendix A1**, and a recent Google Earth image attached as **Appendix A2**.

The land use around the farm has for many years remained largely agricultural, modifying much of the natural vegetation that would have originally occurred, although large naturally vegetated areas do remain, especially west and south of the proposed cultivation sites. The land cover at the sites of the proposed activities is a mixture of succulent karoo shrubland and natural grassland vegetation.

There are no Protected Areas identified within or directly adjacent to the farm. The farm and immediate surroundings do not form part of any National Protected Areas Expansion Strategy: Focus areas for protected area expansion. The proposed cultivation sites do contain indigenous vegetation, but do not form part of a natural corridor.

### **Climate**

The application area has a typical Mediterranean climate and receives most of its rainfall during cold winters whilst its summers are hot and dry. The month of July receives an average rainfall of 27 mm and its average temperature ranges between 19 °C in the day and 5 °C at night. In contrast, February receives an average rainfall of 5 mm and its average temperature ranges between 30 °C and 16 °C. The area receives a mean annual rainfall of 260 - 280 mm, while the average temperatures for February and July are 23 °C and 12 °C respectively. The total annual evaporation for the area is 1 392 mm, with the highest evaporation occurring during the warm summer months. Surface water flow is therefore much higher during winter months with increased flows usually occurring from April to September and the highest flows in August. (*Source: Cape Farm Mapper, 2023*)

### **Climate Change Predictions for the Area**

Climate change projections for the Western Cape Province include higher mean annual temperatures, higher maximum temperatures, more hot days and more heat waves, higher minimum temperatures, fewer cold days and frost days, and intensification of rainfall events (DEA&DP, 2014; Midgley *et al*, 2016b).

The SmartAgri plan, a two-year project that responds to the need for a practical and relevant climate change response plan specifically for the agricultural sector of the Western Cape Province, divides the Western Cape Province into several derived Agro-Climatic Zones (Midgley *et al*, 2016b). These zones have been identified and assessed for their key features, and the likely impact of climate change on these zones. The relevant application area falls under the **Breede Agro-Climatic Zone**. Based on the climate change temperature predictions assessment for the Sandveld-south Agro-Climatic Zone, 'medium range warming' is predicted for this area.

### **Topography and Drainage**

The application site is located on the south- and eastern slopes of the foothills of the Klipberg, extending down to the Keisers River approximately 3 km upstream of where it joins the Breede River. The slopes of the foothills are relatively undisturbed however the valley floor is completely modified by cultivated areas. Several smaller streams drain the hillside that is in a similar state to the surrounding landscape, which is still largely natural in the upper reaches but significantly modified in the lower reaches.

The proposed cultivation areas are arranged to avoid the steepest hillslopes and hilltops. Some of these drainage lines within the proposed cultivation areas are mapped as aquatic Ecological Support Areas (ESAs), but none are mapped as CBAs, NFEPAs or wetland areas. (*Source: Cape Farm Mapper, 2023*)

### **Soil and Geology**

The geology of the area is underlain by feldspathic sandstone of the Rietvlei Formation, especially the elevated steeper areas are very rocky with little soils. Table Mountain Group is evident on the higher-lying slopes in the west and the east of the study area, while shale and sandstone of the Bokkeveld Group, overlain

by loam on foot slopes and alluvium occur in the valley bottoms. Glenrosa and Mispah soil forms are common in the area. Lime is generally present in the entire landscape. The application area has a moderate erodibility factor of 0.45, an average soil depth of less than 450 mm and clay content of less than 15%. (*Source: Cape Farm Mapper, 2023*)

### **Terrestrial Vegetation and Biodiversity**

The botanist who conducted the Terrestrial Biodiversity Report for this project, Johlene Krige, assessed the original five cultivation areas consisting of  $\pm 130$  ha, and confirmed that two vegetation types are evident within the surveyed areas including **Robertson Karoo (Least Threatened)** and **Brede Sand Fynbos (Vulnerable)**. Only a small portion of Area 3 is mapped as a terrestrial CBA based on the mapped occurrence of the critically endangered ecosystem Muscadell Riviere. The field survey, however, revealed that this ecosystem is not present on site.

Five plant species of conservation concern (SoCC) were recorded within the surveyed areas namely *Euchaetis pungens* (V), *Astroloba rubriflora* (V), *Brianhuntleya intrusa* (Near Threatened (NT)), *Euphorbia nesemanii* (NT), and *Eriospermum bowieanum* (V). All the colonies of threatened plant species have been excluded from the preferred layout of cultivation areas.

### **Aquatic Features**

The Keisers River, located within the eastern portion of the property is a perennial river that drains this area. It is recognised as an aquatic CBA with associated floodplain NFEPA wetland areas. This area will be excluded from any development or further disturbances.

#### Wetland Area

A wetland area (remnant floodplain) is located just south of Cultivation Area 3, excluded from the preferred layout. This wetland area is located at the foot of the hillslope and is likely to have been associated with the small streams upslope of it, where these streams drained into the historic wider floodplain of the Keisers River. The remnant floodplain wetland area is considered largely modified as a result of modifications that have taken place within the site as well as downstream of the site. The degree of modification that has taken place within the floodplain wetland has resulted in a loss of sensitive elements and a reduction of diversity and species richness. It is therefore considered to be of moderate to low ecological sensitivity and importance, however, the specialist recommended that the wetland area be retained in its current ecological condition or improved if possible.

#### Keisers Tributaries

The tributaries within the proposed cultivation areas can be categorised as relatively small episodic foothill tributaries of the Keisers River. In their upper reaches, the tributaries comprise several smaller tributaries and drainage lines that drain the hillslope. The upper reaches of these streams are still in a largely natural state. The stream channels within the tributary are currently vegetated primarily with natural vegetation but have a high potential for erosion because the substrate is predominantly shallow alluvium, interspersed with gravel. The lower reaches of all the streams have mostly been lost to cultivation activities. Some of these drainage lines are considered aquatic Ecological Support Areas (ESAs), including small drainage lines occurring within Area 1a (although there is no evidence of any runoff in this area due to the deep sands), just south-west of Area 4 and west of Area 5. There are no aquatic CBAs, NFEPA or wetland areas identified within any of the proposed cultivation areas, neither do the areas fall within any groundwater or surface Strategic Water Source Areas.

### **Socio-economic Profile of the Project Area**

Langeberg currently has a population of 117 450, rendering it the smallest municipal area within the Cape Winelands District (CWD). The total population is estimated to increase to 126 018 by 2023 which equates to a 1.8 % annual average growth rate.

Over the last decade, the unemployment rate has been rising steadily. Unemployment in the Langeberg municipal area started at 4 % in 2008, rising steadily to reach 6 % in 2010, where after hovering around 6 % till 2014, then lowered to 5.2 % in 2015 where after it edged up to 6.2 % in 2018.

Growth in the agriculture, forestry and fishing sector was robust at 10.1 % in 2017, however, the sector was estimated to contract by 3.9 % in 2018 due to the effects of the drought. The agriculture, forestry and fishing sector contributed the most jobs in the Langeberg municipal area in 2017 (26.7 %).

### **Cultural Heritage Aspects of the Environment**

A Heritage Screener Report and Notice of Intent was prepared and submitted to Heritage Western Cape (HWC) by CTS Heritage.

Based on the information available, it is unlikely that the proposed development will negatively impact archaeological heritage and palaeontological heritage. HWC also confirmed that since there is no reason to believe that the proposed clearance of vegetation at Uitnood Farm will impact heritage resources, no further action under Section 38 of the NHRA is required.

### **Need and Desirability Summary**

The consideration of the need and desirability of the proposed project as described below is guided by the EIA Guideline Information Document on Need and Desirability issued by the DEA&DP, March 2013. The preliminary description of the relevant considerations as provided below are in relation to the feasible and reasonable alternatives as described in **Chapter 5** of this Post-app. DSR.

The concept of “need and desirability” relates to, amongst others, the nature, scale and location of development being proposed, as well as the wise use of land (DEA&DP, 2013b). Essentially, the concept of “need and desirability” can be explained in terms of the general meaning of its two components in which need primarily refers to time, and desirability to place (i.e. is this the right time and is it the right place for locating the type of land-use/activity being proposed?), “need and desirability” are interrelated and the two components must be considered collectively in an integrated and holistic manner (DEA&DP, 2013b).

The necessary environmental investigations and specialist studies are being undertaken as part of the scoping phase, and where required, will be expanded on in the impact assessment phase of this EIA process to ensure that the need and desirability aspects are addressed.

The relevant Provincial Spatial Development Framework (SDF) and Municipal Integrated Development Plan (IDP) and SDF documents for the area were scrutinised and the need and desirability in terms of these documents have also been extensively discussed in **Chapter 5** of this Post-app. DSR.

### **Alternatives Considered**

The consideration of alternatives is a key component of an EIA process. While an EIA process should investigate and comparatively **consider** all alternatives that have been identified, only those found to be “feasible” and “reasonable” must be comparatively **assessed**, in terms of the advantages and disadvantages that the proposed activity and alternatives will have on the environment and on the community that may be affected by the activity (DEA&DP, 2013b).

Those alternatives that have been considered (i.e. identified and investigated) to date, and which are deemed to be “feasible” and “reasonable” have been described in **Chapter 6** of this Report. A broad comparative assessment of the potential impacts i.e. advantages and disadvantages of the alternatives, will be put forward and discussed in detail in the EIA Report during the impact assessment phase.

A Terrestrial Biodiversity Report, a Freshwater Constraints Report and a Soil Report were prepared to identify those areas on the farm which could potentially be appropriate for development. The outcome of these reports was that out of the originally proposed  $\pm 128.6$  ha,  $\pm 72$  ha (located within the five proposed cultivation sites) of lesser sensitivity, were identified.

These five sites (reduced in size) are therefore the only feasible and reasonable cultivation **layout alternative**

for the proposed development and will be further assessed during the impact assessment phase of this EIA process, as well as the “no-go alternative”. The “no-go alternative” would entail maintaining the *status quo* of the application area, whereby the proposed cultivation areas will not be established.

### **Public Participation Process**

A public participation process is being undertaken as part of this EIA process, in compliance with the NEMA EIA Regulations of 2014, as amended. The Public Participation Plan was accepted by the DEA&DP on 14 May 2021.

### **Pre-Application Scoping Phase Public Participation Activities**

I&APs and Organs of State were pro-actively identified and added to the initial stakeholder database, in compliance with the requirements. A Site Notice was fixed to a boundary fence along a public road, conspicuous to by passers, on 11 November 2020.

Availability of the Pre-application Draft Scoping Report (Pre-app. DSR) was advertised in the *Breederivier Gazette* local newspaper on Tuesday, 10 August 2021. E-mails, with the Pre-app. DSR Executive Summary as an attachment, were sent to all the I&APs and Organs of State on the initial stakeholder database, inviting them to comment on the Pre-app. DSR.

A 30-day comment period was provided on the Pre-app. DSR from **Tuesday, 10 August 2021 until Thursday, 9 September 2021**.

The report was also loaded onto the EAP's website ([www.cornerstoneenviro.co.za](http://www.cornerstoneenviro.co.za)) and a hard copy was available for review at the Robertson Public Library. Copies of the Pre-app. DSR were also distributed to State Organs (in the format of their choice).

All comments received during the Pre-application Scoping public participation process were collated into a Comments and Responses Report (C&RR) and responses to such comments have been provided by the project team. The C&RR is appended to this Post-application Draft Scoping Report (Post-app. DSR) (**Appendix F8**).

### **Prepare and Submit Application for Environmental Authorisation**

The Application for Environmental Authorisation has been submitted to the DEA&DP simultaneously with this Post-app. DSR.

### **Post-Application Scoping Phase Public Participation Activities**

All registered I&APs and all identified Organs of State have been invited to comment on this Post-app. DSR. A 30-day comment period is allowed from **Wednesday, 26 April 2023 until Monday, 29 May 2023**.

The Post-app. DSR has been loaded onto the EAP's website ([www.cornerstoneenviro.co.za](http://www.cornerstoneenviro.co.za)) and a hard copy was also made available for review at the local Robertson Public Library. Copies of the Post-app. DSR have also been distributed to the State Organs.

The comments received on the Post-app. DSR will be collated and included in the C&RR, and responses to such comments will be provided by the project team.

### **Post-Application Scoping Phase: Submit Post-application Final Scoping Report**

The Post-app. DSR will be revised to include the comments received from I&APs, including the updated C&RR. Recommendations will be made regarding any additional specialist studies that may need to be undertaken to provide additional information regarding the potential impacts and the mitigation that may be applied to reduce such impacts.

The Final Scoping Report (FSR) will be submitted to the DEA&DP for consideration.

**Impact Assessment Phase Public Participation Activities**

All registered I&APs and relevant Organs of State, as identified during the scoping phase public participation will be invited to comment on the Draft EIA Report and Environmental Management Programme (EMPr):

- Letters/emails will be issued to all the registered I&APs on the stakeholder database to advise them of the availability of the Draft EIA Report and EMPr for comment;
- the reports will be loaded onto the EAP's website ([www.cornerstoneenviro.co.za](http://www.cornerstoneenviro.co.za)) for public review;
- a hard copy will also be made available for review at the Robertson Public Library; and
- Copies of the Draft EIA Report and EMPr will be made available and/or distributed to State Organs.

The comments received during the above comment period will be collated in the C&RR, and responses to such comments will be provided by the project team.

**Submit Final EIA Report and EMPr to Competent Authority**

The concluding activities as part of the impact assessment phase will include the following:

- Revise the EIA Report and EMPr based on the findings of the specialist studies and public participation process, providing all the necessary mitigation that is required to reduce the significance of the identified impacts.
- Print final copies of the EIA Report and EMPr and submit it, together with any final comments received from I&APs, to the DEA&DP for decision-making.

**Final Decision by the Competent Authority**

Upon receipt of final decision from the decision-making authority (DEA&DP), all registered I&APs will be informed of the decision and of their rights in terms of the relevant appeal process.

**Appeal Process**

Once a final decision has been issued by the DEA&DP, the EAP will inform registered I&APs, within 14 days, of their right to an appeal process, should the application be authorised. Should the application not be authorised, the Applicant also has the right to an appeal process.

**Potential Environmental Impacts**

The following key aspects and impacts were identified during this Scoping Phase to date, and will be further assessed during the impact assessment:

- Clearing of land for agricultural development and its associated activities and the potential impacts on:
  - vegetation and ecology;
  - impacts on the aquatic environment;
- Impacts on agricultural resources;
- Climate change related impacts;
- Socio-economic aspects;
- Impacts on heritage resources (none expected);
- Erosion and stormwater management; and
- Dust and noise.

**Conclusion and Recommendation**

The following general conclusions and recommendations are made:

- The necessary steps are being followed for this EIA process in accordance with the NEMA EIA Regulations of 2014, as amended;
- The Post-app. DSR contains the relevant information required in terms of Appendix 2 of the NEMA EIA Regulations of 2014, as amended. The Plan of Study for EIA is also included in this report;

- A full public participation process is being undertaken in compliance with the NEMA EIA Regulations of 2014, as amended, as well as GN No. 650 of 5 June 2020.

The following specialist studies have either been undertaken for the Scoping phase of this project and will be completed during the EIA phase, or will be amended/updated for the proposed project, where/if necessary in order to address the activity specific issues. The specialist studies include:

- Terrestrial Biodiversity Report (**Appendix E1**)
- Freshwater Constraints Report (to be updated to a Freshwater Impact Assessment) (**Appendix E2**)
- Heritage Screener Report (**Appendix E3**)
- Soil Analysis (**Appendix E4**); and
- Stormwater Management Plan (to be conducted during the EIA phase)

Based on the scoping process undertaken to date, no environmental fatal flaws have been identified that would prohibit the proposed project from continuing. However, the mitigation measures proposed by the specialists must be adhered to.

The Final Scoping Report will be submitted to the DEA&DP for their decision to proceed with the EIA phase of the project.

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## APPENDICES

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- E2: Freshwater Constraints Report prepared by BlueScience
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- E3b: HWC Comment dated 1 June 2021
- E4: Soil Study prepared by Agrimotion

### Appendix F: Public Participation Process

- F1a: DEA&DP acknowledges receipt of Notice of Intent to Develop, dated 5 May 2021
- F1b: Public Participation Plan dated 28 April 2021
- F1c: DEA&DP comments on / acceptance of Notice of Intent to Develop and Public Participation Plan, dated 14 May 2021
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- G4: Declaration by the EAP (*to be included in the Final SR*)

## LIST OF ACRONYMS AND ABBREVIATIONS

|        |                                                                               |
|--------|-------------------------------------------------------------------------------|
| ACDI   | University of Cape Town's African Climate and Development Initiative          |
| AIA    | Archaeological Impact Assessment                                              |
| BA     | Basic Assessment                                                              |
| BBEEE  | Broad-based Black Economic Empowerment                                        |
| CARA   | Conservation of Agricultural Resources Act, Act No. 43 of 1983                |
| CBA    | Critical Biodiversity Area                                                    |
| CR     | Critically Endangered                                                         |
| CWDM   | Cape Winelands District Municipality                                          |
| C&RR   | Comments and Responses Report                                                 |
| DAFF   | National Department of Agriculture, Forestry and Fisheries                    |
| DEA    | Department of Environmental Affairs (now DFFE)                                |
| DEA&DP | Department of Environmental Affairs and Development Planning                  |
| DFFE   | Department of Forestry, Fisheries and the Environment (used to be DEA)        |
| DSR    | Draft Scoping Report                                                          |
| DWS    | Department of Water and Sanitation                                            |
| EAP    | Environmental Assessment Practitioner                                         |
| EAPASA | Environmental Assessment Practitioners Association of South Africa            |
| EIA    | Environmental Impact Assessment                                               |
| EMF    | Environmental Management Framework                                            |
| EMPr   | Environmental Management Programme                                            |
| ESAs   | Ecological Support Areas                                                      |
| FSR    | Final Scoping Report                                                          |
| GDP    | Gross Domestic Product                                                        |
| GDPR   | Regional Gross Domestic Product                                               |
| GHG    | Greenhouse Gas                                                                |
| GMS    | Growth Management Strategy                                                    |
| ha     | hectares                                                                      |
| HIA    | Heritage Impact Assessment                                                    |
| HWC    | Heritage Western Cape                                                         |
| IDF    | Integrated Development Framework                                              |
| IDP    | Integrated Development Plan                                                   |
| I&AP   | Interested and/or Affected Party                                              |
| km     | kilometre                                                                     |
| LT     | Least Threatened                                                              |
| mamsl  | metres above mean sea level                                                   |
| MAP    | Mean Annual Precipitation                                                     |
| MAR    | mean annual runoff                                                            |
| MMP    | Maintenance Management Plan                                                   |
| NBA    | National Biodiversity Assessment                                              |
| NEMA   | National Environmental Management Act, 1998 (Act No. 107 of 1998), as amended |
| NEM:BA | National Environmental Management: Biodiversity Act, Act No. 10 of 2004       |
| NFEPA  | National Freshwater Ecosystem Priority Area                                   |
| NHRA   | National Heritage Resources Act, Act No. 25 of 1999                           |

|           |                                                       |
|-----------|-------------------------------------------------------|
| NID       | Notice of Intent to Develop                           |
| NWA       | National Water Act, Act No. 36 of 1998                |
| PSDF      | Western Cape Provincial Spatial Development Framework |
| RD        | Registration Division                                 |
| SAHRIS    | South African Heritage Resources Information System   |
| SANBI     | South African National Biodiversity Index             |
| SoCC      | Species of Conservation Concern                       |
| SDF       | Spatial Development Framework                         |
| SG        | Surveyor General                                      |
| SmartAgri | Smart Agriculture for Climate Resilience              |
| SPC       | Spatial Planning Category                             |
| SR        | Scoping Report                                        |
| VU        | Vulnerable                                            |
| WCBSP     | Western Cape Biodiversity Spatial Plan                |

## 1 INTRODUCTION

The Applicant, Eilandia Plase (Pty) Ltd., who is also the landowner, proposes to expand the existing cultivation activities on Portion 38 of Farm Uitnood No. 129, Robertson, hence forth referred to as “the farm”, by means of clearing indigenous vegetation and establishing new agricultural areas. Five cultivation areas, collectively  $\pm 70$  ha in extent, have been identified for clearance. The entire farm is  $\pm 390$  ha in extent of which  $\pm 200$  ha in the eastern section of the farm is currently developed (vineyards, dams, housing and agricultural infrastructure). Several small ephemeral features are draining the proposed cultivation area. The ephemeral streams are minor tributaries of the Keisers River in the middle reaches of the Breede River System.

All the required infrastructure to farm the proposed cultivation areas are already present in the vicinity. Irrigation water will be used out of the previously approved dam on the farm. Irrigation pipes will be installed as part of the establishment of the cultivation areas. There are existing farm roads to all these areas.

The application area is located approximately 4.5 km south of Robertson and 9 km north of McGregor, in the Langeberg Municipal area within the Cape Winelands District, in the Western Cape Province.

A full Scoping and Environmental Impact Assessment (EIA) process must be undertaken in terms of the National Environmental Management Act, Act No. 107 of 1998, as amended (NEMA) and subsequent Environmental Authorisation must be obtained from the decision-making/competent authority before the proposed project may be developed. Eilandia Plase (Pty) Ltd. has appointed Cornerstone Environmental Consultants (Pty) Ltd. as the Environmental Assessment Practitioners (EAP) to undertake the required EIA process for this proposed project.

A *Notice of Intent to submit an application in terms of the NEMA and the EIA Regulations of 2014, as amended*, has been submitted to the Competent Authority, the Western Cape Department of Environmental Affairs and Development Planning (DEA&DP), during April 2021. The DEA&DP acknowledged (5 May 2021) and issued comments (14 May 2021) on the Notice of Intent (DEA&DP Reference Number: 16/3/3/6/7/2/F4/23/3099/21 (see **Appendix F1a** and **F1c**).

It was decided by the EAP to send a Pre-application Draft Scoping Report (Pre-app. DSR) out for public participation prior to submitting the “official” Post-application Draft Scoping Report (Post-app. DSR) (this report) along with the Application for Environmental Authorisation to the DEA&DP.

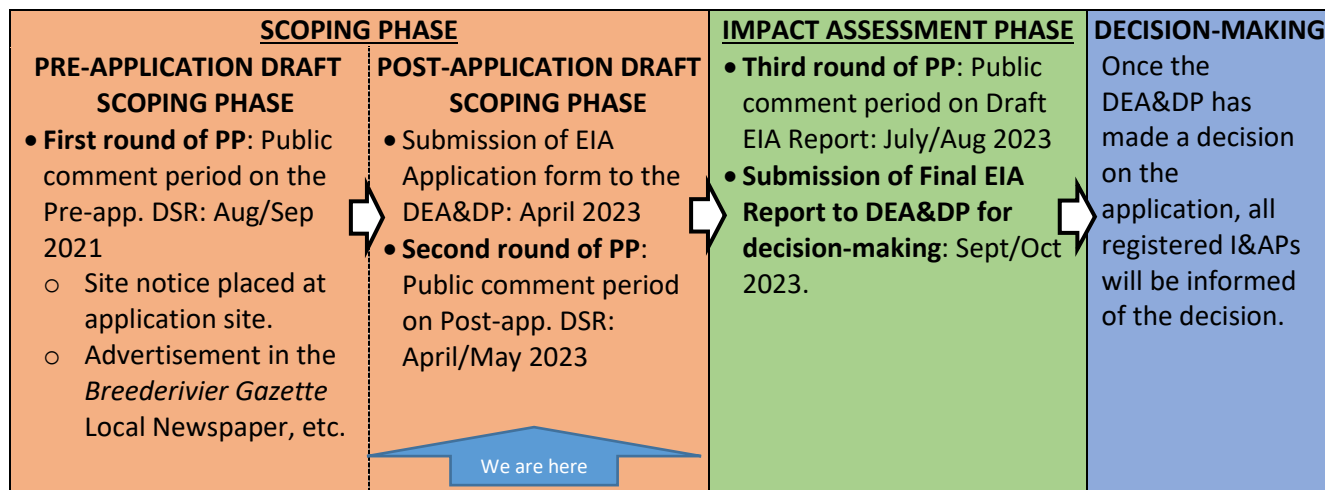
All identified interested and affected parties (I&APs) and relevant Organs of State, have been invited to comment on the Pre-app. DSR. A 30-day registration and commenting period was allowed for, from **Tuesday, 10 August 2021 until Thursday, 9 September 2021**.

All registered I&APs (those I&APs that commented on the Pre-app. DSR, or who asked to be registered) and relevant Organs of State, have been invited to comment on the Post-app. DSR. A 30-day comment period has been allowed for on this document, from **Wednesday, 26 April 2023 until Monday, 29 May 2023**.

### 1.1 Scoping and Environmental Impact Assessment process

An EIA is a systematic process of identifying, assessing and reporting on environmental impacts associated with an activity. Basic Assessment (BA) and Full Scoping and EIA are two types of impact assessment processes provided for in the NEMA, as amended.

The proposed project will, *inter alia*, trigger activities that are listed under Listing Notice 2 of the NEMA EIA Regulations of 2014. A Full Scoping and EIA process, and subsequent Environmental Authorisation, is therefore required before commencement with the proposed activities. See **Section 3.2** below for the listed activities that will be triggered by the proposed development. This Full Scoping and EIA process (hereafter called the “EIA process”) is currently in the Post-application Scoping Phase. See **Figure 1** below for the EIA process project phases, public participation activities and timeline.



**Figure 1:** Summary of the EIA process, public participation (PP) activities and the project timeline.

## 1.2 Scoping Report Content Requirements

Appendix 2 of the EIA Regulations of 2014, as amended, provides the content requirements for a Scoping Report. A Scoping Report must also comply with Section 21 of the NEMA. The table below lists the relevant requirements, indicates whether the relevant information is included in this report, and provides cross-references as to where the relevant information can be found in this report.

**Table 1: Scoping Report requirements in terms of the EIA Regulations of 2014, as amended.**

| Appendix 2 of the EIA Regulations of 2014, as amended                                           |                                                                                                                                                                                                                                                                                                                                                    | Included (Yes, No or N/A) | SR Section Reference                                |
|-------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|-----------------------------------------------------|
| 2.(1) A Scoping Report must comply with Appendix 2 of the EIA Regulations of 2014 and include - |                                                                                                                                                                                                                                                                                                                                                    |                           |                                                     |
| (a)                                                                                             | details of -                                                                                                                                                                                                                                                                                                                                       |                           |                                                     |
|                                                                                                 | (i) the EAP who prepared the report; and                                                                                                                                                                                                                                                                                                           | Yes                       | Chapter 1                                           |
|                                                                                                 | (ii) the expertise of the EAP, including a curriculum vitae;                                                                                                                                                                                                                                                                                       | Yes                       | Chapter 1                                           |
| (b)                                                                                             | the <b>location</b> of the activity, including—                                                                                                                                                                                                                                                                                                    | Yes                       | Chapter 2                                           |
|                                                                                                 | (i) the 21 digit Surveyor General code of each cadastral land parcel;                                                                                                                                                                                                                                                                              |                           |                                                     |
|                                                                                                 | (ii) where available, the physical address and farm name;                                                                                                                                                                                                                                                                                          |                           |                                                     |
|                                                                                                 | (iii) (iii) where the required information in items (i) and (ii) is not available, the coordinates of the boundary of the property or properties;                                                                                                                                                                                                  |                           |                                                     |
| (c)                                                                                             | a <b>plan</b> which locates the proposed activity or activities applied for at an <b>appropriate scale</b> , or, if it is—                                                                                                                                                                                                                         | Yes                       | Appendix B1                                         |
|                                                                                                 | (i) a linear activity, a description and coordinates of the corridor in which the proposed activity or activities is to be undertaken; or                                                                                                                                                                                                          |                           |                                                     |
|                                                                                                 | (ii) on land where the property has not been defined, the coordinates within which the activity is to be undertaken;                                                                                                                                                                                                                               |                           |                                                     |
| (d)                                                                                             | a description of the <b>scope</b> of the proposed activity, including—                                                                                                                                                                                                                                                                             | Yes                       | Chapter 2 (Section 2.2) and Chapter 3 (Section 3.2) |
|                                                                                                 | (i) all <b>listed</b> and specified <b>activities</b> triggered;                                                                                                                                                                                                                                                                                   |                           |                                                     |
|                                                                                                 | (ii) a description of the <b>activities to be undertaken</b> , including associated structures and infrastructure;                                                                                                                                                                                                                                 |                           |                                                     |
| (e)                                                                                             | a description of the <b>policy and legislative context</b> within which the development is proposed including an identification of all legislation, policies, plans, guidelines, spatial tools, municipal development planning frameworks and instruments that are applicable to this activity and are to be considered in the assessment process; | Yes                       | Chapter 3                                           |
| (f)                                                                                             | a motivation for the <b>need and desirability</b> for the proposed development including the need and desirability of the activity in the context of the preferred location;                                                                                                                                                                       | Yes                       | Chapter 5                                           |

| Appendix 2 of the EIA Regulations of 2014, as amended |                                                                                                                                                                                                                                                                    | Included<br>(Yes, No or<br>N/A) | SR Section<br>Reference |
|-------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------|-------------------------|
| (g)                                                   | a full description of the process followed to reach the proposed preferred activity, site and location of the development footprint within the site, including—                                                                                                    | Yes                             | Chapters 6 and 7        |
|                                                       | (i) details of all the <b>alternatives</b> considered;                                                                                                                                                                                                             |                                 |                         |
|                                                       | (ii) details of the <b>PPP</b> undertaken in terms of regulation 41 of the Regulations, including copies of the supporting documents and inputs;                                                                                                                   |                                 |                         |
|                                                       | (iii) a summary of the <b>issues raised by I&amp;APs</b> , and an indication of the manner in which the issues were incorporated, or the reasons for not including them;                                                                                           |                                 |                         |
|                                                       | (iv) the <b>environmental attributes</b> ( <i>description of affected environment</i> ) associated with the alternatives focusing on the geographical, physical, biological, social, economic, heritage and cultural aspects;                                      | Yes                             | Chapter 4               |
|                                                       | (v) the <b>impacts and risks</b> , which have informed the identification of <b>each alternative</b> , including the nature, significance, consequence, extent, duration and probability of such identified impacts, including the degree to which these impacts—  |                                 | Chapter 8               |
|                                                       | (aa) can be reversed;                                                                                                                                                                                                                                              |                                 |                         |
|                                                       | (bb) may cause irreplaceable loss of resources; and                                                                                                                                                                                                                |                                 |                         |
|                                                       | (cc) can be avoided, managed or mitigated;                                                                                                                                                                                                                         |                                 | Chapters 8 and 9        |
|                                                       | (vi) the <b>methodology</b> used in identifying and ranking the nature, significance, consequences, extent, duration and probability of <b>potential environmental impacts</b> and risks associated with the alternatives;                                         |                                 |                         |
|                                                       | (vii) <b>positive and negative impacts</b> that the proposed activity and alternatives will have on the environment and on the community that may be affected focusing on the geographical, physical, biological, social, economic, heritage and cultural aspects; |                                 |                         |
|                                                       | (viii) the possible <b>mitigation</b> measures that could be applied and level of residual risk;                                                                                                                                                                   |                                 |                         |
|                                                       | (ix) the <b>outcome of the site selection matrix</b> ;                                                                                                                                                                                                             |                                 |                         |
|                                                       | (x) if no alternatives, including alternative locations for the activity were investigated, the <b>motivation for not considering</b> such; and                                                                                                                    |                                 |                         |
|                                                       | (xi) a <b>concluding statement</b> indicating the preferred alternatives, including preferred location of the activity;                                                                                                                                            |                                 |                         |
| (h)                                                   | a <b>plan of study</b> for undertaking the EIA process to be undertaken, including—                                                                                                                                                                                | Yes                             | Chapter 9               |
|                                                       | (i) a description of the alternatives to be considered and assessed within the preferred site, including the option of not proceeding with the activity;                                                                                                           | Yes                             | Chapter 9               |
|                                                       | (ii) a description of the aspects to be assessed as part of the EIA process;                                                                                                                                                                                       |                                 |                         |
|                                                       | (iii) aspects to be assessed by specialists;                                                                                                                                                                                                                       |                                 |                         |
|                                                       | (iv) a description of the proposed method of assessing the environmental aspects, including aspects to be assessed by specialists;                                                                                                                                 |                                 |                         |
|                                                       | (v) a description of the proposed method of assessing duration and significance;                                                                                                                                                                                   |                                 |                         |
|                                                       | (vi) an indication of the stages at which the competent authority will be consulted;                                                                                                                                                                               |                                 |                         |
|                                                       | (vii) particulars of the PPP that will be conducted during the EIA process; and                                                                                                                                                                                    |                                 |                         |
|                                                       | (viii) a description of the tasks that will be undertaken as part of the EIA process;                                                                                                                                                                              |                                 |                         |

| Appendix 2 of the EIA Regulations of 2014, as amended |                                                                                                                                                                                   | Included<br>(Yes, No or<br>N/A)                                 | SR Section<br>Reference |
|-------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------|-------------------------|
|                                                       | (ix) identify suitable measures to avoid, reverse, mitigate or manage identified impacts and to determine the extent of the residual risks that need to be managed and monitored. |                                                                 |                         |
| (i)                                                   | an undertaking under oath or affirmation by the EAP in relation to—                                                                                                               | Yes                                                             | Appendix G4             |
|                                                       | (i) the correctness of the information provided in the report;                                                                                                                    |                                                                 |                         |
|                                                       | (ii) the inclusion of comments and inputs from stakeholders and I&APs; and                                                                                                        |                                                                 |                         |
|                                                       | (iii) any information provided by the EAP to I&APs and any responses by the EAP to comments or inputs made by interested or affected parties;                                     |                                                                 |                         |
| (j)                                                   | an undertaking under oath or affirmation by the EAP in relation to the level of agreement between the EAP and I&APs on the plan of study for undertaking the EIA;                 | Yes (Plan of Study for EIA and associated public participation) | Chapters 7 and 9        |
| (k)                                                   | where applicable, any specific information required by the competent authority; and                                                                                               | N/A                                                             | N/A                     |
| (l)                                                   | any other matter required in terms of Section 24(4)(a) and (b) of the Act.                                                                                                        | Yes                                                             | Chapters 7 and 9        |

### 1.3 Environmental Assessment Practitioner

Annemarie Hurter is the registered Environmental Assessment Practitioner (EAP) undertaking this EIA process, and reviewed by Pieter de Villiers, Director of Cornerstone Environmental Consultants (Pty) Ltd. The sections below provide the details of the EAPs and explains the EAPs' expertise to prepare this Report.

Annemarie (du Toit) Hurter has more than 13 years of experience as an Environmental Assessment Practitioner and is a Senior Environmental Assessment Practitioner (EAP) at Cornerstone Environmental Consultants (Pty) Ltd. She holds a Master's Degree in Science (M.Sc. - Zoology) (*Cum Laude*) from the University of Stellenbosch, after obtaining her Bachelor's Degree in Science (B.Sc.) majoring in Zoology and Botany. She is a Registered Member of the Environmental Assessment Practitioners' Association of South Africa (EAPASA -Registration No. 2021/4014) and member of the International Association for Impact Assessors, South African Affiliate (IAIAsa) since 2010.

Pieter de Villiers has more than 17 years' experience in the environmental management field and holds a Baccalaureus Technologiae (B. Tech) Degree in Environmental Sciences from the Tshwane University of Technology. He is a member of the Environmental Assessment Practitioners' Association of South Africa (EAPASA), EAPASA Registered (2019/1372) and member of the International Association for Impact Assessors, South African Affiliate (IAIAsa). He is a registered Professional Natural Scientist with the South African Council for Natural Scientific Professions (registration number 400210/15). He has also successfully completed Aspects International's, ISO 14001:1996 Lead Auditors Training course (IEMA's Approved Auditors' Course), amongst others.

See **Appendix G2** for the EAPs' Curriculum Vitae and **Appendix G3** for the EAP Declaration.

## 2 PROJECT LOCALITY AND DESCRIPTION

The following sub-sections provide the project location as well as a project description.

### 2.1 Project Location

The farm, Portion 38 of Farm Uitnood No. 129 (SG digit code: C06500000000012900038), is located approximately 4.5 km south of Robertson and 9 km north of McGregor, within the Langeberg Municipal Area, which forms part of the greater Cape Winelands District Municipality, Western Cape Province. Access to the property is gained via the Langverwagten Road, a gravel road that splits off Reitz Street to the north of the farm. The Breede River passes by the farm on the northern side, however, it does not border the farm. A perennial tributary of the Breede River, namely Keisers River, transects the farm in its south-eastern section. Several small ephemeral features drain the proposed cultivation areas. The ephemeral streams are minor tributaries of the Keisers River in the middle reaches of the larger Breede River System. The Koningsrivier branch of the Le Chasseur & Goree Canal System runs from north to south, on the western side of the servitude road, through the centre of the farm.

Please refer to the Locality Map attached as **Appendix A1** and a recent Google Earth image attached as **Appendix A2**.

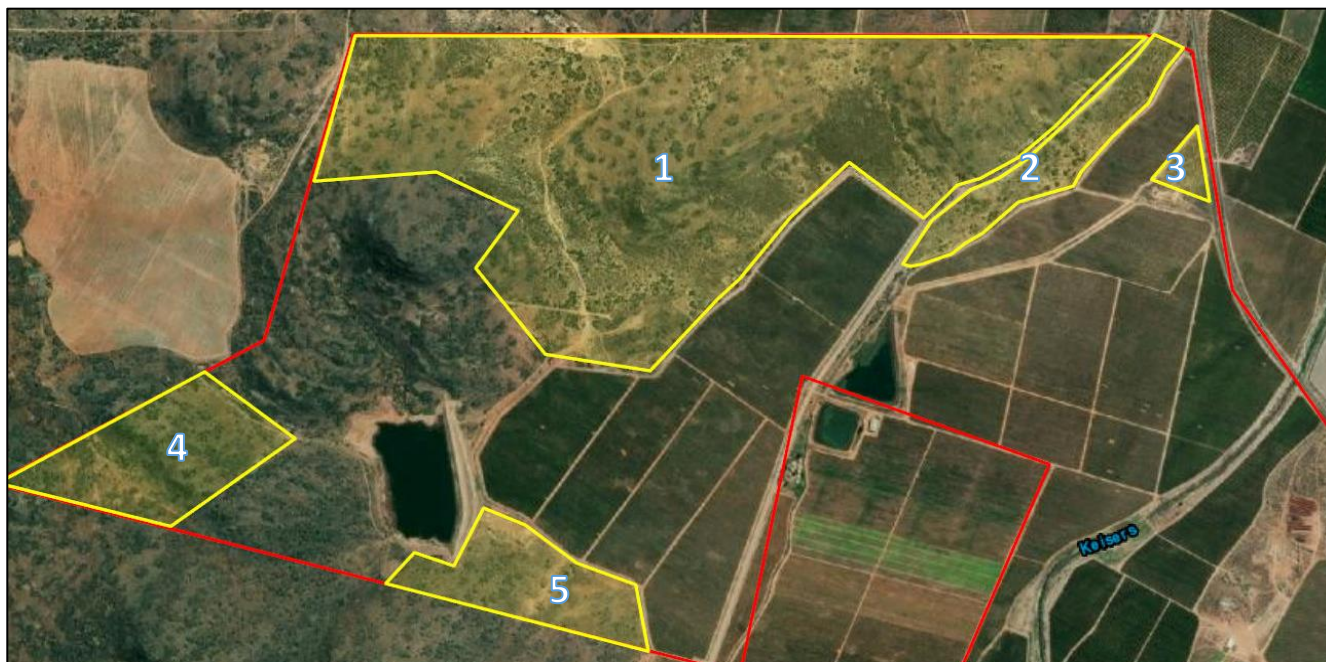
### 2.2 Project Description

The landowner proposes to expand the existing cultivation activities on Uitnood Farm. The proposed development will entail the clearance of indigenous vegetation at selected areas on the farm, totalling  $\pm 72$  ha, for the establishment of new vineyards.

Originally,  $\pm 128.6$  ha was proposed for agricultural expansion, and comprised of the following five suggested areas: (Refer to **Figure 2** below for the layout and **Table 2** for the sizes and co-ordinates of these areas. See also **Appendix B2** for the Original Site Development Plan)

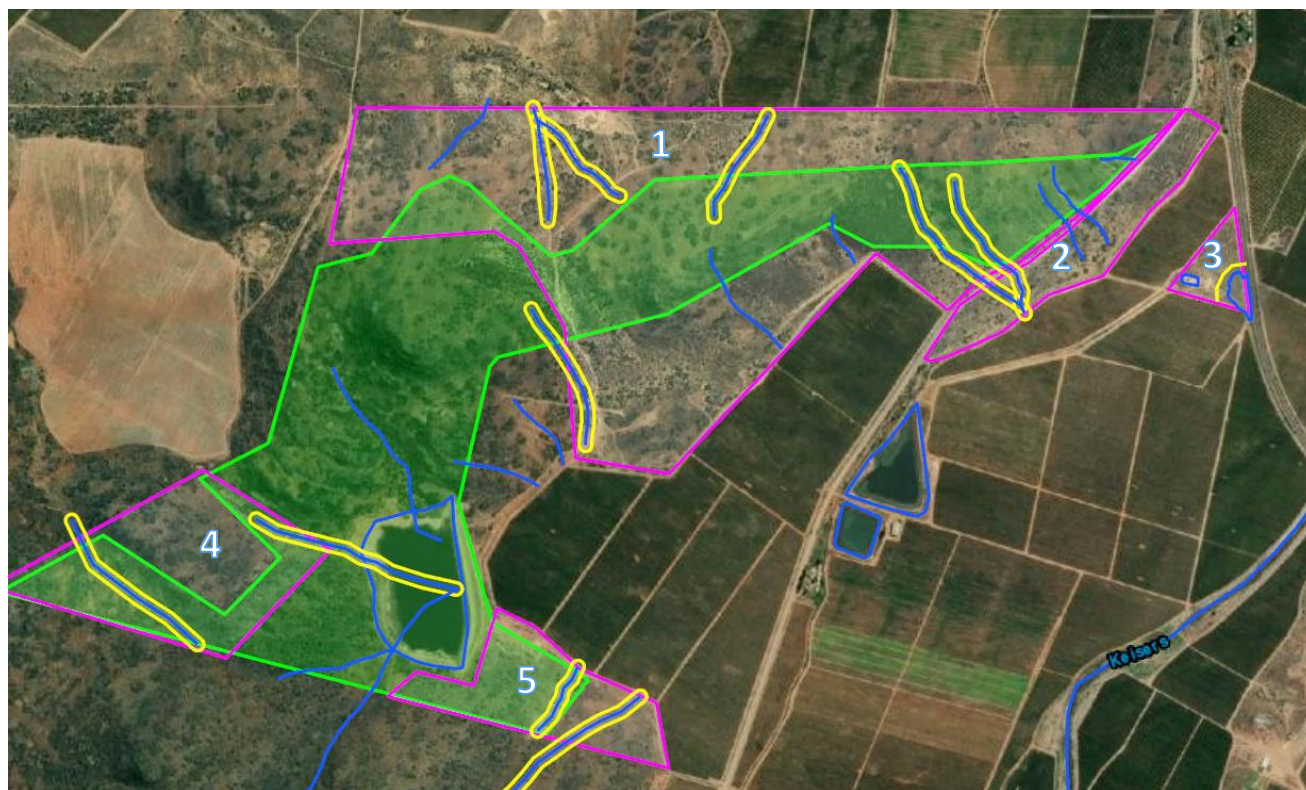
**Table 2: Sizes and coordinates of the Originally Proposed five Cultivation Areas at Uitnood Farm.**

| Area name    | Area Size       | Description of Area                                       | Coordinates    |                |
|--------------|-----------------|-----------------------------------------------------------|----------------|----------------|
|              |                 |                                                           | Latitude (S)   | Longitude (E)  |
| Area 1       | $\pm 94.7$ ha   | Large area in the northern portion of the farm.           | 33° 51' 12.19" | 19° 51' 51.21" |
| Area 2       | $\pm 8.2$ ha    | Narrow strip of land situated between the road and canal. | 33° 51' 12.98" | 19° 52' 29.42" |
| Area 3       | $\pm 1.2$ ha    | Small triangular area, east of Area 2.                    | 33° 51' 12.38" | 19° 52' 42.40" |
| Area 4       | $\pm 14$ ha     | West of the existing dam.                                 | 33° 51' 36.15" | 19° 51' 07.61" |
| Area 5       | $\pm 10.5$ ha   | South-east of the existing dam.                           | 33° 51' 49.47" | 19° 51' 44.94" |
| <b>Total</b> | <b>128.6 ha</b> |                                                           |                |                |



**Figure 2:** Map showing the Originally Proposed Layout of the Five Cultivation Areas (1 - 5) indicated in yellow.

Terrestrial and aquatic constraints have been identified by the botanist and freshwater specialists, as part of the scoping phase. Plant species of conservation concern (SoCC) were identified, a wetland was identified and drainage lines and very steep areas were specified and mapped. Areas were identified that had to be avoided, buffered and excluded from the proposed development in order to avoid significant potential environmental impacts, referred to hence forth as environmental constraints. **Figure 3** below shows the original layout, overlain by the mapped terrestrial and aquatic constraints.



**Figure 3:** Map showing the original five cultivation areas (1 – 5 in pink polygons), with the terrestrial constraint area as a green polygon, all aquatic features in blue, and the aquatic buffers indicated with yellow polygons.

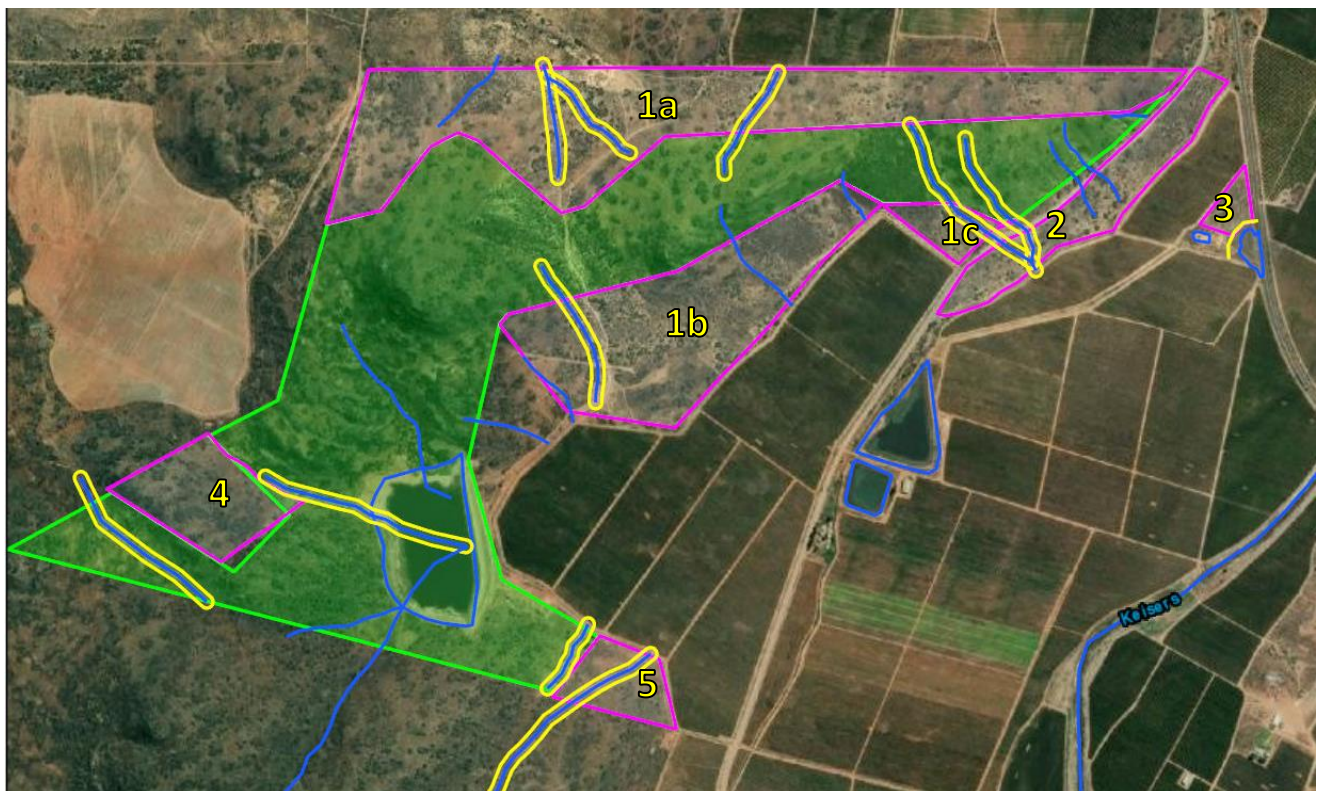
The original five proposed cultivation areas, collectively  $\pm 128.6$  ha, were reduced to  $\pm 78$  ha after botanical and aquatic constraints have been identified by the terrestrial and freshwater specialists. The outcome of the

specialist input was therefore that the whole central section of Area 1 be excluded, and the cultivation area be subdivided into Area 1a, 1b and 1c, with a few significant drainage lines buffered. Area 2 remained the same size, but two drainage lines were buffered within this area, while Area 3 was reduced to exclude and buffer the wetland area just to the south. Areas 4 and 5 were reduced to exclude drainage lines, plant SoCC and avifaunal habitat.

**Figure 4** below shows the layout whereby the original five cultivation areas have been reduced and subdivided to avoid all sensitive natural areas. **Table 3** below indicates the sizes and co-ordinates of these reduced cultivation areas.

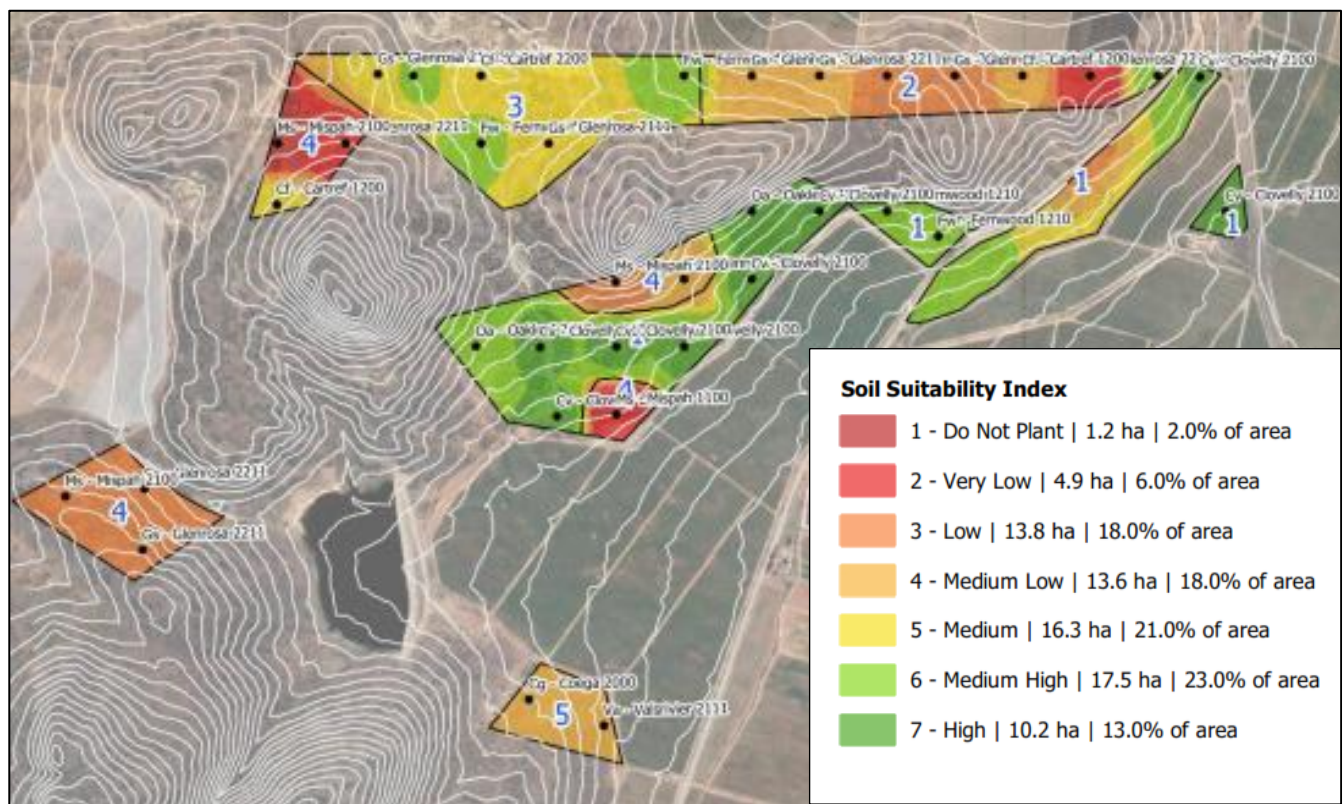
**Table 3: Sizes and coordinates of the proposed Cultivation Areas at Uitnood Farm after terrestrial and aquatic constraints have been considered.**

| Area name    | Area Size      |           | Description of Area                                                                                                                                                                       | Coordinates    |                |
|--------------|----------------|-----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|----------------|
|              |                |           |                                                                                                                                                                                           | Latitude (S)   | Longitude (E)  |
| Area 1a      | ± 34.6 ha      | ± 58.2 ha | Large area in the northern portion of the farm, subdivided into 3 parts namely Area 1a, 1b and 1c. Three drainage lines have been buffered in Area 1a, one in Area 1b and one in Area 1c. | 33° 51' 04.36" | 19° 51' 53.79" |
| Area 1b      | ± 21.5 ha      |           |                                                                                                                                                                                           | 33° 51' 22.52" | 19° 51' 52.41" |
| Area 1c      | ± 2.1 ha       |           |                                                                                                                                                                                           | 33° 51' 15.15" | 19° 52' 42.52" |
| Area 2       | ± 8.2 ha       |           | Narrow strip of land situated between the road and a canal. Two drainage lines have been buffered in this area.                                                                           | 33° 51' 12.98" | 19° 52' 29.42" |
| Area 3       | ± 1 ha         |           | Small triangular area on the east of Area 2. There is a remnant wetland just south of Area 3, excluded from the development.                                                              | 33° 51' 12.38" | 19° 52' 42.40" |
| Area 4       | ± 6.8 ha       |           | West of the existing dam.                                                                                                                                                                 | 33° 51' 36.15" | 19° 51' 07.61" |
| Area 5       | ± 3.7 ha       |           | South-east of the existing dam with one buffered drainage line.                                                                                                                           | 33° 51' 49.47" | 19° 51' 44.94" |
| <b>Total</b> | <b>77.9 ha</b> |           |                                                                                                                                                                                           |                |                |



**Figure 4:** Map showing the proposed cultivation areas (1 – 5 in pink polygons), with the terrestrial constraint area as a green polygon, all aquatic features in blue, and the aquatic buffers indicated with yellow polygons.

Hereafter, soil constraints were identified by the soil specialist as part of the scoping phase. As a result of this study, Areas 1a and 1b were further reduced to exclude sections that contain very shallow and hard rocky soil, not suitable for agriculture. Even though Areas 4 and 5 are not ideal from a soil perspective, appropriate soil preparation (eg. deep soil tillage, fertilizer) can serve to significantly improve the soil's ability to grow perennial crops. Refer to **Figure 5** below that indicates the current soil suitability of the proposed agricultural areas.

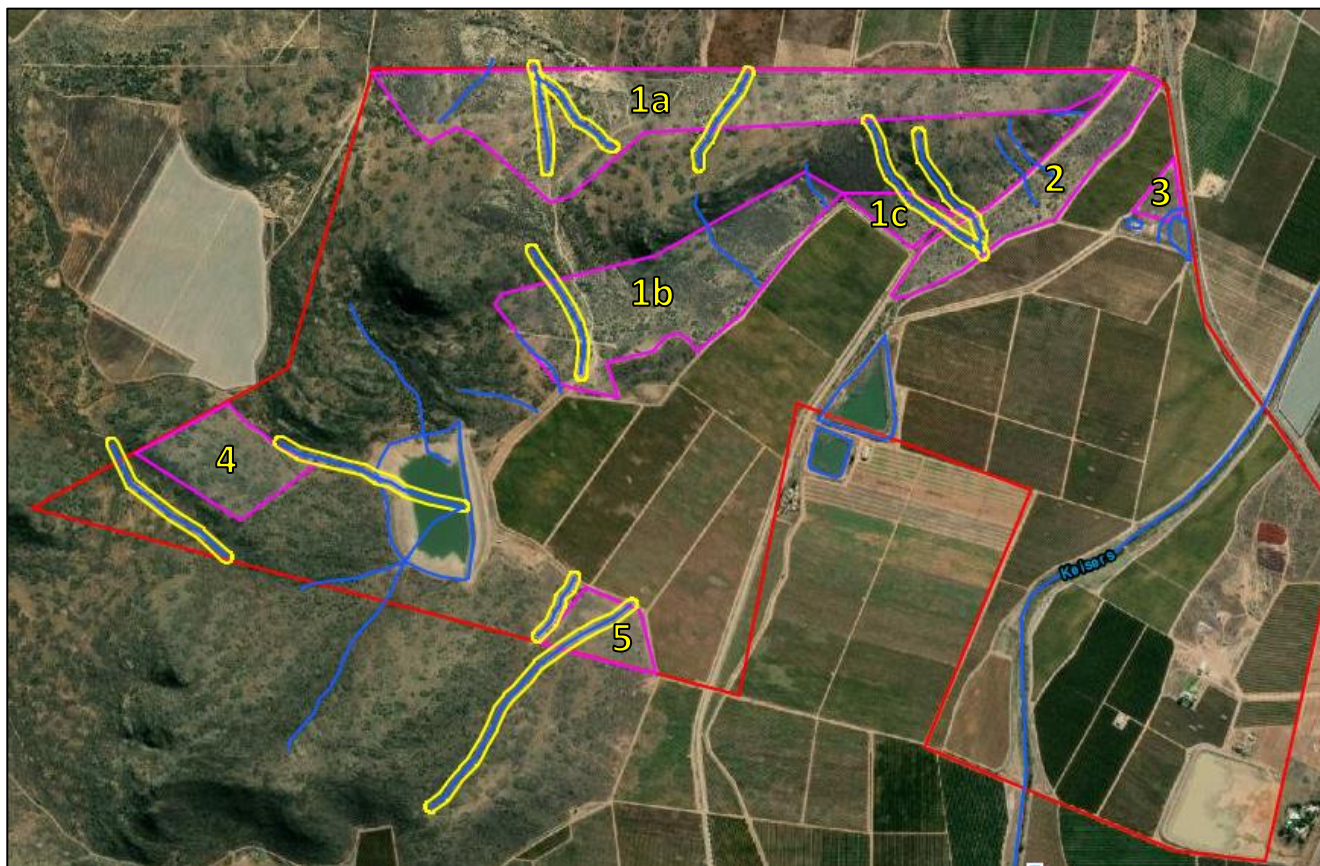


**Figure 5:** Map showing the current soil suitability of the proposed cultivation areas as per the Soil Suitability Index.

After considering all constraints (terrestrial, aquatic and soil) the Preferred Layout was determined, which will be assessed as part of the EIA process. Refer to **Table 4** below that indicates the sizes and co-ordinates of the preferred cultivation areas, and to **Figure 6** below that visually portrays the preferred cultivation areas.

**Table 4: Sizes and coordinates of the proposed Preferred Cultivation Areas at Uitnood Farm after all constraints have been considered.**

| Area name    | Area Size      |           | Description of Area                                                                                                                                                                       | Coordinates    |                |
|--------------|----------------|-----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|----------------|
|              |                |           |                                                                                                                                                                                           | Latitude (S)   | Longitude (E)  |
| Area 1a      | ± 30.3 ha      | ± 52.4 ha | Large area in the northern portion of the farm, subdivided into 3 parts namely Area 1a, 1b and 1c. Three drainage lines have been buffered in Area 1a, one in Area 1b and one in Area 1c. | 33° 51' 04.36" | 19° 51' 53.79" |
| Area 1b      | ± 20 ha        |           |                                                                                                                                                                                           | 33° 51' 22.52" | 19° 51' 52.41" |
| Area 1c      | ± 2.1 ha       |           |                                                                                                                                                                                           | 33° 51' 15.15" | 19° 52' 42.52" |
| Area 2       | ± 8.2 ha       |           | Narrow strip of land situated between the road and a canal. Two drainage lines have been buffered in this area.                                                                           | 33° 51' 12.98" | 19° 52' 29.42" |
| Area 3       | ± 1 ha         |           | Small triangular area on the east of Area 2. There is a remnant wetland just south of Area 3, excluded from the development.                                                              | 33° 51' 12.38" | 19° 52' 42.40" |
| Area 4       | ± 6.8 ha       |           | West of the existing dam.                                                                                                                                                                 | 33° 51' 36.15" | 19° 51' 07.61" |
| Area 5       | ± 3.7 ha       |           | South-east of the existing dam with one buffered drainage line.                                                                                                                           | 33° 51' 49.47" | 19° 51' 44.94" |
| <b>Total</b> | <b>72.1 ha</b> |           |                                                                                                                                                                                           |                |                |



**Figure 6:** Map showing the proposed Preferred Cultivation Areas (1 – 5 in pink polygons) after all the environmental constraints have been considered, with the aquatic buffers indicated by yellow polygons.

Only the significant aquatic features should be retained within the landscape and protected with a suitable buffer area of 15 m, and the wetland area with a 20 m buffer.

All the required infrastructure to farm these proposed areas are already in place. Irrigation pipelines (with an estimated length of  $\pm 2\,250$  m and width of 250 mm diameter) will be laid inside the already disturbed footprint of existing farm roads and cultivation areas. No new farm roads are required. Irrigation pipelines will have to be constructed from the pump station near the existing dam, to the respective proposed cultivation areas.

Irrigation water for the proposed vineyards will be sourced from the Breede River, from Brandvlei Dam. A water license for this additional water is being applied for.

Refer to **Appendix B1** for the Preferred Layout Plan.

### 3 ENVIRONMENTAL LEGISLATION AND GUIDELINES

Section 24 of the Constitution of South Africa provides an “environmental guarantee” clause, which forms the foundation for sustainable development and sound environmental management in South Africa.

Section 24 states that “every person shall have the right -

- a) *to an environment that is not harmful to their health nor well-being; and*
- b) *to have the environment protected, for the benefit of present and future generations, through reasonable legislative and other measures, that -*
  - (i) *prevent pollution and ecological degradation;*
  - (ii) *promote conservation; and*
  - (iii) *secure ecologically sustainable development and use of natural resources while promoting justifiable economic and social development.”*

The following sections provide a brief description of the policy and legislative context within which the development is proposed, including an identification of legislation, policies, plans, guidelines, spatial tools, municipal development planning frameworks and instruments that are applicable to this activity and are to be considered in the assessment process.

#### 3.1 Relevant Environmental Legislation

The environmental-related legislation that are applicable to this proposed development, and that have been considered in the preparation of this Scoping Report, are summarised in the table below.

**Table 5: Summary of relevant environmental legislation**

| Act<br>(and Main Objective)                                                                                                                                                                                                                                                                                                                                                                                                                        | Relevant Application Process                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Competent Authority                                                                 | Project Relevance                                                                                                                                                                                         |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| National Environmental Management Act, Act No. 107 of 1998, as amended (NEMA)<br><b>Main Objective:</b><br>To provide for co-operative environmental governance by establishing principles for decision-making on matters affecting the environment, institutions that will promote co-operative governance, and procedures for coordinating environmental functions exercised by organs of state; and to provide for matters connected therewith. | The NEMA EIA Regulations Listing Notices 1, 2 and 3 of 2014, as amended, list several activities for which Basic Assessment or Scoping and EIA processes are required, as are prescribed in the EIA Regulations 2014, as amended. A full Scoping and EIA process has to be undertaken and subsequent Environmental Authorisation has to be obtained from the decision-making/competent authority before the proposed project may be developed. This Scoping Report forms part of the required full Scoping and EIA process. Cornerstone Environmental Consultants (Pty) Ltd. is the EAP undertaking this EIA process on behalf of the Applicant. | Western Cape: Department of Environmental Affairs and Development Planning (DEA&DP) | At least three Listed Activities have been identified to be triggered by the proposed project.<br><br>See <b>Section 3.2</b> below for the Listed Activities that are triggered by this proposed project. |
| National Environmental Management: Biodiversity Act, Act No. 10 of 2004 (NEM:BA)<br><b>Main Objective:</b>                                                                                                                                                                                                                                                                                                                                         | A national list of ecosystems that are threatened and in need of protection, has been issued in terms of Section 52(1)(a) of the NEM:BA, on 9 December 2011                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | CapeNature                                                                          | The farm comprises of deep sandy areas supporting Breede Sand Fynbos (Vulnerable) (VU)) with shallower, shale areas supporting Robertson Karoo                                                            |

| Act<br>(and Main Objective)                                                                                                                                                                                                                                                                                                                | Relevant Application Process                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Competent Authority                                | Project Relevance                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| To provide for, amongst others, the management and conservation of SA's biodiversity within the framework of the NEMA; the protection of species and ecosystems that warrant national protection; and the sustainable use of indigenous biological resources.                                                                              | (GN No. 1002).<br><br>A permit may be required in terms of the NEM:BA should any protected plant species on site be disturbed or destroyed as a result of the proposed development.                                                                                                                                                                                                                                                                                                                                                                                           |                                                    | (Least Threatened (LT)).<br><br>Five plant species of conservation concern were recorded within the surveyed areas.                                                                                                                                                                                                                                                                                                                                       |
| National Water Act, Act No. 36 of 1998 (NWA)<br><b>Main Objective:</b><br>The purpose of this Act is to ensure that the nation's water resources are protected, used, developed, conserved, managed and controlled in a way that takes several factors into account, as are listed in Section 2 of the Act.                                | Section 21 of the NWA lists several water uses for which water use license applications (WULAs) or General Authorisations (GAs) are required in terms of the NWA.                                                                                                                                                                                                                                                                                                                                                                                                             | Breede-Gouritz Catchment Management Agency (BGCMA) | The water uses most likely to be associated with the proposed activities include Section 21 (c & i) of the NWA, related to works within watercourses or aquatic features.<br><br>A Water License is also being applied for, for 70 ha summer water from the Breede River, coming from Brandvlei Dam.                                                                                                                                                      |
| National Heritage Resources Act, Act No. 25 of 1999 (NHRA)<br><b>Main Objective:</b><br>To provide for the management of National Heritage Resources, set norms, and maintain National standards for the management of heritage resources in South Africa.                                                                                 | Section 38 of the NHRA requires that any person who intends to undertake development activities listed under the section, must notify the responsible heritage resources authority at the very earliest stage of initiating such a development, and must furnish details of the location, nature and extent of the proposed development. The following activities listed under Section 38 could be triggered by the <i>proposed</i> project:<br><br>• <i>Any development or activity that will change the character of a site – exceeding 5 000 m<sup>2</sup> in extent."</i> | Heritage Western Cape (HWC)                        | A NID has been submitted to HWC by CTS Heritage (see <b>Appendix E3</b> ).<br><br>CTS Heritage stated that it is unlikely that the proposed development will negatively impact archaeological heritage and palaeontological heritage.<br><br>HWC confirmed that since there is no reason to believe that the proposed clearance of vegetation at Uitnood Farm will impact heritage resources, no further action under Section 38 of the NHRA is required. |
| Conservation of Agricultural Resources Act, Act No. 43 of 1983 (CARA)<br><b>Main Objective:</b><br>To provide for control over the utilization of the natural agricultural resources of the Republic in order to promote the conservation of the soil, the water sources and the vegetation and the combating of weeds and invader plants; | Landowners are obliged, by law, to eradicate alien vegetation from their properties. The Act also applies to aspects such as soil conservation, the prevention of soil erosion, and weed control.                                                                                                                                                                                                                                                                                                                                                                             | Western Cape Department of Agriculture             | An Application to Cultivate must be submitted by the Applicant in terms of the CARA.                                                                                                                                                                                                                                                                                                                                                                      |

| Act<br>(and Main Objective)          | Relevant Application Process | Competent Authority | Project Relevance |
|--------------------------------------|------------------------------|---------------------|-------------------|
| and for matters connected therewith. |                              |                     |                   |

### 3.2 Listed Activities Triggered

The following Listed Activities, as per NEMA EIA Regulations Listing Notices 1, 2 and 3 of 2014, as amended, which are triggered by the proposed project are listed below.

**Table 6: Listed Activities applicable to this application.**

| NEMA EIA Listed Activities: on or after 7 April 2017             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                          |
|------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Listed Activity No(s):<br>(Listing Notice 1 of 2014, as amended) | Description of the relevant Basic Assessment Activity(ies) in writing as per Listing Notice 1                                                                                                                                                                                                                                                                                                                                                                              | Describe the portion of the development as per the project description that relates to the applicable listed activity.                                                                                   |
| Listed Activity 19                                               | The infilling or depositing of any material of more than 10 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 10 cubic metres from a watercourse; but excluding where such infilling, depositing, dredging, excavation, removal or moving;<br>(a) will occur behind a development setback;<br>(b) is for maintenance purposes undertaken in accordance with a maintenance management plan; | This listed activity will be triggered where tributaries or drainage lines will be infilled as part of vegetation clearance and land development.                                                        |
| Listed Activity 27                                               | The clearance of an area of 1 hectares or more, but less than 20 hectares of indigenous vegetation, except where such clearance of indigenous vegetation is required for;<br>(i) the undertaking of a linear activity; or<br>(ii) maintenance purposes undertaken in accordance with a maintenance management plan.                                                                                                                                                        | This activity will be triggered because the area to be cleared is $\pm 72$ ha of indigenous vegetation.                                                                                                  |
| Listed Activity No(s):<br>(Listing Notice 2 of 2014, as amended) | Description of the relevant Scoping/EIA Activity(ies) in writing as per Listing Notice 2                                                                                                                                                                                                                                                                                                                                                                                   | Describe the portion of the development as per the project description that relates to the applicable listed activity.                                                                                   |
| Listed Activity 15                                               | The clearance of an area of 20 hectares or more of indigenous vegetation, excluding where such clearance of indigenous vegetation is required for;<br>(i) the undertaking of a linear activity; or<br>(ii) maintenance purposes undertaken in accordance with a MMP.                                                                                                                                                                                                       | The sites to be cleared are collectively $\pm 72$ ha in extent, which is more than 20 ha.                                                                                                                |
| Listed Activity No(s):<br>(Listing Notice 3 of 2014, as amended) | Description of the relevant Basic Assessment Activity(ies) in writing as per Listing Notice 3                                                                                                                                                                                                                                                                                                                                                                              | Describe the portion of the development as per the project description that relates to the applicable listed activity.                                                                                   |
| Listed Activity 12                                               | The clearance of an area of 300 square metres or more of indigenous vegetation except where such clearance of indigenous vegetation is required for maintenance purposes undertaken in accordance with a maintenance                                                                                                                                                                                                                                                       | Two vegetation types are evident within the surveyed areas including Robertson Karoo (LT) and Breede Sand Fynbos (VU). Only a small portion of Area 3 is mapped as a terrestrial CBA based on the mapped |

| NEMA EIA Listed Activities: on or after 7 April 2017 |                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                        |
|------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                      | management plan – Western Cape<br>i. Within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA or prior to the publication of such a list, within an area that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004; | occurrence of the <u>critically endangered (CR) ecosystem Muscadel Riviere</u> .<br><br>However, the botanist confirmed that there is no representation of Muscadel Riviere vegetation within Area 3, <b>and therefore this listed activity will not be triggered.</b> |

### 3.3 Relevant Guidelines

The Table below lists the Guideline Documents that may be applicable to this proposed project, and which have been and will be consulted during the Scoping and EIA process.

**Table 7: Applicable guideline documents.**

| POLICY/ GUIDELINES                                                                                                 |
|--------------------------------------------------------------------------------------------------------------------|
| Western Cape Provincial Spatial Development Framework (PSDF) (2014)                                                |
| The Integrated Development Plan (IDP and Spatial Development Framework (SDF) of the Local Municipality             |
| National Department of Environmental Affairs (DEA) Web Based Environmental Screening Tool, 2020                    |
| DEA&DP EIA Guideline Information Document on Generic Terms of Reference for EAPs and Project Schedules, March 2013 |
| DEA EIA Guideline Information Document on Need and Desirability, March 2013                                        |
| DEA&DP EIA Guideline Information Document on Alternatives, March 2013                                              |
| DEA&DP EIA Guideline Information Document on Public Participation, March 2013                                      |
| DEA&DP EIA Guideline Information Document on Environmental Management Plans, July 2006                             |
| DEA&DP Guideline for Determining the Scope of Specialist Involvement, June 2005                                    |
| DEA&DP Guideline for Involving Biodiversity Specialists in EIA processes, June 2005                                |
| DEA&DP Guideline for Involving Heritage Specialists, June 2005                                                     |
| Circular EADP 0028/2014: One Environmental Management System                                                       |
| DEA&DP Guideline for the Review of Specialist input into the EIA Processes, June 2005                              |
| DEA&DP Guideline for Environmental Management Plans, June 2005                                                     |

### 3.4 Restrictive Title Deed Conditions

Any restrictive Title Deed conditions will be identified and described as part of the impact assessment process, if applicable.

## 4 DESCRIPTION OF THE EXISTING ENVIRONMENT

The following sub-sections describe the biological and physical characteristics of the application site and its surrounding environment.

### 4.1 Land Use on Site and on Adjacent Properties

Uitnood Farm with the proposed cultivation areas is located less than 800 m south of the Breede River. The land use around the farm has for many years remained largely agricultural, modifying much of the natural vegetation that would have originally occurred, although large naturally vegetated areas do remain, especially west and south of the proposed cultivation sites. The land cover at the sites of the proposed activities is a mixture of succulent karoo shrubland and natural grassland vegetation. The closest urban areas are Robertson approximately 7 km to the north and McGregor approximately 10 km to the south. The formally protected Vrolijkheid Nature Reserve is located approximately 7 km to the south-east of the site and the informal conservation area Skuilkrans Private Nature Reserve is about 10 km to the south-west.

There are no Protected Areas identified within or directly adjacent to the farm. The farm and immediate surroundings do not form part of any National Protected Areas Expansion Strategy: Focus areas for protected area expansion. The proposed cultivation sites do contain indigenous vegetation, but do not form part of a natural corridor.

### 4.2 Description of the Biophysical Aspects of the Environment

The subsections below describe the biophysical aspects of the application area.

#### 4.2.1 Climate

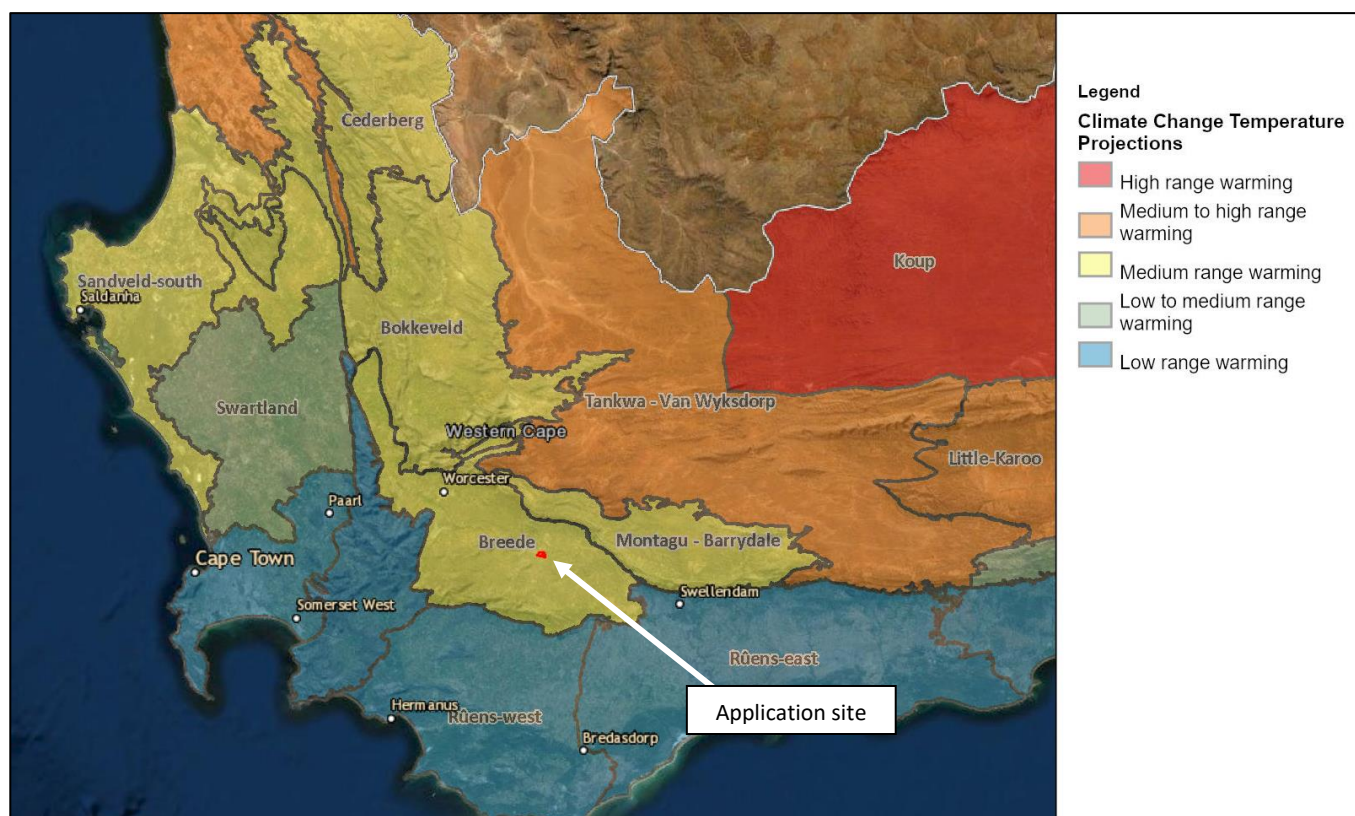
The application area has a typical Mediterranean climate and receives most of its rainfall during cold winters whilst its summers are hot and dry. The month of July receives an average rainfall of 27 mm and its average temperature ranges between 19 °C in the day and 5 °C at night. In contrast, February receives an average rainfall of 5 mm and its average temperature ranges between 30 °C and 16 °C. The area receives a mean annual rainfall of 260 - 280 mm, while the average temperatures for February and July are 23 °C and 12 °C respectively. The total annual evaporation for the area is 1 392 mm, with the highest evaporation occurring during the warm summer months. Surface water flow is therefore much higher during winter months with increased flows usually occurring from April to September and the highest flows in August. (Source: Cape Farm Mapper, 2023)

##### 4.2.1.1 Climate Change Predictions for the Area

Based on the *Western Cape Climate Change Response Strategy, 2020*, and the *Western Cape Climate Change Response Framework and Implementation Plan for the Agricultural Sector, 2016*, climate change projections for the Western Cape Province include warming of 1.5 °C to 3 °C across the whole province by 2050 (DEA&DP, 2014; Midgley *et al*, 2016b). This is projected to include higher mean annual temperatures, higher maximum temperatures, more hot days and more heat waves and higher minimum temperatures (DEA&DP, 2014; Midgley *et al*, 2016b). Winter rainfall is also projected to decrease over most of the province by mid-century (Midgley *et al*, 2016b). Longer dry spells and more frequent droughts are likely, as well as more frequent heavy rainfall events and flooding, particularly in late spring and early summer (DEA&DP, 2014; Midgley *et al*, 2016b). Other possible high-impact climate risks include changing frequencies and locations of frost and hail, unseasonal cold snaps, and strong wind.

The Western Cape Government has identified the agricultural sector as being particularly vulnerable to a changing climate. The SmartAgri plan is a two-year project that responds to the need for a practical and relevant climate change response plan specifically for the agricultural sector of the Western Cape Province. The plan divides the Western Cape Province into several derived Agro-Climatic Zones (Midgley *et al*, 2016b). These zones have been identified and assessed for their key features, and the likely impact of climate change on these zones.

The application area falls under the **Breede Agro-Climatic Zone**. Based on the climate change temperature predictions assessment for the Breede Agro-Climatic Zone, 'medium range warming' is predicted for this area. See **Figure 7** and **Table 8** below.



**Figure 7:** Agro-Climatic Zones according to the Smart-Agri Plan indicating the application area within the Breede Agro-Climatic Zone (Source: Cape Farm Mapper, 2023)

**Table 8:** Assessment of the Breede Agro-climatic Zone (Source: Midgley *et al*, 2016a).

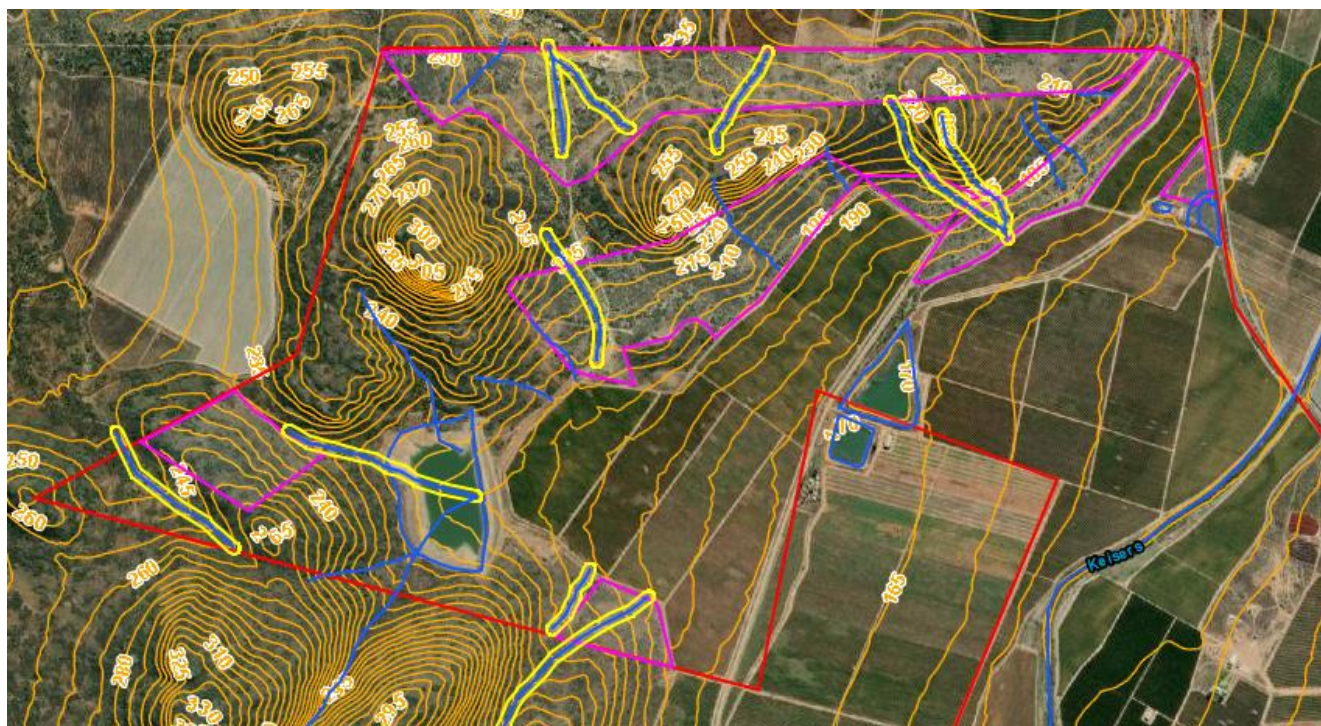
| Agro-climatic Zone Name: | Main water resource features                                | Main climatic features            | Climate change temperature predictions | Main commodities                                                           | Future agricultural potential         |
|--------------------------|-------------------------------------------------------------|-----------------------------------|----------------------------------------|----------------------------------------------------------------------------|---------------------------------------|
| Breede                   | Breede River, dams, farm dams, very large storage capacity. | Winter rainfall; hot dry summers. | Medium range warming.                  | Wine grapes, wheat, stone fruit, pome fruit, olives. Broilers, egg layers. | Remains high as long as dams fill up. |

#### 4.2.2 Topography and Drainage

The application site is located within the Breede River Valley, on southern- and eastern facing slopes extending down to the Keisers River approximately 3 km upstream of where it joins the Breede River. The proposed development areas are relatively undisturbed, however the valley floor closer to the Keisers River is completely modified by cultivated areas (vineyards). Several smaller streams drain the hillside that is in a similar state to the surrounding landscape, which is still largely natural in the upper reaches but significantly modified in the lower reaches.

The proposed cultivation areas are arranged to avoid the steepest hillslopes and hilltops. Some of these drainage lines within the proposed cultivation areas are mapped as aquatic Ecological Support Areas (ESAs), but none are mapped as CBAs, NFEPA's or wetland areas. (Source: Cape Farm Mapper, 2023)

Refer to **Figure 8** below which indicates the topography of the landscape.



**Figure 8:** Map indicating the topography of the application area with the proposed cultivation areas indicated in blue. (Source: Cape Farm Mapper, 2023)

#### 4.2.3 Soils and Geology

The geology of the area is underlain by feldspathic sandstone of the Rietvlei Formation, especially the elevated steeper areas are very rocky with little soils. Table Mountain Group is evident on the higher-lying slopes in the west and the east of the study area, while shale and sandstone of the Bokkeveld Group, overlain by loam on foot slopes and alluvium occur in the valley bottoms. Glenrosa and Mispah soil forms are common in the area. Lime is generally present in the entire landscape. The application area has a moderate erodibility factor of 0.45, an average soil depth of less than 450 mm and clay content of less than 15%. (Source: Cape Farm Mapper, 2023)

#### 4.2.4 Agricultural Potential

Based on the climate change predictions assessment for the Breede Agro-Climatic Zone, the future agricultural potential for this zone will “remain high as long as dams fill up”. This is especially applicable to irrigated crops.

According to the Soil Study (**Appendix G4**) medium potential soils are prevalent across Uitnood Farm. The soils are well drained, and no subsurface drainage will be necessary. High coarse fragments and underlying rock, which will need deep tillage with a single tine rip, are the major limiting factors to crop production. Although the initial investigation indicates that the soils are suited for the cultivation of perennial crops, appropriate soil preparation (e.g. deep soil tillage, fertilizer) can serve to significantly approve the soils ability to grow perennial crops. The low water holding capacity of the sandy and rocky soils, however, will not sustain dry land perennial crop production. Availability of adequate irrigation water will therefore determine the availability of the farm as an economical farming unit.

#### 4.2.5 Mapped CBAs, ESAs, FEPAs and Protected Areas

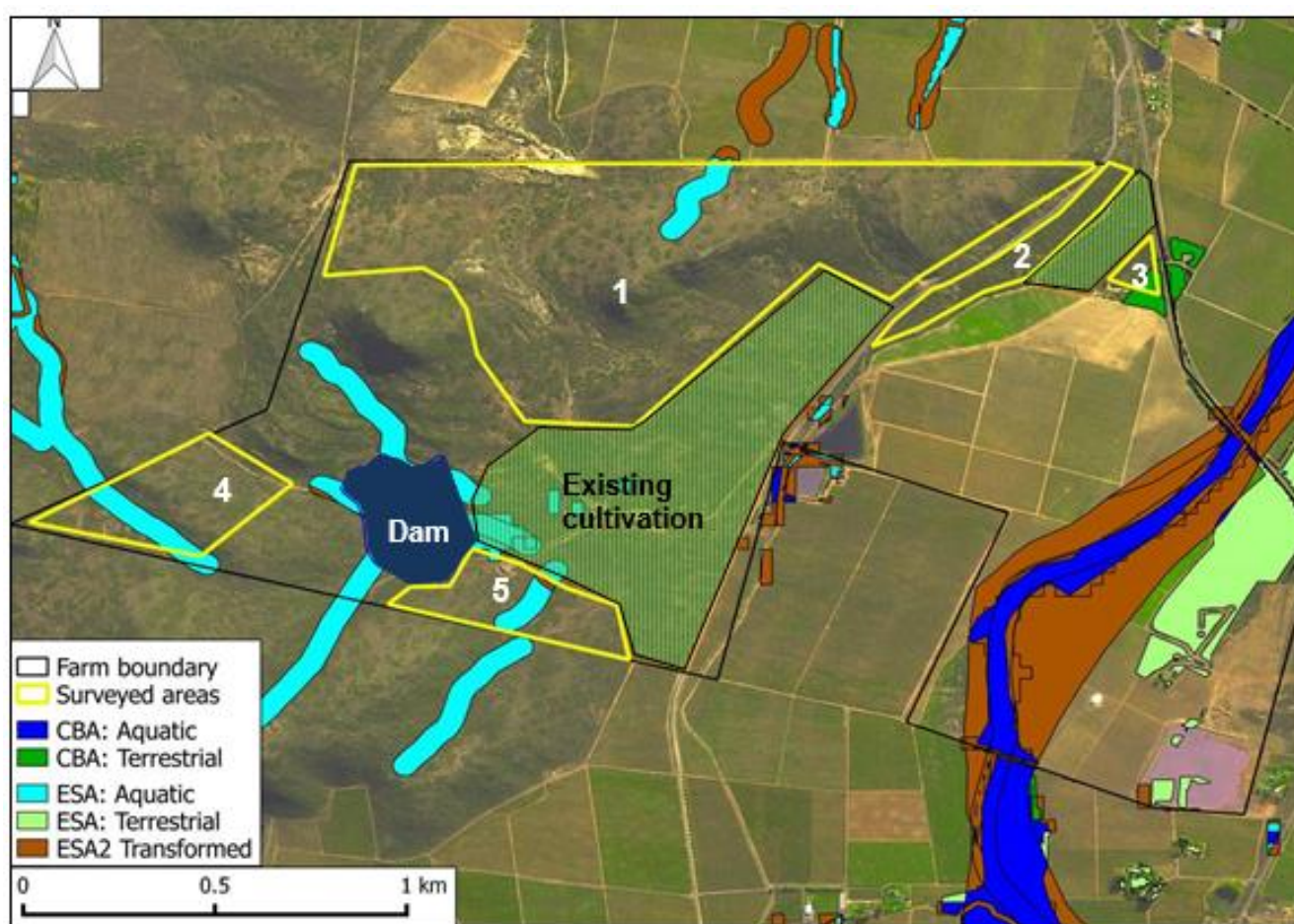
The most significant biodiversity processes associated with the proposed development area relate to the presence of small drainage lines and local connectivity amongst hills in the area. **Figure 9** below represents Critical Biodiversity Areas (CBAs) and Ecological Support Areas (ESAs) identified through the systematic biodiversity planning assessment as per the 2017 Western Cape Biodiversity Spatial Plan (WCBSP), in relation to the originally proposed layout. These CBAs and ESAs require safeguarding to ensure the continued existence and functioning of species, ecosystems and ecological processes, including the delivery of ecosystem services, across terrestrial and freshwater realms (Pool-Stanvliet *et al.* 2017). CBAs are required to meet biodiversity

targets, for species, ecosystems or ecological processes and infrastructure. ESAs play an important role in supporting the functioning of Protected Areas or CBAs, and are often vital for delivering ecosystem services. Freshwater Ecosystem Priority Areas (FEPAs) are intended to provide strategic spatial priorities for conserving South Africa's freshwater ecosystems and supporting sustainable use of water resources. FEPAs were determined through a process of systematic biodiversity planning and were identified using a range of criteria for serving ecosystems and associated biodiversity of rivers, wetlands and estuaries.

The valley bottom wetland associated with the Keisers River is mapped as an aquatic CBA, but this area is not included in the proposed development area. The small streams or drainage features crossing the various proposed cultivation areas are mapped as aquatic ESAs.

In the originally proposed Area 3, there is a small section of CBA (0.3 ha) that overlaps with the surveyed area. The reason for this, is the occurrence of the critically endangered ecosystem Muscadel Riviere. However, the field survey revealed that this ecosystem is not present on site, and therefore can not be considered a CBA.

The application site does not form part of a Protected Area or any Protected Area Expansion Focus Areas. The proposed activities are located away from any mapped FEPA features.



**Figure 9:** Extract from the WC Biodiversity Spatial Plan (2017) Map for the Langeberg Municipality showing the extent of CBAs in the area. The surveyed areas (original layout) are shown in yellow.

#### 4.2.6 Terrestrial Vegetation and Biodiversity

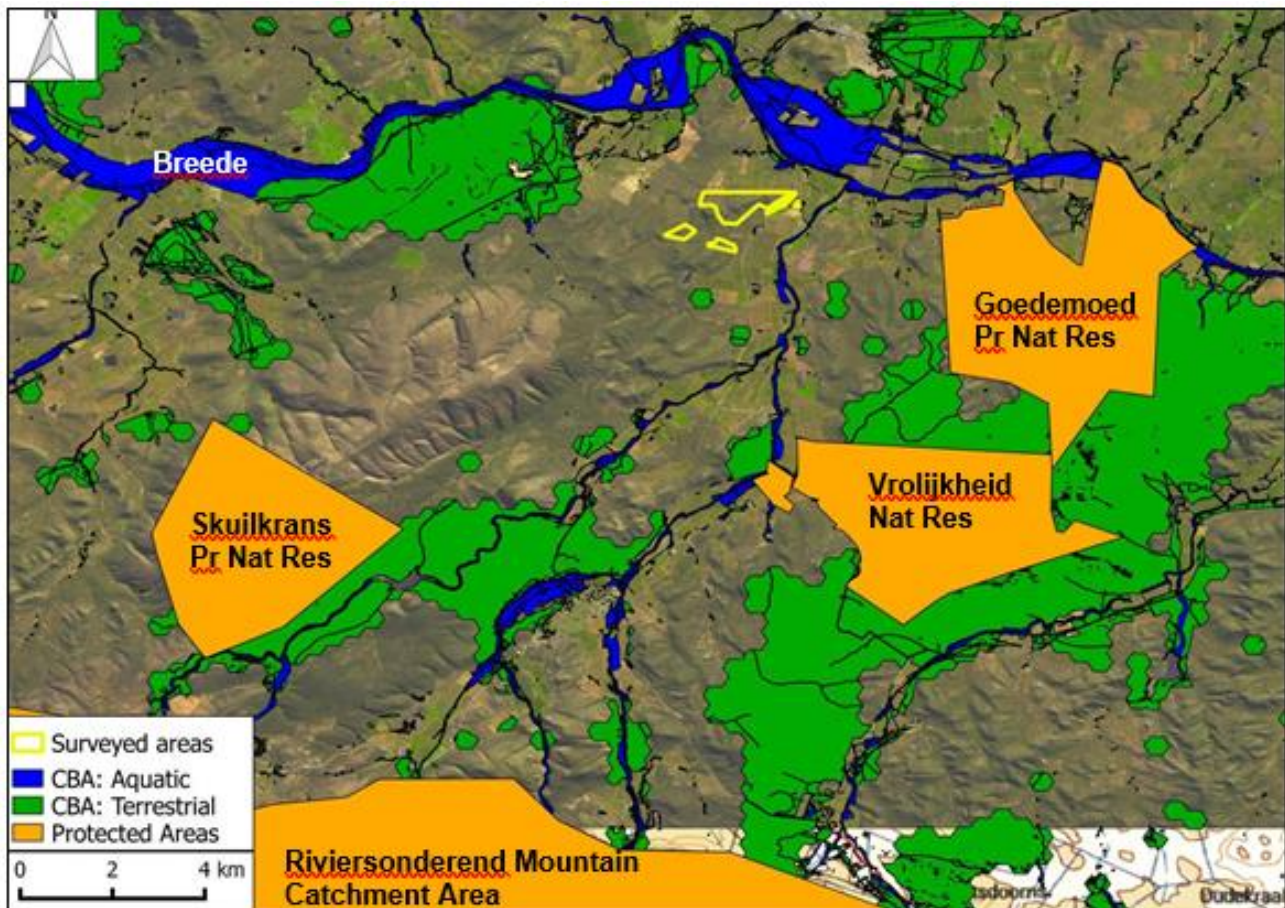
As previously discussed in this Report, five areas of collectively  $\pm 128.6$  ha were originally investigated to identify potential cultivation areas within the remaining natural portions of Farm Uitnood, for agricultural expansion. After all the constraints were considered (i.e. the highly sensitive biodiversity areas), the extent of the proposed agricultural areas have been reduced to  $\pm 72$  ha.

The Terrestrial Biodiversity Report confirmed that two vegetation types are evident within the surveyed areas, including **Robertson Karoo (LT)** and **Brede Sand Fynbos (VU)**. Only a small portion of Area 3 is mapped as a

terrestrial CBA based on the mapped occurrence of the CR ecosystem Muscadel Riviere. The field survey, however, revealed that this ecosystem is not present on site. All maps concerning terrestrial vegetation refer to the originally proposed five cultivation areas (that were later reduced to exclude environmental sensitivities).

#### 4.2.6.1 Connectivity and Corridors

Corridors are important to ensure habitat connectivity for plant and animal migrations and interactions between Protected Areas, CBAs and other landscape features (rivers, mountains etc). The proposed cultivation areas do not form part of a natural landscape corridor, and most are bounded by cultivated areas or areas that were subjected to cultivation in the past. Refer to **Figure 10** below.



**Figure 10:** Extract from the WC Biodiversity Spatial Plan (2017) Map for the Langeberg Municipality showing the extent of CBAs and Protected Areas in the broader context. The surveyed site is shown in yellow.

#### 4.2.6.2 Threatened Plant Species

Five plant species of conservation concern (SoCC) were recorded within the surveyed areas namely *Euchaetis pungens* (V), *Astroloba rubriflora* (V), *Brianhunleya intrusa* (Near Threatened (NT)), *Euphorbia nesemanii* (NT), and *Eriospermum bowieanum* (V). All the colonies of threatened plant species have been excluded from the preferred layout of cultivation areas. Please refer to **Figure 11** below, indicating the location of these sensitive species.

#### 4.2.6.3 Mapped Vegetation Types and Ecosystem Threat Status

According to the updated SA Vegetation Map (Mucina and Rutherford, 2018) the vegetation within proposed cultivation Areas 1, 2 and 3 comprise Robertson Karoo vegetation with a strip of Breede Sand Fynbos running through these areas. Area 3 (triangular area), according to the Vegetation Map, comprises Breede Sand Fynbos with a small portion overlapping with Muscadel Riviere vegetation (confirmed to be absent by the botanist). Proposed cultivation Areas 4 and 5 comprise only of Robertson Karoo vegetation. Refer to **Figure 12** below.

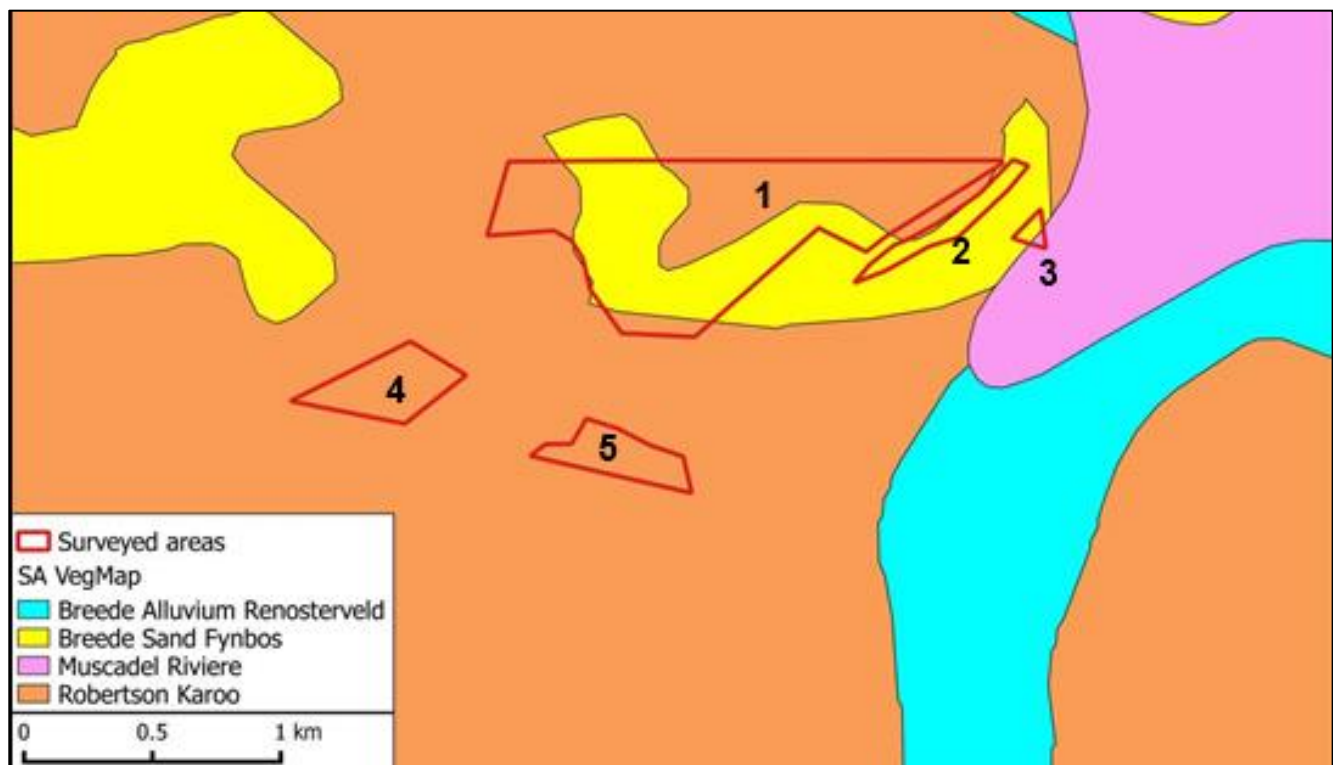
- **Robertson Karoo** is Least Threatened (LT)

- **Brede Sand Fynbos** is considered Vulnerable (VU) in the National List of Threatened Ecosystems (DEA 2011) as well as the recent National Biodiversity Assessment (NBA 2018).
- **Muscadel Riviere** is Critically Endangered (CR) (DEA 2011) as it is primarily converted into vineyards. The more recent National Biodiversity Assessment (NBA) of 2018 lists this ecosystem as Endangered (NBA 2018).

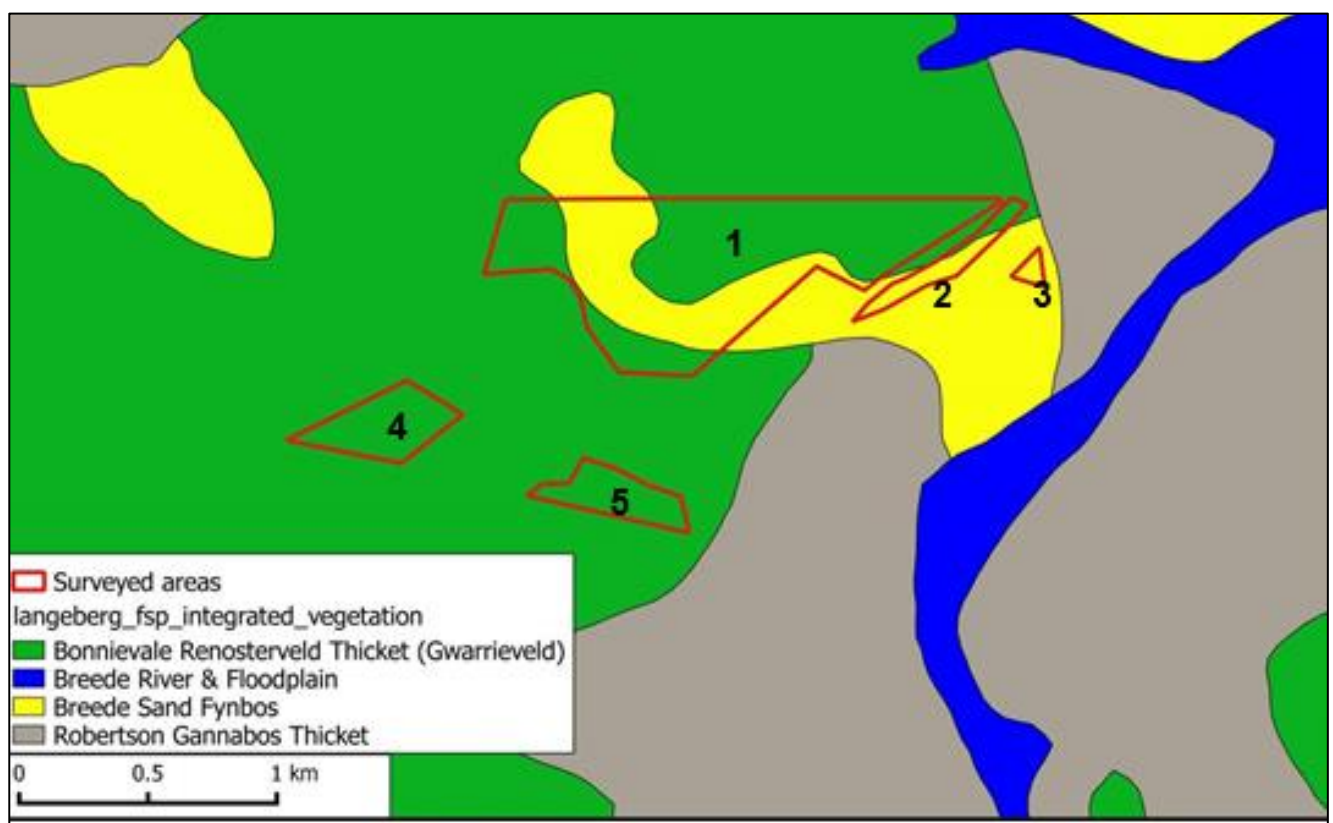
The CAPE Fine-Scale Integrated Vegetation Map also recognises a strip of Brede Sand Fynbos within Areas 1, 2 and 3, with Bonnievale Renosterveld Thicket (Gwarrieveld) within the remaining portions of Areas 1, 4 and 5 mapped as Robertson Karoo in the SA Vegetation Map. Bonnievale Renosterveld Thicket is a form of Robertson Karoo. Refer to **Figure 13** below.



**Figure 11:** Aerial photograph showing the distribution of Red Data List plant species within the surveyed areas (original layout) indicated in red polygons.



**Figure 12:** Extract from the SA Vegetation Map (Mucina & Rutherford, 2018 update) indicating the surveyed areas in red.



**Figure 13:** Extract from the CAPE Fine Scale Project: Integrated Vegetation Map indicating the surveyed areas in red.

#### 4.2.6.4 Habitat Condition and Vegetation on Site

The vegetation on site corresponds closely to the Vegetation Map of SA. Area 1 consists of deep sandy areas supporting Breede Sand Fynbos with shallower, shale areas supporting Robertson Karoo. Areas 2 and 3 comprise

Breede Sand Fynbos exclusively. There is no representation of Muscadel Riviere (CR) vegetation within Area 3. Areas 4 and 5 comprise Robertson Karoo.

Robertson Karoo is least threatened, and Breede Sand Fynbos is considered a vulnerable ecosystem. According to the Western Cape State of Biodiversity 2017, 46.4 % (4529.93 ha) of the original area of Breede Sand Fynbos is currently remaining (Jacobs *et al* 2017).

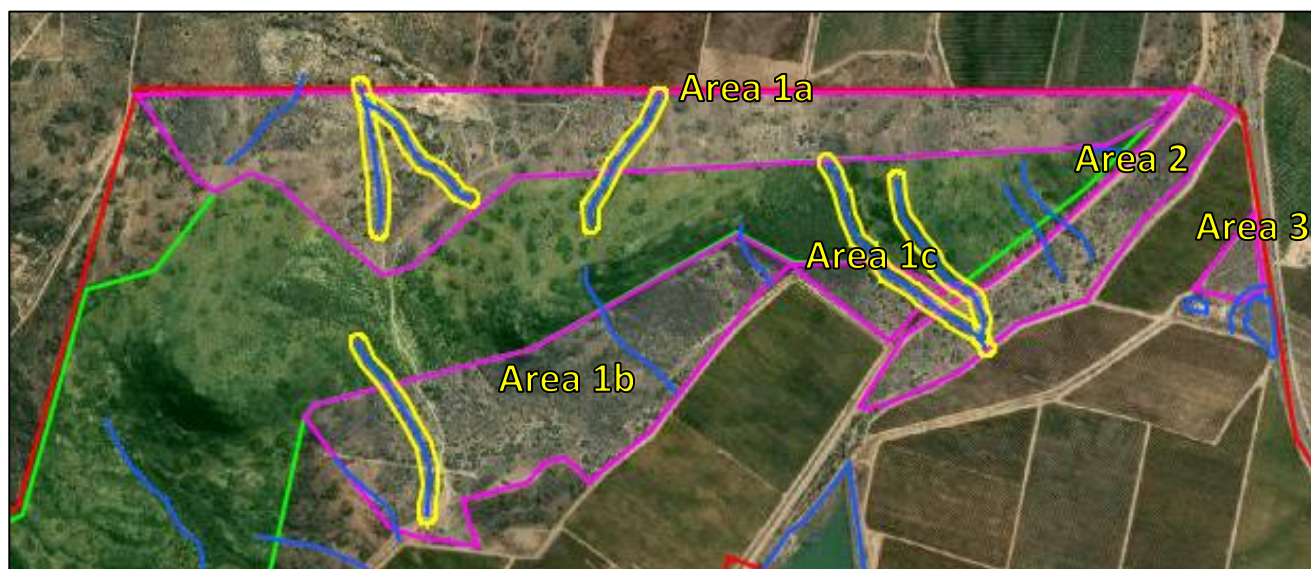
Natural vegetation within **Sand Fynbos** areas comprises an open restioid shrubland on deep sands dominated by *Willdenowia incurvata* (besembos). Other prominent elements include annual and perennial herbs, shrubs, succulents, geophytes and graminoids. Scattered karoo elements were also recorded amongst the Sand Fynbos areas. All Sand Fynbos areas are in a good condition except for the north-westernmost portion extending north of the farm boundary which is subjected to past sand mining. The strip of land situated between the road and canal (Area 2) is subjected to low to medium density alien Port Jackson (*Acacia saligna*) infestation. Area 3 shows some level of disturbance which can be related to edge effects (surrounding cultivation).

The vegetation within **Robertson Karoo** areas comprises an open karoid shrubland matrix with a high concentration of succulents and a number of thicket patches, as well as annuals, perennial herbs and geophytes. The substrate is shale derived clays with some shallow gravelly areas in places. Overall, the vegetation and habitat within Robertson Karoo areas are in a good condition.

As mentioned above, the original  $\pm 128.6$  ha proposed for agricultural expansion has been reduced to  $\pm 72$  ha after botanical, aquatic and soil constraints have been considered.

#### Description of the Individual Cultivation Areas

**Area 1:** The vegetation within this area corresponds closely to the Vegetation Map of SA, consisting of deep sandy areas supporting Breede Sand Fynbos with shallower, shale areas supporting Robertson Karoo. The north-westernmost portion of Area 1a, extending north of the farm boundary, was subjected to sand mining in the past, and low densities of alien invasive vegetation Port Jackson (*Acacia saligna*) are evident here. The hills and slopes linking Areas 1a, 1b and 1c (excluded from the proposed cultivation area) are steep and contain pristine natural Breede Sand Fynbos patches where large colonies of *Astroloba rubriflora*, *Brianhuntleya intrusa*, *Euchaetis pungens* and the small colonies of *Eriospermum bowieanum* and *Euphorbia nesemanii* were recorded. Refer to **Figure 14** below.

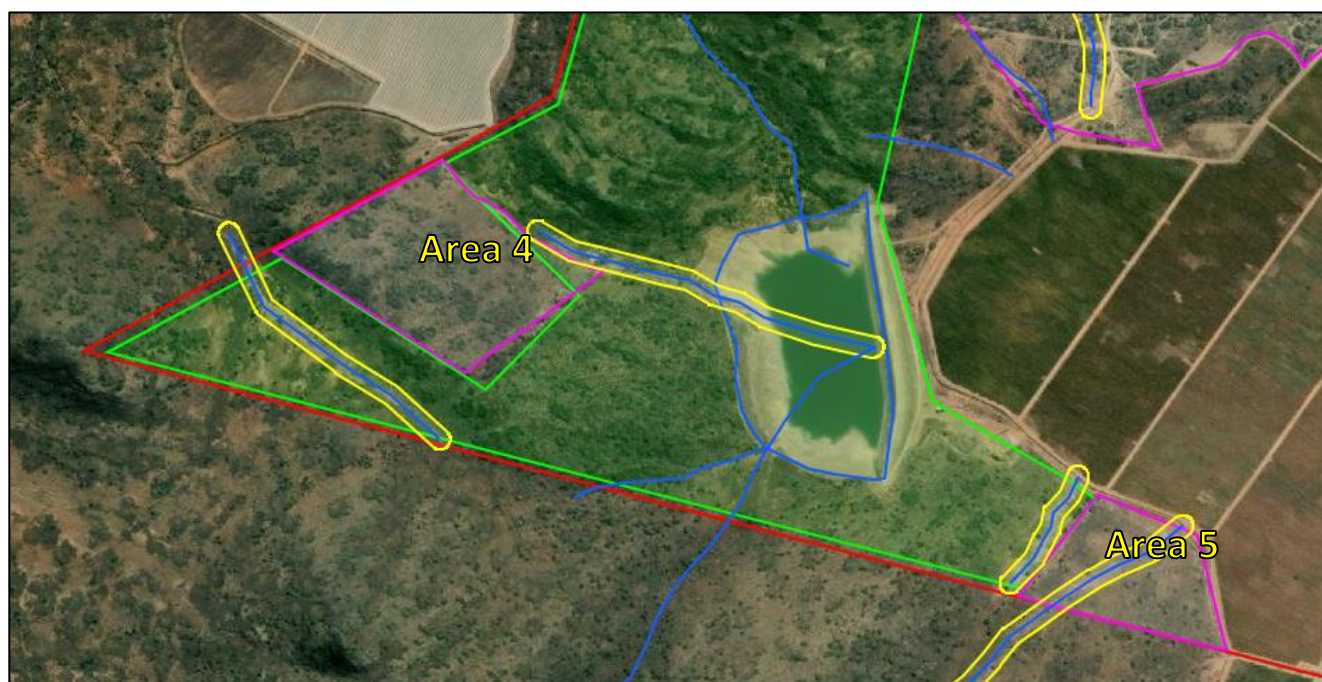


**Figure 14:** Map showing Areas 1a, 1b, 1c, 2 and 3 (pink polygons) with avoided terrestrial constraints (green polygon) that included the Red Data species, as well as some buffered drainage lines (yellow polygons).

**Areas 2 and 3:** Areas 2 and 3 comprise Breede Sand Fynbos exclusively. Area 2 is bordered by the road to the west and by the canal to the east. Area 3 is surrounded by cultivated land, and there is no representation of Muscadel Riviere (CR) vegetation within this Area. Low densities of alien Port Jackson (*Acacia saligna*) are evident within Area 2. The wetland area just south of Area 3, in the south-eastern extent of the study area, comprises a

mix of *Juncus kraussii*, *Juncus capensis*, *Ficinia nodosa*, *Eleocharis limosa* and *Senecio halimifolium* with *Willdenowia incurvata*. The wetland lies on the lower slope of the hillslope that is drained by two small ephemeral streams. A small dam was constructed upslope of the wetland. Downslope of the wetland is the road between Robertson and McGregor. On the downslope of the road is further wetland habitat that is dominated by *Phragmites australis*, *Juncus capensis* and *Senecio halimifolium*.

**Areas 4 and 5:** Areas 4 and 5 also exclusively comprise Robertson Karoo vegetation. Both Areas were reduced in size from the original layout in order to avoid sensitive vegetation and drainage lines. Area 4 lies between two drainage lines, and just west of Area 5 there is a large colony of *Euphorbia nesemanii* as well as high numbers of *Astroloba rubriflora* and *Brianhuntleya intrusa*, although these colonies are all well represented within natural areas on the neighbouring property towards the south. A drainage line bisects Area 5 that will be buffered on either side by 15. Refer to **Figure 15** below.



**Figure 15:** Map showing Areas 4 and 5 (pink polygons) with avoided terrestrial (green polygon), aquatic features in blue and aquatic buffers (yellow polygons).

#### 4.2.7 Aquatic Features

The Keisers River, located within the eastern portion of the property is a perennial river that drains this area. It is recognised as an aquatic CBA with associated floodplain NFEPA wetland areas. This area will be excluded from any development or further disturbances. Refer to **Figure 16** below.

##### 4.2.7.1 Aquatic Features within the Application Area

###### Wetland Area

A wetland area is located within the eastern-most section of proposed cultivation Area 3 of the original layout. This wetland area has been excluded from the preferred layout of Area 3. This wetland area is located at the foot of the hillslope and is likely to have been associated with the small streams upslope of it, where these streams drained into the historic wider floodplain of the Keisers River. A small dam has been constructed in the channel upstream of it and a patch of wetland habitat occurs downslope of it, on the opposite side of Langverwagten Road. The surrounding areas are however cultivated with little remaining of the lower reaches of the original watercourses draining the hillslope.



**Figure 16:** Aerial image with the mapped aquatic features within the study area.

#### Keisers Tributaries

The tributaries within the proposed cultivation areas can be categorised as relatively small episodic foothill tributaries of the Keisers River. In their upper reaches, the tributaries comprise several smaller tributaries and drainage lines that drain the hillslope. The upper reaches of these streams are still in a largely natural state. The stream channels within the tributary are currently vegetated primarily with natural vegetation but have a high potential for erosion because the substrate is predominantly shallow alluvium, interspersed with gravel. The lower reaches of all the streams have mostly been lost to cultivation activities. Some of these drainage lines are considered aquatic Ecological Support Areas (ESAs), including small drainage lines occurring within Area 1a (although there is no evidence of any runoff in this area due to the deep sands), just south-west of Area 4 and west of Area 5. There are no aquatic CBAs, NFEPA's or wetland areas identified within any of the proposed cultivation areas, neither do the areas fall within any groundwater or surface Strategic Water Source Areas.

#### **4.2.7.2 Watercourse Characterisation and Present Ecological Status**

The watercourses have been significantly modified in their lower reaches as a result of agricultural-related disturbance activities (channel modification and cultivation within the riparian zone). Evaluation of Index of Habitat Integrity (IHI) provides a measure of the degree to which a river or stream has been modified from its natural state. This assessment was undertaken for the tributaries of the Keisers River. The results are provided in **Table 9**.

**Table 9:** Index of Habitat Integrity Assessment results and criteria assessed.

| Instream Habitat Integrity | Ephemeral tributaries of the Keisers River | Riparian Zone Habitat Integrity | Ephemeral tributaries of the Keisers River |
|----------------------------|--------------------------------------------|---------------------------------|--------------------------------------------|
| Water Abstraction          | 3                                          | Vegetation Removal              | 7                                          |
| Flow Modification          | 4                                          | Exotic Vegetation               | 4                                          |
| Bed Modification           | 5                                          | Bank Erosion                    | 14                                         |
| Channel Modification       | 4                                          | Channel Modification            | 4                                          |
| Water Quality              | 4                                          | Water Abstraction               | 3                                          |
| Inundation                 | 5                                          | Inundation                      | 5                                          |
| Exotic Macrophytes         | 2                                          | Flow Modification               | 3                                          |
| Exotic Fauna               | 2                                          | Water Quality                   | 3                                          |
| Rubbish Dumping            | 3                                          |                                 |                                            |
| <b>INTEGRITY CLASS</b>     | <b>B</b>                                   | <b>INTEGRITY CLASS</b>          | <b>C</b>                                   |

The upper reaches of the tributaries within the site are in a largely natural ecological condition but the watercourses degrade significantly in their lower reaches, with most being lost to cultivation.

According to the draft Water Resource Classes and Resource Quality Objectives for quaternary catchment H40K, the target ecological category for the Keisers River is a D (Largely modified). The specialist recommended that the target ecological category for the Keisers River tributaries on the hillslopes, is a B/C category.

#### 4.2.7.3 Wetland Characterisation and Present Ecological Status

Only the remnant floodplain wetland has been assessed, being the only wetland near the application site, located just south of Cultivation Area 3. The wetland can be described as a Valley bottom area with a well-defined channel, gently sloped, characterised by floodplain features and alluvial transport or sediment deposition, that usually lead to net sediment accumulation. Water input is from channels and adjacent slopes.

The remnant floodplain wetland area is considered largely modified as a result of modifications that have taken place within the site as well as downstream of the site. The degree of modification that has taken place within the floodplain wetland has resulted in a loss of sensitive elements and a reduction of diversity and species richness. It is therefore considered to be of moderate to low ecological sensitivity and importance, however, the specialist recommended that the wetland area be retained in its current ecological condition or improved if possible.

#### 4.2.8 Fauna

The application area is mapped in the DFFE Screening Tool Report as being of “high” sensitivity for the animal species theme. The sensitive animal features identified refer to bird species, *inter alia*, *Aves-Circus maurus* (Black harrier/ Witkruisvleivalk), *Falco biarmicus* (Lanner falcon), *Afrotis afra* (Black korhaan) etc. However, it is not expected that the proposed development will negatively impact these species. Also, mitigation measures will be included in the EMP to avoid and/or to relocate any nesting sites of the avifaunal species mentioned above, before construction commences. No red data faunal species have been observed.

### 4.3 Description of the Social and Economic Aspects of the Environment

The following sub-section describes the social and economic characteristics of the application site and its surrounding environment.

#### 4.3.1 Socio-economic Profile of the Project Area

The application site is located approximately 4.5 km south of Robertson and 9 km north of McGregor, within the Langeberg Municipal Area, which forms part of the Cape Winelands District Municipality. The following information was sourced from the *Langeberg Municipality: Socio-economic Profile, 2019*.

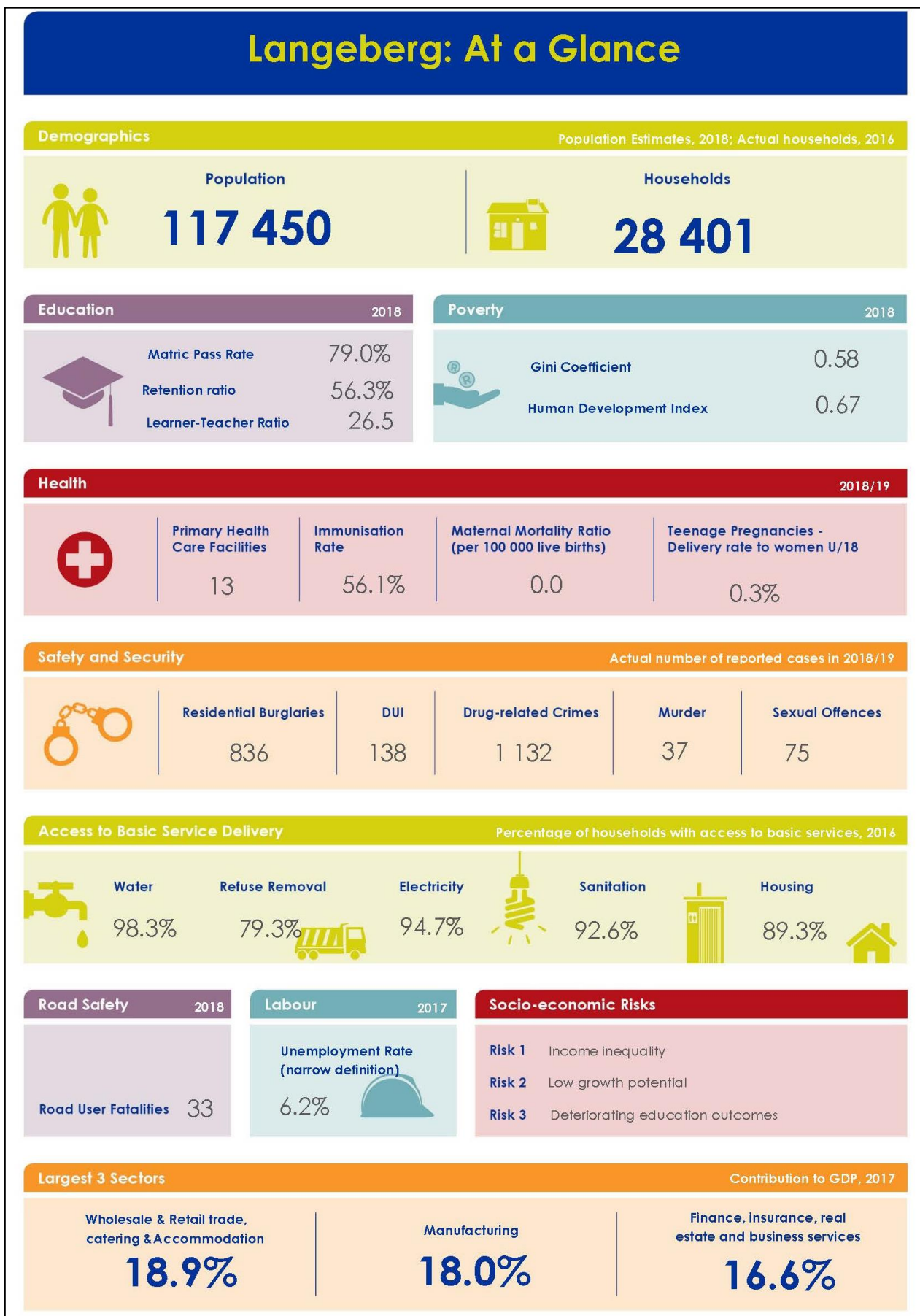
Langeberg currently has a population of 117 450, rendering it the smallest municipal area within the Cape

Winelands District (CWD). The total population is estimated to increase to 126 018 by 2023 which equates to a 1.8 % annual average growth rate.

The deteriorating financial health of households and individuals under the weight of economic pressures, specifically between 2011 and 2015, has resulted in an increase in the poverty levels, according to the Poverty Trends in South Africa report released by Statistics South Africa in 2017. Over the last decade, the unemployment rate has been rising steadily. Unemployment in the Langeberg municipal area started at 4 % in 2008, rising steadily to reach 6 % in 2010, where after hovering around 6 % till 2014, then lowered to 5.2 % in 2015 where after it edged up to 6.2 % in 2018.

Langeberg has the lowest Regional Gross Domestic Product (GDPR) per capita compared to other municipalities in the CWD. Economic activity within municipal boundaries is important as it shows the extent of human development and the living standards of communities. The 10-year trend shows that Langeberg's economy grew by 2.8 % annual average, but tapered down to 2 % annual average from 2014 to 2018 (estimated).

Growth in the agriculture, forestry and fishing sector was robust at 10.1 % in 2017, however, the sector was estimated to contract by 3.9 % in 2018 due to the effects of the drought. The agriculture, forestry and fishing sector contributed the most jobs in the Langeberg municipal area in 2017 (26.7 %). Refer to **Figure 17** below.



**Figure 17:** Summary of the main socio-economic characteristics of the Langeberg Municipality (Source: Langeberg Municipality: Socio-economic Profile, 2019)

#### 4.4 Description of Cultural Heritage and Palaeontological Resources

A Heritage Screener Report and Notice of Intent was prepared and submitted to Heritage Western Cape (HWC) by CTS Heritage (see **Appendix E3**). The information below was mostly sourced from the Screener Report.

Robertson was founded in 1853 and despite much development, maintains glimpses of its Victorian heritage along the Main Road, with more intact fabric along small roads. The area proposed for development is currently wilderness, however it is located immediately adjacent to existing cultivated areas and as such, the proposed expansion of cultivation activities is unlikely to negatively impact on the cultural landscape of the area.

The Breede River area has been extensively farmed since the 1700s, initially with cattle and later orchards and vineyards so that by 1865, viticulture yields were matching those of Stellenbosch and Paarl. The expansion of the existing agricultural areas is in keeping with the agricultural nature of the cultural landscape in this part of the Breede Valley and as such, no negative impacts to the cultural landscape are anticipated.

In 2011, Kaplan conducted an archaeological assessment on a property in the vicinity proposed for development (SAHRIS NID 329570). Kaplan (2011) noted, *"More than 80 archaeological occurrences (numbering nearly 100 implements) were documented during the study... Most of the tools were found in areas that have previously been physically disturbed or modified (for example roads, scraped areas, Telkom servitude), or the result of natural processes, such as sheet wash, erosion and formation of dongas. Most of the tools appear to occur below the sandy overburden, on hard compact gravels, as there is very little surface stone over the undisturbed portions of the property. More than 99% of the implements found comprise Middle Stone Age flakes tools, a few flake blades, chunks and several round cores."* According to Kaplan (2011), *"Later Stone Age remains are virtually non-existent in the lands so far investigated. It is also likely that more recent Khoekhoen Herder encampments that were once visible in the area have now been ploughed over and have been obliterated by agricultural activities and the emergence and dominance of early settler farming communities."* As far as can be ascertained from Kaplan's report (2011), none of the archaeological resources were determined to be conservation worthy. It is anticipated that a similar distribution of artefacts will occur on this property and as such, it is unlikely that the proposed clearance of vegetation will negatively impact significant archaeological heritage.

According to the SAHRIS Palaeosensitivity map, the area proposed for development is underlain by sediments of low and very high palaeontological sensitivity. The sediments of very high palaeontological sensitivity are from the Bokkeveld Group and include the Waboomberg Formation, Hexrivier Formation and the Boplaas Formation. According to the SAHRIS Fossil Heritage Browser, sediments of the Bokkeveld Group are known for conserving rich trace fossil assemblages, also shelly invertebrates (trilobites, brachiopods, echinoderms, molluscs etc) and microfossils in the lower Bokkeveld and recording important fish / vascular plant/ trace fossil biotas in the upper Bokkeveld. These sediments provide a record of early marine, coastal and estuarine / fluvial life on the margins of Gondwana. While the sediments underlying the proposed cultivation area are sensitive for impacts to palaeontological heritage, the nature of the proposed vegetation clearing is such that it is unlikely that significant palaeontological resources will be impacted on condition that the HWC Chance Fossil Finds Procedure is implemented.

Based on the information available and above, it is unlikely that the proposed development will negatively impact archaeological heritage and palaeontological heritage. HWC also confirmed that since there is no reason to believe that the proposed clearance of vegetation at Uitnood Farm will impact heritage resources, no further action under Section 38 of the NHRA is required.

## 5 NEED AND DESIRABILITY OF THE PROJECT

The consideration of the need and desirability of the proposed project as described below is guided by the EIA Guideline Information Document on Need and Desirability issued by the DEA&DP, March 2013.

The preliminary description of the relevant considerations as provided below are in relation to the feasible and reasonable alternatives as described in **Chapter 6**.

The concept of “need and desirability” relates to, amongst others, the nature, scale and location of development being proposed, as well as the wise use of land (DEA&DP, 2013b). Essentially, the concept of “need and desirability” can be explained in terms of the general meaning of its two components in which need primarily refers to time and desirability to place (i.e. is this the right time and is it the right place for locating the type of land-use/activity being proposed?), “need and desirability” are interrelated and the two components must be considered collectively in an integrated and holistic manner (DEA&DP, 2013b).

### 5.1 Consideration of Need and Desirability

In terms of the relevant Guidelines, the need for and desirability of a proposed activity must specifically and explicitly be addressed throughout the EIA process (screening, scoping, and assessment) when dealing with individual impacts and specifically in the overall impact summary by taking into account the answers to the following questions.

| 1.  | Securing ecological sustainable development and use of natural resources                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|-----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1.1 | <p>Q: How will this development (and its separate elements/aspects) impact on the ecological integrity of the area?</p> <p><i>A: The potential impact of the proposed agricultural development on the ecological integrity of the area will be confirmed during the impact assessment phase of this Environmental Authorisation process. The preliminary scoping-level assessment undertaken this far indicates that the project will most likely not have a significant negative impact on ecological integrity, especially since the five proposed cultivation sites, ± 78 ha in total, were identified as part of the baseline botanical and freshwater assessments based on its lesser botanical and aquatic sensitivity.</i></p> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 1.2 | Q: How were the following ecological integrity considerations taken into account?:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|     | Q: Threatened Ecosystems                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | <p><i>A: The botanist confirmed in the Terrestrial Biodiversity Report (<b>Appendix E1</b>) that the vegetation type Muscadel Riviere (CR), does <b>not</b> occur at the application site, even if it is mapped as such in the SA Vegetation Map (Mucina &amp; Rutherford, 2018 update).</i></p>                                                                                                                                                                                                                  |
|     | Q: Sensitive, vulnerable, highly dynamic or stressed ecosystems, such as coastal shores, estuaries, wetlands, and similar systems require specific attention in management and planning procedures, especially where they are subject to significant human resource usage and development pressure,                                                                                                                                                                                                                                                                                                                                                                                                                                   | <p><i>A: The Terrestrial Biodiversity Report (<b>Appendix E1</b>) and the Freshwater Constraints Report (<b>Appendix E2</b>) identified sensitive vegetation areas or No-Go areas containing threatened plant species and aquatic constraints. These areas have been excluded from the proposed cultivation sites, actively reducing the proposed cultivation area from ± 128.6 ha to ± 72 ha.</i></p>                                                                                                            |
|     | Q: Critical Biodiversity Areas (“CBAs”) and Ecological Support Areas (“ESAs”),                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <p><i>A: The Western Cape Biodiversity Spatial Plan, 2017 (WCBSP) has identified both aquatic and terrestrial Critical Biodiversity Areas (CBAs) throughout the province, plus other categories such as Ecological Support Areas (ESAs). CBAs are required to meet biodiversity targets, for species, ecosystems or ecological processes and infrastructure. ESAs play an important role in supporting the functioning of Protected Areas or CBAs, and are often vital for delivering ecosystem services.</i></p> |

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|                                                                                                                                                                                                                            | <p><i>Some of the drainage lines within the proposed cultivation areas are mapped as aquatic ESAs. A small patch of land bordering cultivation Area 3 is mapped as a terrestrial CBA 1 due to the presence of the critically endangered ecosystem Muscadel Riviere, that was confirmed not to occur there by the botanist. However, this area is a wetland according to the freshwater specialist. As it has been excluded from the development footprint, the proposed development will not impact on this wetland area.</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Q: Conservation targets,                                                                                                                                                                                                   | <p><i>A: CBAs are regarded as essential areas for the achievement of regional conservation targets and are designed to ensure minimum land take for maximum result. Conservation targets were therefore considered through the consideration of CBAs and the recommendations made by the botanist and freshwater specialist.</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Q: Ecological drivers of the ecosystem,                                                                                                                                                                                    | <p><i>A: The most significant biodiversity processes associated with the proposed development site relate to the presence of small drainage lines and local connectivity amongst hills in the area. These drainage lines are important for delivering ecosystem services (water resource, natural drainage, animal movement and animal refuge areas).</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Q: Environmental attributes and management proposals contained in relevant Environmental Management Frameworks, Environmental attributes and management proposals contained in relevant Spatial Development Framework, and | <p><i>A: The <b>Cape Winelands District Municipality Environmental Management Framework (CWDM:EMF)</b> provide information on what land is suitable for certain types of development. The CWDM also has a large and important agricultural sector, which is the foundation of the district's economy. Identifying areas that are environmentally sensitive and those that may still be able to support further agricultural and other activities is the main reason for considering the EMF. It states that key environmental risks to be considered are, among others, Climate Change, flood risk, alien infestation and fire risk, all addressed during this EIA process.</i></p> <p><i>The <b>Langeberg Spatial Development Plan</b> states that it is important that the arable land resource, comprising existing as well as potential farming areas, are retained and improved and not converted to other uses, especially urban development. The rural system, furthermore, provides the resources for Langeberg Municipality's successful economic growth and relatively good employment generation. Based on the above, it can be concluded that the proposed project would be aligned with the objectives of the SDF, especially if high sensitivity natural vegetation is excluded from the proposed development (as is already being proposed).</i></p> |
| Q: Global and international responsibilities relating to the environment (e.g. RAMSAR sites, Climate Change, etc.).                                                                                                        | <p><i>A: Climate Change is a global challenge with local impacts and implications. The potential impacts that climate change could have on the proposed project, as well as the potential impacts of the proposed project on climate change, will be addressed during the impact assessment phase of this EIA process.</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |

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| 1.3 | <p>Q: How will this development disturb or enhance ecosystems and/or result in the loss or protection of biological diversity? What measures were explored to firstly avoid these negative impacts, and where these negative impacts could not be avoided altogether, what measures were explored to minimise and remedy (including offsetting) the impacts? What measures were explored to enhance positive impacts?</p> <p>A: <i>The preliminary scoping-level assessment undertaken this far indicates that the project will most likely not have a significant negative impact on ecosystems or biological diversity, especially since the five sites, ± 72 ha in total, proposed for cultivation were identified, as part of the Terrestrial Biodiversity Report, Freshwater Constraints Report and the Soil Report, based on avoiding environmentally sensitive areas and areas not suitable for agriculture. Most areas containing plant SoCC and sensitive aquatic features have been excluded from the areas proposed for agricultural development, in order to avoid significant potential environmental impacts. See <b>Chapter 6</b>. The further avoidance, minimising and/or remedying of negative impacts, and enhancement of positive impacts, will be addressed during the impact assessment phase of this EIA process.</i></p> |
| 1.4 | <p>Q: How will this development pollute and/or degrade the biophysical environment? What measures were explored to firstly avoid these impacts, and where impacts could not be avoided altogether, what measures were explored to minimise and remedy (including offsetting) the impacts? What measures were explored to enhance positive impacts?</p> <p>A: <i>The preliminary scoping-level assessment undertaken this far indicates that the project will most likely not have a significant negative impact on ecosystems or biological diversity, especially since the five sites, ± 72 ha in total, proposed for cultivation were identified, as part of the Terrestrial Biodiversity Report, Freshwater Constraints Report and the Soil Report, based on avoiding environmentally sensitive areas and areas not suitable for agriculture. Most areas containing plant SoCC and sensitive aquatic features have been excluded from the areas proposed for agricultural development, in order to avoid significant potential environmental impacts. See <b>Chapter 6</b>. The further avoidance, minimising and/or remedying of negative impacts, and enhancement of positive impacts, will be addressed during the impact assessment phase of this EIA process.</i></p>                                                                    |
| 1.5 | <p>Q: What waste will be generated by this development? What measures were explored to firstly avoid waste, and where waste could not be avoided altogether, what measures were explored to minimise, reuse and/or recycle the waste? What measures have been explored to safely treat and/or dispose of unavoidable waste?</p> <p>A: <i>It is predicted that minimal volumes of waste will be generated by this proposed agricultural development. Waste generated will be similar to that associated with similar agricultural activities. Waste management will be further addressed during the impact assessment phase of this EIA process.</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 1.6 | <p>Q: How will this development use and/or impact on non-renewable natural resources? What measures were explored to ensure responsible and equitable use of the resources? How have the consequences of the depletion of the non-renewable natural resources been considered? What measures were explored to firstly avoid these impacts, and where impacts could not be avoided altogether, what measures were explored to minimise and remedy (including offsetting) the impacts? What measures were explored to enhance positive impacts?</p> <p>A: <i>Water, agricultural land and electricity will be the main non-renewable resource to be used and/or impacted on by this proposed development. Measures will be identified, as part of the impact assessment phase, to firstly avoid impacts on these resources, and where impacts cannot be avoided altogether, measures will be identified to minimise and remedy the potential impacts. Measures will also be identified to enhance potential positive impacts.</i></p> <p>Note: <i>Water is viewed as a non-renewable resource since a finite quantity of water is available on Earth.</i></p>                                                                                                                                                                                      |
| 1.7 | <p>Q: How will this development use and/or impact on renewable natural resources and the ecosystem of which they are part? Will the use of the resources and/or impact on the ecosystem jeopardise the integrity of the resource and/or system taking into account carrying capacity restrictions, limits of acceptable change, and thresholds? What measures were explored to firstly avoid the use of resources,</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |

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|     | <p>or if avoidance is not possible, to minimise the use of resources? What measures were taken to ensure responsible and equitable use of the resources? What measures were explored to enhance positive impacts?</p> <p><i>A: The development will not use and/or impact on renewable natural resources. Sustainable farming practices actively aim to increase farm productivity and profitability, which will enhance water and soil supply and improve food security and rural livelihoods. Sustainable agricultural practices also assist in weathering the impact of climate change as experienced throughout sub-Saharan Africa.</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 1.8 | <p>Q: Does the proposed development exacerbate the increased dependency on increased use of resources to maintain economic growth or does it reduce resource dependency (i.e. de-materialised growth)? (Note: Sustainability requires that settlements reduce their ecological footprint by using less material and energy demands and reduce the amount of waste they generate, without compromising their quest to improve their quality of life).</p> <p><i>A: This proposed agricultural project will be dependent on the availability of irrigation water. The use of resource-saving technologies (such as water, material, energy) will be included in the Environmental Management Programme (EMPr) during the impact assessment phase of this EIA process.</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 1.9 | <p>Q: Does the proposed use of natural resources constitute the best use thereof? Is the use justifiable when considering intra- and intergenerational equity and are there more important priorities for which the resources should be used (i.e. what are the opportunity costs of using these resources for the proposed development alternative?).</p> <p><i>A: Water and agricultural land will be the main natural resources to be used as part of this proposed agricultural (vineyard) development.</i></p> <p><i>South Africa is a water scarce country, and significant competition is experienced between irrigation agriculture, secondary industry and domestic water use. Irrigated agriculture in South Africa is facing challenges relating to policies that aim to reduce agricultural water use and to reallocate water to water users historically disadvantaged due to past political policies (Vahrmeijer et al, 2015). This while the demand for irrigation is likely to increase in South Africa as a result of increased temperatures and evaporation rates (Cullis, 2015).</i></p> <p><i>The opportunity costs associated with the proposed agricultural development, and whether the proposed land use constitute the best use of the available resource, will be further assessed during the impact assessment phase of this EIA process. Recommendations will also be included in the EMPr during the impact assessment phase of this EIA process.</i></p> |
| 2.  | <p><b>Intra- and inter-generational equity in the context of sustainability"</b></p> <p>Intra-generational equity also refers to equitable access to, or distribution of opportunities, resources, (positive and negative) impacts between individuals and between current societies. Inter-generational equity refers to the equitable distribution of opportunities, resources, (positive and negative) impacts between current and future societies. As such, the manner in which resources are used to address the needs of current societies, must not demise the options of future societies to experience the same opportunities.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 2.1 | <p>Q: Do the proposed location, type and scale of development promote a reduced dependency on resources? For example, can the development be located more appropriately to reduce the dependency of resources needed for service infrastructure?</p> <p><i>A: Water availability has a strong influence on grapevine growth and its manipulation is a key vineyard management practice. The sustainability of the proposed vineyards at Uitnood Farm will therefore be dependent on the availability of irrigation water.</i></p> <p><i>This aspect will be further assessed during the impact assessment phase of this EIA process. Recommendations will also be included in the EMPr during the impact assessment phase of this EIA process.</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 2.2 | <p>Q: How were a risk-averse and cautious approach applied in terms of ecological impacts?</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |

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|           | <i>A: Negative environmental impacts will be avoided as far as possible. Where it cannot be altogether avoided, measures will be identified to minimise potential ecological impacts. This will be further assessed and discussed during the impact assessment phase of this EIA process.</i>                                                                                                                                                                                                                                                                                                                                                                                                      |
| 2.3       | <p>Q: What are the limits of current knowledge (note: the gaps, uncertainties and assumptions must be clearly stated)?</p> <p><i>A: The Draft EIA Report will elaborate on the limits in current knowledge associated with this EIA process.</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 2.4       | <p>Q: What is the level of risk associated with the limits of current knowledge?</p> <p><i>A: The Draft EIA Report will elaborate on the risks associated with the limits in current knowledge associated with this EIA process.</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 2.5       | <p>Q: Based on the limits of knowledge and the level of risk, how and to what extent was a risk-averse and cautious approach applied to the development?</p> <p><i>A: The extent to which a risk-averse and cautious approach can be applied to this development will be discussed in the Draft EIA Report.</i></p>                                                                                                                                                                                                                                                                                                                                                                                |
| <b>3.</b> | <p><b>A risk averse and cautious approach</b></p> <p>A risk averse and cautious approach (the precautionary principle) in the context of the protection of environmental rights is essentially about the assessment and management of risk. How will the ecological impacts resulting from this development impact on people's environmental right in terms following:</p>                                                                                                                                                                                                                                                                                                                         |
| 3.1       | <p>Q: Negative impacts: e.g. access to resources, opportunity costs, loss of amenity (e.g. open space), air and water quality impacts, nuisance (noise, odour, etc.), health impacts, visual impacts, etc. What measures were taken to firstly avoid negative impacts, but if avoidance is not possible, to minimise, manage and remedy negative impacts?</p> <p><i>A: The Preferred Site Development Plan (<b>Appendix B1</b>) has undergone various iterations to date to avoid and minimise negative environmental impacts. Further detail pertaining to avoidance, minimising and remedying potential impacts will be provided during the impact assessment phase of this EIA process.</i></p> |
| 3.2       | <p>Q: Positive impacts: e.g. improved access to resources, improved amenity, improved air or water quality, etc.</p> <p><i>A: Potential positive (and negative) impacts will be further identified and assessed during the impact assessment phase of this EIA process.</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 3.3       | <p>Q: What measures were taken to enhance positive impacts?</p> <p><i>A: Possible measures that can be taken to enhance positive impacts will be discussed in the Draft EIA Report.</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 3.4       | <p>Q: Describe the linkages and dependencies between human wellbeing, livelihoods and ecosystem services applicable to the area in question and how the development's ecological impacts will result in socio-economic impacts (e.g. on livelihoods, loss of heritage site, opportunity costs, etc.)?</p> <p><i>A: The linkages and dependencies between human wellbeing, livelihoods and ecosystem services applicable to the area in question and how the development's ecological impacts will result in socio-economic impacts will be assessed during the impact assessment phase of this EIA process.</i></p>                                                                                |
| 3.5       | <p>Q: Based on all of the above, how will this development positively or negatively impact on ecological integrity objectives/targets/considerations of the area?</p> <p><i>A: The positive or negative impacts of the proposed project on ecological integrity objectives/targets/considerations of the area will be assessed during the impact assessment phase of this EIA process.</i></p>                                                                                                                                                                                                                                                                                                     |

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| 3.6       | <p>Q: Considering the need to secure ecological integrity and a healthy biophysical environment, describe how the alternatives identified (in terms of all the different elements of the development and all the different impacts being proposed), resulted in the selection of the “best practicable environmental option” in terms of ecological considerations?</p> <p>A: Detail pertaining to the selection of the “best practicable environmental option” in terms of ecological considerations will be provided during the impact assessment phase of this EIA process.</p> |                                                                                                                                                                                                                                                                                                                                                                                                     |
| 3.7       | <p>Q: Describe the positive and negative cumulative ecological/biophysical impacts bearing in mind the size, scale, scope and nature of the project in relation to its location and existing and other planned developments in the area?</p> <p>A: The positive and negative cumulative ecological/biophysical impacts will be assessed during the impact assessment phase of this EIA process.</p>                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>4.</b> | <b>Promoting justifiable economic and social development</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                     |
| 4.1       | <p>Q: What is the socio-economic context of the area, based on, amongst other considerations, the following considerations?</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                     |
|           | <p>Q: The IDP (and its sector plans’ vision, objectives, strategies, indicators and targets) and any other strategic plans, frameworks of policies applicable to the area,</p>                                                                                                                                                                                                                                                                                                                                                                                                     | <p>A: The application area is located near Robertson town and falls within the jurisdiction of the Langeberg Local Municipality, which forms part of the Cape Winelands District Municipality.</p>                                                                                                                                                                                                  |
|           | <p>Spatial priorities and desired spatial patterns (e.g. need for integrated of segregated communities, need to upgrade informal settlements, need for densification, etc.),</p>                                                                                                                                                                                                                                                                                                                                                                                                   | <p>According to the Langeberg Municipality Socio-economic Profile, 2019, over the last decade, the unemployment rate has been rising steadily. Unemployment in the Langeberg municipal area started at 4 % in 2008, rising steadily to reach 6 % in 2010, where after hovering around 6 % till 2014, then lowered to 5.2 % in 2015 where after it edged up to 6.2 % in 2018.</p>                    |
|           | <p>Spatial characteristics (e.g. existing land uses, planned land uses, cultural landscapes, etc.), and</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <p>The agriculture, forestry and fishing sector contributed the most jobs in the Langeberg municipal area. Therefore, agriculture is an important land use of the application site as well as the surrounding area, and can be considered a very important economic driver of the Langeberg Municipal economy, and it is imperative that the Municipality focus on ways to support this sector.</p> |
|           | <p>Municipal Economic Development Strategy (“LED Strategy”)</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | <p>It is concluded that the proposed agricultural expansion will create much needed additional job opportunities for this area, and is in line with the applicable strategic frameworks and policies of the area.</p>                                                                                                                                                                               |
| 4.2       | <p>Q: Considering the socio-economic context, what will the socio-economic impacts be of the development (and its separate elements/aspects), and specifically also on the socio-economic objectives of the area?</p>                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                     |
|           | <p>Q: Will the development complement the local socio-economic initiatives (such as LED initiatives), or skills development programs?</p>                                                                                                                                                                                                                                                                                                                                                                                                                                          | <p>A: The proposed agricultural development / expansion will create much needed additional job opportunities for this area.</p> <p>The potential socio-economic impacts associated with the proposed development will be assessed in detail during the impact assessment phase of this EIA process.</p>                                                                                             |
| 4.3       | <p>Q: How will this development disturb or enhance landscapes and/or sites that constitute the nation’s cultural heritage? What measures were explored to firstly avoid these impacts, and where impacts</p>                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                     |

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|     | could not be avoided altogether, what measures were explored to minimise and remedy (including offsetting) the impacts? What measures were explored to enhance positive impacts?<br><br><i>A: According to the Heritage specialist, the expansion of the existing agricultural areas is in keeping with the agricultural nature of the cultural landscape in this part of the Breede Valley and as such, no negative impacts to the cultural landscape are anticipated.</i>                                                                                          |
| 4.4 | Q: How will this development address the specific physical, psychological, developmental, cultural and social needs and interests of the relevant communities?<br><br><i>A: The proposed agricultural project will create much needed additional job opportunities for this area.</i>                                                                                                                                                                                                                                                                                |
| 4.5 | Q: Will the development result in equitable (intra- and inter-generational) impact distribution, in the short- and long-term? Will the impact be socially and economically sustainable in the short- and long-term?<br><br><i>A: It is envisaged that the proposed development will indeed contribute to equitable (intra- and inter-generational) impact distribution, since the proposed development will create much needed additional job opportunities for this area. This will be further assessed during the impact assessment phase of this EIA process.</i> |
| 4.6 | Q: In terms of location, describe how the placement of the proposed development will                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|     | result in the creation of residential and employment opportunities in close proximity to or integrated with each other,<br><br><i>A: The proposed agricultural project will create much needed additional job opportunities in this area. Robertson is situated less than 5 km from the application site and is therefore situated in close proximity for employees working on the farm.</i>                                                                                                                                                                         |
|     | reduce the need for transport of people and goods,<br><br><i>A: Not applicable.</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|     | result in access to public transport or enable non-motorised and pedestrian transport (e.g. will the development result in densification and the achievement of thresholds in terms public transport), compliment other uses in the area, be in line with the planning for the area,<br><br><i>A: Not applicable.</i>                                                                                                                                                                                                                                                |
|     | for urban related development, make use of underutilised land available within the urban edge,<br><br><i>A: Existing public and farm roads will be used as far as possible.</i>                                                                                                                                                                                                                                                                                                                                                                                      |
|     | optimise the use of existing resources and infrastructure, consider opportunity costs in terms of bulk infrastructure expansions in non-priority areas (e.g. not aligned with the bulk infrastructure planning for the settlement that reflects the spatial reconstruction priorities of the settlement),<br><br><i>A: Not applicable.</i>                                                                                                                                                                                                                           |
|     | discourage “urban sprawl” and contribute to compaction/ densification,<br><br><i>A: Not applicable.</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|     | contribute to the correction of the historically distorted spatial patterns of settlements and to the optimum use of existing infrastructure in excess of current needs,<br><br><i>A: Not applicable.</i>                                                                                                                                                                                                                                                                                                                                                            |

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|     | encourage environmentally sustainable land development practices and processes,                                                                                                                                             | <i>A: Potential environmentally sustainable land development practices and processes will be considered as part of the impact assessment phase pf this EIA process.</i>                                                                                                                                                                                                                                                                                                                               |
|     | take into account special locational factors that might favour the specific location (e.g. the location of a strategic mineral resource, access to the port, access to rail, etc.),                                         | <i>A: Climate and weather play an important role in viticulture. Adequate sun, heat, and water during the growing season, and enough cold during the dormancy phase are crucial for healthy growth of vines and production of premium quality grapes. Grapevines thrive best in climates with long warm summers, and rainy winters (Sturman et. al. 2018).</i><br><br><i>The application area fulfils these conditions. The proposed project is therefore specifically planned for this location.</i> |
|     | result in investment in the settlement or area in question that will generate the highest socio-economic returns (i.e. an area with high economic potential),                                                               | <i>A: The proposed agricultural development / expansion will create much needed additional job opportunities for the area. Robertson is situated less than 5 km from the application site and is therefore situated in close proximity for employees travelling to and from the farm.</i>                                                                                                                                                                                                             |
|     | impact on the sense of history, sense of place and heritage of the area and the socio-cultural and cultural-historic characteristics and sensitivities of the area, and                                                     | <i>A: The proposed project is not expected to result in significant negative impacts on the sense of history, sense of place and heritage of the area, since no socio-cultural and cultural-historic sensitivities have been identified in the project area. This will be further discussed during the impact assessment phase of this EIA process.</i>                                                                                                                                               |
|     | in terms of the nature, scale and location of the development, promote or act as a catalyst to create a more integrated settlement?                                                                                         | <i>A: Not applicable.</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 4.7 | Q: How were a risk-averse and cautious approach applied in terms of socio-economic impacts?                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|     | What are the limits of current knowledge (note: the gaps, uncertainties and assumptions must be clearly stated)?                                                                                                            | <i>A: These aspects will be addressed during the impact assessment phase of this EIA process.</i>                                                                                                                                                                                                                                                                                                                                                                                                     |
|     | What is the level of risk (note: related to inequality, social fabric, livelihoods, vulnerable communities, critical resources, economic vulnerability and sustainability) associated with the limits of current knowledge? |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|     | Based on the limits of knowledge and the level of risk, how and to what extent was a risk-averse and cautious approach applied to the development (and its alternatives)?                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 4.8 | Q: How will the socio-economic impacts resulting from this development impact on people's environmental right in terms following:                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|     | Negative impacts: e.g. health (e.g. HIV-Aids), safety, social ills, etc. What measures were taken to firstly avoid negative impacts, but if avoidance is not possible, to minimise, manage and remedy negative impacts?     | <i>A: Detail pertaining to the negative and positive potential socio-economic impacts associated with this development will be assessed as part of the impact assessment phase of this EIA process.</i>                                                                                                                                                                                                                                                                                               |

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|------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
|      | Positive impacts. What measures were taken to enhance positive impacts?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |  |
| 4.9  | <p>Q: Considering the linkages and dependencies between human wellbeing, livelihoods and ecosystem services, describe the linkages and dependencies applicable to the area in question and how the development's socio-economic impacts will result in ecological impacts (e.g. over utilisation of natural resources, etc.)?</p> <p>A: <i>Detail pertaining to how the potential socio-economic impacts associated with this development could result in ecological impacts will be assessed and discussed as part of the impact assessment phase of this EIA process.</i></p> |  |
| 4.10 | <p>Q: What measures were taken to pursue the selection of the "best practicable environmental option" in terms of socio-economic considerations?</p> <p>A: <i>Details pertaining to the measures taken to pursue the selection of the "best practicable environmental option" in terms of socio-economic considerations will be provided in the Draft EIA Report, as part of the impact assessment phase of this EIA process.</i></p>                                                                                                                                           |  |
| 4.11 | <p>Q: What measures were taken to pursue environmental justice so that adverse environmental impacts shall not be distributed in such a manner as to unfairly discriminate against any person, particularly vulnerable and disadvantaged persons (who are the beneficiaries and is the development located appropriately)?</p> <p>A: <i>These aspects will be addressed during the impact assessment phase of this EIA process.</i></p>                                                                                                                                         |  |
| 4.12 | <p>Q: Considering the need for social equity and justice, do the alternatives identified, allow the "best practicable environmental option" to be selected, or is there a need for other alternatives to be considered?</p> <p>A: <i>Given the history of the Breede River valley, the climatic conditions of the application area, specifically suited for viticulture, as well as the need for job creation in the area, the proposed agricultural development can be viewed as being the "best practicable environmental option" for the site.</i></p>                       |  |
| 4.13 | <p>Q: What measures were taken to pursue equitable access to environmental resources, benefits and services to meet basic human needs and ensure human wellbeing, and what special measures were taken to ensure access thereto by categories of persons disadvantaged by unfair discrimination?</p> <p>A: <i>The matters will be further assessed during the impact assessment phase of this EIA process.</i></p>                                                                                                                                                              |  |
| 4.14 | <p>Q: What measures were taken to ensure that the responsibility for the environmental health and safety consequences of the development has been addressed throughout the development's life cycle?</p> <p>A: <i>Possible measures to ensure that the responsibility for the environmental health and safety consequences of the development, will be addressed and considered during the impact assessment phase of this EIA process.</i></p>                                                                                                                                 |  |
| 4.15 | <p>Q: What measures were taken to ensure that the interests, needs and values of all interested and affected parties were taken into account, and that adequate recognition were given to all forms of knowledge, including traditional and ordinary knowledge?</p> <p>A: <i>A thorough public participation process will be undertaken as part of this EIA process. See <b>Chapter 7</b> for more information.</i></p>                                                                                                                                                         |  |
| 4.16 | <p>Q: Considering the interests, needs and values of all the interested and affected parties, describe how the development will allow for opportunities for all the segments of the community (e.g. a mixture of low-, middle-, and high-income housing opportunities) that is consistent with the priority needs of the local area (or that is proportional to the needs of an area)?</p>                                                                                                                                                                                      |  |

|           |                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|-----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|           | <i>A: The proposed agricultural project will create additional job opportunities for this area. Robertson is situated less than 5 km from the application site and is therefore situated in close proximity for employees working on the farm.</i>                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>5.</b> | <b>Opportunity Cost</b><br>Opportunity costs refer to the process of considering and comparing the ecological, social and economic costs, implications and opportunities of different alternatives. Choosing a specific option, alternative or path.                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 5.1       | Q: Describe how the development will impact on job creation in terms of, amongst other aspects:                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|           | the number of temporary versus permanent jobs that will be created,                                                                                                                                                                                                    | <i>A: The agriculture, forestry and fishing sector contributed the most jobs in the Langeberg municipal area. Therefore, agriculture is an important land use of the application site as well as the surrounding area, and can be considered a very important economic driver of the Langeberg Municipal economy.</i><br><br><i>The exact number of temporary and permanent jobs to be created with the proposed agricultural development will be confirmed during the EIA phase of this project. Residents from nearby residential areas will be prioritised when sourcing new employees.</i> |
|           | whether the labour available in the area will be able to take up the job opportunities (i.e. do the required skills match the skills available in the area),                                                                                                           | <i>A: It is reasonable to assume that the skills required for the proposed development will be available in the area to a certain degree.</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|           | the distance from where labourers will have to travel,                                                                                                                                                                                                                 | <i>A: Robertson is situated less than 5 km from the application site and is therefore situated in close proximity for employees working on the farm.</i>                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|           | the location of jobs opportunities versus the location of impacts (i.e. equitable distribution of costs and benefits), and                                                                                                                                             | <i>A: Robertson is situated less than 5 km from the application site and is therefore situated in close proximity for employees working on the farm.</i>                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|           | the opportunity costs in terms of job creation (e.g. a mine might create 100 jobs in the short and medium term, but impact on 1000 permanent agricultural jobs, etc.).                                                                                                 | <i>A: The opportunity costs associated with this proposed development will be assessed during the impact assessment phase of this EIA process.</i>                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 5.2       | Q: What measures were taken to ensure:                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|           | that there were intergovernmental coordination and harmonisation of policies, legislation and actions relating to the environment, and                                                                                                                                 | <i>A: All relevant Organs of State having jurisdiction over aspects of the development have been identified and are given opportunities to comment during the various comment periods as part of this EIA process. See <b>Chapter 7</b> for more information on the public participation process.</i>                                                                                                                                                                                                                                                                                          |
|           | that actual or potential conflicts of interest between organs of state were resolved through conflict resolution procedures?                                                                                                                                           | <i>A: All relevant Organs of State having jurisdiction over aspects of the development have been identified and are given opportunities to comment during the various comment periods as part of this EIA process. See <b>Chapter 7</b> for more information on the public participation process.</i>                                                                                                                                                                                                                                                                                          |
| 5.3       | Q: What measures were taken to ensure that the environment will be held in public trust for the people, that the beneficial use of environmental resources will serve the public interest, and that the environment will be protected as the people's common heritage? |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |

|     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|-----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|     | <i>A: This matter will be addressed during the impact assessment phase of this EIA process.</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 5.4 | <p>Q: Are the mitigation measures proposed realistic and what long-term environmental legacy and managed burden will be left?</p> <p><i>A: Mitigation measures will be identified during the impact assessment phase of this EIA process and will be captured in the Draft EMP, which will be available for public comment with the Draft EIA Report. Potential long-term environmental legacies and/or managed burdens will also be identified during the impact assessment phase.</i></p>                                                                                                                                                                                                                                                                                                                             |
| 5.5 | <p>Q: What measures were taken to ensure that the costs of remedying pollution, environmental degradation and consequent adverse health effects and of preventing, controlling or minimising further pollution, environmental damage or adverse health effects will be borne by those responsible for harming the environment?</p> <p><i>A: The Draft EMP, which will be available for public comment with the Draft EIA Report, will include a section which will be in line with the “polluter pays principle”, stating that the costs of remedying pollution, environmental degradation and consequent adverse health effects and of preventing, controlling or minimising further pollution, environmental damage or adverse health effects will be borne by those responsible for harming the environment.</i></p> |
| 5.6 | <p>Q: Considering the need to secure ecological integrity and a healthy bio-physical environment, describe how the alternatives identified (in terms of all the different elements of the development and all the different impacts being proposed), resulted in the selection of the best practicable environmental option in terms of socio-economic considerations?</p> <p><i>A: Given the potential agricultural land capability of the site and the general need for job creation, the proposed agricultural development can be viewed as being the “best practicable environmental option” for the site in terms of socio-economic considerations.</i></p>                                                                                                                                                        |
| 5.7 | <p>Q: Describe the positive and negative cumulative socio-economic impacts bearing in mind the size, scale, scope and nature of the project in relation to its location and other planned developments in the area?</p> <p><i>A: Positive and negative cumulative socio-economic impacts will be identified and assessed during the impact assessment phase of this EIA process.</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                |

## 5.2 DFFE Screening Tool

The National Web based Environmental Screening Tool is a geographically based web-enabled application which allows a proponent intending to submit an application for Environmental Authorisation in terms of the NEMA EIA Regulations 2014, as amended to screen their proposed site for any environmental sensitivity (DEA, 2020). The Screening Tool identifies exclusions and/or specific requirements including specialist studies applicable to proposed sites and/or developments, based on the national sector classification and the environmental sensitivity of the site (DEA, 2020).

The Screening Tool allows for the generating of a Screening Tool Report referred to in Regulation 16(1)(v) of the NEMA EIA Regulations 2014, as amended, whereby a Screening Tool Report is required to accompany any application for Environmental Authorisation. See **Appendix G1** for the Department of Forestry, Fisheries and the Environment (DFFE) Screening Tool Report for this proposed application site.

Based on the selected classification, and the environmental sensitivities of the proposed development footprint, the list of specialist assessments in **Table 10** below have been identified in the DFFE Screening Tool Report (**Appendix G1**) for inclusion in the assessment report. **Table 10** also provides motivations for not undertaking some of the identified specialist studies as part of this EIA process.

**Table 10:** List of Specialist Assessments and applicable Protocols<sup>1</sup> for inclusion in the EIA process, and motivation if the specialist study will not be undertaken as part of this EIA process.

| Specialist Assessment |                                                 | Does an Assessment Protocol exist? | Motivation for Including or Not Including the Specialist Assessment in this EIA Process                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|-----------------------|-------------------------------------------------|------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1                     | Agricultural Impact Assessment                  | Yes                                | <p>The section of Uitnood Farm where the proposed cultivation areas are located, is classified in the DFFE Screening Tool as having “low” agricultural land capability, while the areas with existing agricultural activities is classified as having “high” agricultural land capability. Refer to the “Map of relative agriculture theme sensitivity” in the DFFE Screening Report (<b>Appendix G1</b>).</p> <p>The Applicant is familiar with the agricultural potential of some parts of the land, hence this application for agricultural development on this land.</p> <p>A Soil Study was undertaken as part of this project, to determine the soil/agricultural potential of the proposed cultivation areas. It was found that the land has a “medium” agricultural land capability. A full Agricultural Impact Assessment, which complies with the relevant Protocol requirements, can however not be justified as part of this EIA process.</p>                                                                                                                                 |
| 2                     | Landscape / Visual Impact Assessment            | No                                 | <p>The proposed expansion of agricultural activities in an existing agricultural area will be in line with the surrounding land uses in the Breede River Valley and would therefore have a very limited visual impact. A Visual Impact Assessment can therefore not be justified as part of this EIA process and will not be conducted.</p> <p>Refer to <b>Appendix D1</b> (Photo Sheet) for photos of the site and the surrounding area.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 3                     | Archaeological and Cultural Heritage Assessment | No                                 | <p>The eastern section of Uitnood Farm is mapped in the DFFE Screening Tool Report as having high archaeological or cultural sensitivity due to the presence of a nearby river. However, the western half of the farm, in the application site area, the archaeological and cultural sensitivity is rated medium to low.</p> <p>The proposed project will trigger activities listed in Section 38 of the NHRA, and a Heritage Screener Report and Notice of Intent was prepared and submitted to Heritage Western Cape (HWC) by CTS Heritage (see <b>Appendix E3</b>). Based on the information available, it is unlikely that the proposed cultivation will impact significant archaeological heritage, as the proposed cultivation areas are all proposed on areas of medium to low archaeological and cultural significance.</p> <p>HWC confirmed that since there is no reason to believe that the proposed clearance of vegetation at Uitnood Farm will impact on heritage resources, no further action under Section 38 of the NHRA is required (refer to <b>Appendix E3b</b>).</p> |

<sup>1</sup> “Procedures for the Assessment and Minimum Criteria for Reporting on identified Environmental Themes in terms of Sections 24(5)(a) and (h) and 44 of the National Environmental Management Act, 1998, when applying for Environmental Authorisation” (“**the Protocols**”) (Government Notice No. 320 as published in Government Gazette No. 43110 on 20 March 2020) came into effect on 9 May 2020.

| Specialist Assessment |                                            | Does an Assessment Protocol exist? | Motivation for Including or Not Including the Specialist Assessment in this EIA Process                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|-----------------------|--------------------------------------------|------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 4                     | Palaeontological Impact Assessment         | No                                 | <p>A Heritage Screener Report and Notice of Intent was prepared and submitted to HWC by CTS Heritage (see <b>Appendix E3</b>). According to the SAHRIS Palaeosensitivity map, the area proposed for development is underlain by sediments of low and very high palaeontological sensitivity. While the sediments underlying the proposed cultivation area are sensitive for impacts to palaeontological heritage, the nature of the proposed vegetation clearing is such that it is unlikely that significant palaeontological resources will be impacted.</p> <p>HWC confirmed that since there is no reason to believe that the proposed clearance of vegetation at Uitnood Farm will impact palaeontological resources, no further action under Section 38 of the NHRA is required (refer to <b>Appendix E3b</b>).</p> |
| 5                     | Terrestrial Biodiversity Impact Assessment | Yes                                | A Terrestrial Biodiversity Report has been undertaken by botanist Johlene Krige as part of this EIA process, and is included under <b>Appendix E1</b> of this Scoping Report. This Report will be finalised during the impact assessment phase to include a full terrestrial biodiversity impact assessment. This assessment complies with the Protocol for Terrestrial Biodiversity Impact Assessments.                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 6                     | Aquatic Biodiversity Impact Assessment     | Yes                                | A Freshwater Constraints Report has been undertaken by Ms. Toni Belcher and is included under <b>Appendix E2</b> of this Scoping Report. The Constraints Report will be finalised during the impact assessment phase to include a full Freshwater Impact Assessment. This assessment complies with the Protocol for Aquatic Biodiversity Impact Assessments.                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 7                     | Hydrology Assessment                       | No                                 | All necessary aspects of Hydrology will be addressed in the Freshwater Impact Assessment, and a separate study for only this cannot be justified.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 8                     | Socio-economic Assessment                  | No                                 | Given the need for economic opportunities and job creation in general and in the area, the proposed agricultural development can be viewed as being the “best practicable environmental option” for the site in terms of socio-economic considerations. The project’s socio-economic aspects will be sufficiently addressed in the Scoping and EIA Reports, and a specialist socio-economic assessment is not deemed necessary for this project.                                                                                                                                                                                                                                                                                                                                                                          |
| 9                     | Plant Species Assessment                   | No                                 | The application area is mapped in the DFFE Screening Tool Report as being of “medium” plant species theme sensitivity. A Plant Species Assessment has been undertaken as part of the specialist Terrestrial Biodiversity Report, included under <b>Appendix E1</b> of this Report.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 10                    | Animal Species Assessment                  | No                                 | The application area is mapped in the DFFE Screening Tool Report as being of “high” sensitivity for the animal species theme. The sensitive animal features identified refer to bird species, <i>inter alia</i> , <i>Aves-Circus maurus</i> (Black harrier/Witkruisvleivalk), <i>Falco biarmicus</i> (Lanner falcon), <i>Afrotis afra</i> (Black korhaan) etc. However, it is not expected that the proposed development will negatively impact these species. Also, mitigation measures will be included in the EMP to avoid and/or to relocate any nesting sites of the avifaunal species mentioned above, before construction commences. No red data faunal species have been observed.                                                                                                                                |

### 5.3 NEMA Section 2 Principles

Chapter 1, Section 2 of the NEMA, as amended, sets out National Environmental Management Principles. These principles need to be taken into account for applications for environmental authorisation.

The NEMA, as amended, Section 2 principles are as follows:

*(2) Environmental management must place people and their needs at the forefront of its concern, and serve their physical, psychological, developmental, cultural and social interests equitably.*

*(3) Development must be socially, environmentally and economically sustainable*

*(4) (a) Sustainable development requires the consideration of all relevant factors including the following:*

*i. That the disturbance of ecosystems and loss of biological diversity are avoided, or, where they cannot be altogether avoided, are minimised and remedied;*

*ii. that pollution and degradation of the environment are avoided, or, where they cannot be altogether avoided, are minimised and remedied;*

*iii. that the disturbance of landscapes and sites that constitute the nation's cultural heritage is avoided, or where it cannot be altogether avoided, is minimised and remedied;*

*iv. that waste is avoided, or where it cannot be altogether avoided, minimised and reused or recycled where possible and otherwise disposed of in a responsible manner;*

*v. that the use and exploitation of non-renewable natural resources is responsible and equitable, and takes into account the consequences of the depletion of the resource;*

*vi. that the development, use and exploitation of renewable resources and the ecosystems of which they are part do not exceed the level beyond which their integrity is jeopardised;*

*vii. that a risk averse and cautious approach is applied, which takes into account the limits of current knowledge about the consequences of decisions and actions; and*

*viii. that negative impacts on the environment and on people's environmental rights be anticipated and prevented, and where they cannot be altogether prevented, are minimised and remedied.*

*(b) Environmental management must be integrated, acknowledging that all elements of the environment are linked and interrelated, and it must take into account the effects of decisions on all aspects of the environment and all people in the environment by pursuing the selection of the best practicable environmental option.*

*(c) Environmental justice must be pursued so that adverse environmental impacts shall not be distributed in such a manner as to unfairly discriminate against any person, particularly vulnerable and disadvantaged persons.*

*(d) Equitable access to environmental resources, benefits and services to meet basic human needs and ensure human well-being must be pursued and special measures may be taken to ensure access thereto by categories of persons disadvantaged by unfair discrimination.*

*(e) Responsibility for the environmental health and safety consequences of a policy, programme, project, product, process, service or activity exists throughout its life cycle.*

*(f) The participation of all interested and affected parties in environmental governance must be promoted, and all people must have the opportunity to develop the understanding, skills and capacity necessary for achieving equitable and effective participation, and participation by vulnerable and disadvantaged persons must be ensured.*

*(g) Decisions must take into account the interests, needs and values of all interested and affected parties, and this includes recognising all forms of knowledge, including traditional and ordinary knowledge.*

*(h) Community wellbeing and empowerment must be promoted through environmental education, the raising of environmental awareness, the sharing of knowledge and experience and other appropriate means.*

*(i) The social, economic and environmental impacts of activities, including disadvantages and benefits, must be considered, assessed and evaluated, and decisions must be appropriate in the light of such consideration and assessment.*

- (j) The right of workers to refuse work that is harmful to human health or the environment and to be informed of dangers must be respected and protected.*
- (k) Decisions must be taken in an open and transparent manner, and access to information must be provided in accordance with the law.*
- (l) There must be intergovernmental co-ordination and harmonisation of policies, legislation and actions relating to the environment.*
- (m) Actual or potential conflicts of interest between organs of state should be resolved through conflict resolution procedures.*
- (n) Global and international responsibilities relating to the environment must be discharged in the national interest.*
- (o) The environment is held in public trust for the people, the beneficial use of environmental resources must serve the public interest and the environment must be protected as the people's common heritage.*
- (p) The costs of remedying pollution, environmental degradation and consequent adverse health effects and of preventing, controlling or minimising further pollution, environmental damage or adverse health effects must be paid for by those responsible for harming the environment.*
- (q) The vital role of women and youth in environmental management and development must be recognised and their full participation therein must be promoted.*
- (r) Sensitive, vulnerable, highly dynamic or stressed ecosystems, such as coastal shores, estuaries, wetlands, and similar systems require specific attention in management and planning procedures, especially where they are subject to significant human resource usage and development pressure.*

This EIA process is taking the principles of environmental management as set out in Section 2 of the NEMA into consideration and is being undertaken in accordance with the EIA Regulations of 2014, as amended, which themselves encapsulate the principles of environmental management, some of them mentioned above.

This EIA process will provide measures to avoid, reduce and/or minimise environmental impacts and disturbance to the surrounding environment. The report will also describe the uncertainties and assumptions which will be considered in order to ensure that a cautious approach is adopted.

A comprehensive public participation process is also being undertaken as part of this EIA process, as is required in terms of Regulation 41 of the NEMA EIA Regulations of 2014, as amended. See **Chapter 7** below for more information on the public participation process that is being undertaken.

#### **5.4 NEMA Section 23 General objectives of Integrated Environmental Management**

Chapter 5, Section 23 of the NEMA, as amended, sets out General objectives of Integrated Environmental Management. These objectives need to be taken into account for applications for environmental authorisation.

The general objectives of Integrated Environmental Management set out in section 23 of NEMA, as amended, are as follow:

- 23(2) The general objective of integrated environmental management is to –*
- 23(2)(a) promote the integration of the principles of environmental management set out in section 2 into the making of all decisions which may have a significant effect on the environment;*
- 23(2)(b) Identify, predict and evaluate the actual and potential impact on the environment, socio-economic conditions and cultural heritage, the risks and consequences and alternatives and options for mitigation of activities, with a view to minimising negative impacts, maximizing benefits, and promoting compliance with the principles of environmental management set out in Section 2;*
- 23(2)(c) ensure that the effects of activities on the environment receive adequate consideration before actions are taken in connection with them;*

*23(2)(d) ensure adequate and appropriate opportunity for public participation in decisions that may affect the environment;*

*23(2)(e) ensure the consideration of environmental attributes in management and decision-making which may have a significant effect on the environment; and*

*23(2)(e) identify and employ the modes of environmental management best suited to ensuring that a particular activity is pursued in accordance with the principles of environmental management set out in Section 2.*

This EIA process will consider the social, environmental and economic aspects of the proposed activities. Also refer to the sub-section above for more information on how the principles of environmental management, as set out in Section 2 of the NEMA, as amended, are being taken into account in this EIA process.

A detailed impact assessment will be undertaken as part of the EIA process. Also refer to **Chapter 6** below for more information on the alternatives considered.

A comprehensive public participation process is being undertaken as part of this EIA process, as is required in terms of Regulation 41 of the NEMA EIA Regulations of 2014, as amended. See **Chapter 7** for more information on the public participation process.

The EIA process provides a number of measures and methods to ensure that the activities are pursued in accordance with the principles of the NEMA, as amended. The Draft EMPr, which will be made available for comment with the Draft EIA Report, will set out the mitigation measures relevant to the construction and operational phases of the proposed development.

## 5.5 Strategic Context: Development Planning

The sections below provide a description of the need and desirability of the proposed project from a strategic planning perspective, by considering the proposed project in the context of the relevant planning frameworks.

### 5.5.1 Western Cape Provincial Spatial Development Framework, 2014

The Western Cape Provincial Spatial Development Framework, 2014 (PSDF) sets out key policies, relating to resources, space economy and settlement to guide spatial planning. Of these policies, the following are the most relevant to the proposed development:

| Key Policies                                                                                             | Alignment of the proposed development with the PSDF                                                                                                                                                                                                                                                                                                                                                                                         |
|----------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Resources:</b>                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <b>Policy R1:</b> Protect biodiversity and ecosystem services.                                           | The Terrestrial Biodiversity Report ( <b>Appendix E1</b> ) and Freshwater Constraints Report ( <b>Appendix E2</b> ) identified sensitive areas that must be excluded from the proposed development footprint. The layout plan was amended accordingly to preserve natural habitat on the farm that contains plant SoCC and sensitive aquatic features. The proposed development layout will take cognisance of the recommended No-Go areas. |
| <b>Policy R3:</b> Manage, protect and sustainable use of provincial, agricultural and mineral resources. | The proposed development is aimed at optimising the use of agricultural land. The EMPr, to be included in the Draft EIA Report, will include measures to encourage the sustainable management and use of agricultural land.                                                                                                                                                                                                                 |
| <b>Policy R5:</b> Protect and manage all provincial landscapes and scenic assets.                        | The proposed agricultural development is not expected to negatively impact on provincial landscapes and scenic assets.                                                                                                                                                                                                                                                                                                                      |
| <b>Space economy:</b>                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <b>Policy E2:</b> Diversify and strengthen the rural economy.                                            | Robertson is situated less than 5 km from the application area. The proposed agricultural project will create much needed additional job opportunities for this area.                                                                                                                                                                                                                                                                       |

| Key Policies                                                                                                  | Alignment of the proposed development with the PSDF                                                                                          |
|---------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Settlement:</b>                                                                                            |                                                                                                                                              |
| <b>Policy S1:</b> Protect, manage and enhance the province's sense of place, heritage and cultural landscape. | The proposed agricultural development is not expected to negatively impact on sense of place, cultural landscape or archaeological heritage. |
| <b>Policy S3:</b> Promote compact, mixed use and integrated settlements.                                      | Not applicable.                                                                                                                              |
| <b>Policy S5:</b> Promote sustainable, integrated and inclusive housing in formal and informal markets.       | Not applicable.                                                                                                                              |

### 5.5.2 Langeberg Municipal Spatial Development Framework: 2016

The Langeberg Municipal Spatial Development Framework (SDF): 2021-2022 (Langeberg Municipality, 2016) acknowledges the importance of the agricultural sector to the Breede River local economy.

According to the Langeberg SDF, agri-industry and agriculture are Langeberg municipality's most important economic and employment sectors. Langeberg is fortunate in that its agricultural resources are mostly intensive, comprising vineyards, orchards and pastures as these employ large amounts of labour. These are dependent on water and arable land. Together with the magnificent scenery these resources and agricultural activities, especially wine-making, also form the basis of its vibrant tourism industry. Therefore, it is important that the arable land resource comprising existing, as well as potential farming areas, are retained and improved and not converted to other uses, especially urban development.

The rural system provides the resources for Langeberg municipality's successful economic growth and relatively good employment generation flowing from the agricultural, manufacturing, tourism and services sectors. Its strength is shown in that unlike most municipalities in South Africa its rural population has remained constant over the past decade indicating the strength of the opportunities it offers.

### 5.5.3 Smart Agriculture for Climate Resilience (SmartAgri)

The Western Cape Department of Agriculture and the DEA&DP launched the Smart Agriculture for Climate Resilience (SmartAgri) project in August 2014 (Midgley *et al*, 2016a). Under the leadership of the University of Cape Town's African Climate and Development Initiative (ACDI), a consortium is developing a provincial climate change response framework and implementation plan for the agricultural sector.

SmartAgri is a project that responds to the need for a practical and relevant climate change response plan specifically for the agricultural sector of the Western Cape Province (Midgley *et al*, 2016b). The SmartAgri plan is based on the division of the Western Cape Province into several derived Agro-Climatic Zones (Midgley *et al*, 2016b). These zones have been identified and assessed for their key features, and the likely impact of climate change on these zones. The relevant application area falls under the **Breede Agro-Climatic Zone**. See **Section 4.2.1.1, Figure 7** and **Table 8** earlier in this Report.

The SmartAgri Plan includes six Priority Projects that have been chosen to catalyse the early adoption of important climate change response interventions with high impact (Midgley *et al*, 2016b). These Priority SmartAgri Projects include:

1. Conservation agriculture for all commodities and farming systems.
2. Restored ecological infrastructure for increased landscape productivity, socio-ecological resilience and soil carbon sequestration.

3. Collaborative integrated catchment management for improved water security (quality and quantity) and job creation.
4. Energy efficiency and renewable energy case studies to inspire the transition to low-carbon agriculture.
5. Climate-proofing the growth of agri-processing in the Western Cape.
6. An integrated knowledge system for climate smart agricultural extension.

## 6 CONSIDERATION OF ALTERNATIVES

“*Alternatives*” are defined in the NEMA EIA Regulations, 2014, as amended, as “*different means of meeting the general purpose and requirements of the activity*” (DEA&DP, 2013b).

The consideration of alternatives is a key component of an EIA process. While an EIA process should investigate and comparatively **consider** all alternatives that have been identified, only those found to be “feasible” and “reasonable” must be comparatively **assessed**, in terms of the advantages and disadvantages that the proposed activity and alternatives will have on the environment and on the community that may be affected by the activity (DEA&DP, 2013b).

The “feasibility” and “reasonability” of an alternative are measured by:

- the general purpose and requirements of the activity;
- the need and desirability of the activity;
- opportunity costs;
- the need to avoid and/or minimise negative impacts;
- the need to maximise benefits; and
- how it impacts on the community that may be affected by the activity (DEA&DP, 2013b).

The different types of alternatives that can be considered as part of an EIA process include the following:

- a) the **property** on which, or **location** where, it is proposed to undertake the activity;
- b) the **type of activity** to be undertaken;
- c) the **design and layout** of the activity;
- d) the **technology** to be used in the activity;
- e) the **operational aspects** of the activity, such as demand, input, routing, scheduling and timing alternatives, and scale and magnitude alternatives; and
- f) the option of not implementing the activity, or the “**no-go option**”.

When considering feasible and reasonable alternatives, the environmental, social and economic aspects of the development should be considered, including:

- The agricultural potential of the proposed development site;
- The botanical sensitivity of the area;
- The occurrence of significant cultural and heritage areas on the site; and
- The presence and sensitivity of aquatic ecosystems in the development area.

The following sections describe those alternatives that have been considered (i.e. identified and investigated) to date, and indicate which alternatives are deemed to be “feasible” and “reasonable”. The sections below also provide a broad comparative assessment of the potential impacts, i.e. advantages and disadvantages of the alternatives put forward. The Draft EIA Report will provide a more detailed, comparative assessment of these advantages and disadvantages.

### 6.1 Property and Location Alternatives

The agricultural expansion is proposed at Uitnood Farm (Portion 38 of Farm Uitnood No. 129), Robertson, which is owned by Eilandia Plase (Pty) Ltd. The proposed project is to be located on this farm due to the property being owned by the Applicant.

The farm is therefore the only feasible and reasonable property and location alternative for the proposed development.

### 6.2 Type of Activity

Other areas on Uitnood Farm, ± 200 ha, has already successfully been cultivated into established vineyards. The Farm has good agricultural potential and sufficient irrigation water. No feasible or reasonable activity alternatives, apart from agricultural activities, were identified for this application site.

### 6.3 Design and Layout Alternatives

From an agricultural and economic perspective, it would have been advantageous for the Applicant to choose the original layout of  $\pm 128.6$  ha to convert to vineyards, irrespective of the impact on sensitive terrestrial and aquatic areas and areas of biodiversity concern. Such a layout would be based purely on the Applicant's preference and would not take the relevant sensitive areas into consideration.

The Terrestrial Biodiversity Report (**Appendix E1**), the Freshwater Constraints Report (**Appendix E2**), and the Soil Report (**Appendix E4**) have, however, reduced the potential 128.6 ha within the five identified cultivation areas to  $\pm 72$  ha, after excluding terrestrial and aquatic sensitive areas, as well as the agricultural unviable areas. All areas containing plant SoCC, and sensitive aquatic features, as well as the small CBA near Area 3, have been excluded from the areas proposed for agricultural development, in order to avoid significant potential environmental impacts.

The most significant environmental constraints associated with the original cultivation area layout included the following:

- Impact on 3 Vulnerable plant species (*Euchaetis pungens*, *Astroloba rubriflora* and *Eriospermum bowieanum*).
- Impact on 2 Near Threatened plant species (*Brianhuntleya intrusa* and *Euphorbia nesemanii*).
- Loss of natural vegetation within a Vulnerable ecosystem (Breede Sand Fynbos).
- Loss of several smaller ephemeral watercourses that are tributaries of the Keisers River, a tributary in the middle reaches of the Breede River System.
- Loss of a wetland area in the south-eastern extent of the application area (Area 3) that is a remnant floodplain wetland associated with the lower reaches of the tributaries and the Keisers River.

The outcome of the specialist input was therefore that the whole central section of Area 1 be excluded, and the cultivation area be subdivided into Area 1a, 1b and 1c, with a few significant drainage lines buffered. Area 2 remained the same size, but two drainage lines were buffered, while Area 3 was reduced to exclude and buffer the wetland area (refer to **Figures 6** and **14**). Areas 4 and 5 were reduced to exclude drainage lines (refer to **Figures 6** and **15**). These changes were made to the original layout of the proposed development to:

- Ensure persistence of 3 Vulnerable plant species (*Euchaetis pungens*, *Astroloba rubriflora* and *Eriospermum bowieanum*).
- Ensure persistence of 2 Near Threatened plant species (*Brianhuntleya intrusa* and *Euphorbia nesemanii*).
- Preserve a significant portion of natural vegetation within a Vulnerable ecosystem (Breede Sand Fynbos).
- Preserve all significant ephemeral watercourses that are tributaries of the Keisers River.
- Ensure the preservation of the wetland area near cultivation Area 3, that is a remnant floodplain wetland associated with the lower reaches of the tributaries and the Keisers River.
- Maintain natural connectivity on the property. All hills and vegetation patches containing significant colonies of plant species of conservation concern will be well connected to each other and to other natural areas in the surrounding area.

The outcome of the Terrestrial Biodiversity Report and Freshwater Constraints Report was therefore that five cultivation areas of lesser sensitivity, totalling  $\pm 78$  ha, were identified for viticulture.

Areas 1a and 1b were further reduced following the Soil Study, to exclude areas deemed unsuitable for agriculture. The combined outcome of all specialist input was therefore five cultivation areas totalling  $\pm 72$  ha.

Environmental Authorisation is required before these areas may be developed, and they will therefore be taken forward in this impact assessment process.

These five amended sites are therefore the only feasible and reasonable cultivation layout alternative for the proposed development and could entail a feasible compromise between agricultural development and biodiversity conservation on this property. This will be further assessed during the impact assessment phase of this EIA process.

Refer to **Appendix B1** for the Preferred Site Development Plan and to **Appendix B2** for the Original Site Development Plan (discarded option).

#### 6.4 Technology Alternatives

No technology alternatives that specifically relates to this impact assessment process have been identified for assessment as part of this EIA process. The implementation of water and energy saving technologies will be prescribed in the EMPr for the operational phase of the proposed development.

#### 6.5 Operational Alternatives

Operational alternatives could include agricultural management decisions such as identification of alternative cultivars, and effective and efficient irrigation water management.

No feasible or reasonable operational alternatives were identified for assessment as part of this EIA process. Mitigation measures for effective irrigation water management will however be include into the EMPr during the impact assessment phase of this EIA process.

#### 6.6 No-go Alternative

The **No-go alternative** will be assessed as part of this EIA process. This would entail maintaining the *status quo* of the application area, whereby the expanded agricultural areas will not be established.

## 7 PUBLIC PARTICIPATION PROCESS

The following subsections describe the public participation process that is being undertaken as part of this EIA process, in compliance with the NEMA EIA Regulations of 2014, as amended. The Public Participation Plan was accepted by the DEA&DP on 14 May 2021.

### 7.1 Project Announcement and Scoping Phase

During the Scoping Phase of the project, interested and/or affected parties (I&APs) are invited to comment on the Pre- and Post-application Draft Scoping Reports for the proposed project.

#### 7.1.1 Pre-Application Scoping Phase Public Participation Activities

Refer to **Appendix F1b** for the Public Participation Plan which was prepared in terms of the Departmental Circular (Circular: DEA&DP No 0001/2021) issued on 6 January 2021, and the Annexure 3 of the *Directions Regarding Measures to Address, Prevent and Combat the Spread of COVID-19 Relating to National Environmental Management Permits and Licenses* (GN No. 650 of 5 June 2020). The Plan sets out the public participation steps, including the additional measures, that were taken during the declared COVID-19 lockdown period (i.e. during Alert Level 3), i.e. during the comment period on the Pre-app. DSR. The Public Participation Plan was accepted by the DEA&DP on 14 May 2021.

The following I&APs and Organs of State were pro-actively identified and added to the initial stakeholder database (**Appendix F2**), as are required in terms of the NEMA EIA Regulations of 2014, as amended:

- The owners and occupiers of application site and the land adjacent to the application sites;
- Relevant Organs of State;
- The Councillor of the municipal ward in which the application area is situated;
- Organisation and/or ratepayers that represent the community in the area; and
- The local and regional municipalities.

The following Organs of State were identified as having jurisdiction over aspects of the development and were added to the initial stakeholder database (see **Appendix F2** for more details):

- DEA&DP, Directorate: Development Management: Region 2;
- Heritage Western Cape;
- Western Cape Department of Agriculture (and LandCare Manager);
- National Department of Agriculture, Land Reform and Rural Development;
- Breede-Gouritz Catchment Management Agency;
- CapeNature;
- Langeberg Local Municipality; and
- Cape Winelands District Municipality.

Two **Site Notices** were fixed to the boundary fence along the public road at two entrances, conspicuous to by passers, on 11 November 2020 (see **Appendix F3**).

A 30-day comment period was provided on the Pre-app. DSR, from **Tuesday, 10 August 2021 until Thursday, 9 September 2021**.

Availability of the Pre-app. DSR was **advertised** in the *Breederivier Gazette* local newspaper on **Tuesday, 10 August 2021** (see **Appendix F4**).

E-mails, with the Pre-app. DSR as an attachment, were sent to all the I&APs and Organs of State on the initial stakeholder database, inviting them to comment on the Pre-app. DSR (**Appendix F5**).

The report was loaded onto the EAP's website ([www.cornerstoneenviro.co.za](http://www.cornerstoneenviro.co.za)) and a hard copy was made available at the Robertson Public Library.

The comments received during the Pre-application Scoping public participation process were collated into a Comments and Responses Report (C&RR), and responses to such comments have been provided by the project team. The C&RR is appended to this Post-app. DSR under **Appendix F8**.

### 7.1.2 Prepare and Submit Application for Environmental Authorisation

The Application for Environmental Authorisation has been submitted to the DEA&DP simultaneously with this Post-app. DSR.

### 7.1.3 Post-Application Scoping Phase Public Participation Activities

All registered I&APs and Organs of State have been invited to comment the Post-app. DSR. A 30-day comment period is allowed **Wednesday, 26 April 2023 until Monday, 29 May 2023**.

The Post-app. DSR was loaded onto the EAP's website ([www.cornerstoneenviro.co.za](http://www.cornerstoneenviro.co.za)) and a hard copy is also available for review at the local Robertson Public Library. Copies of the Post-app. DSR were also distributed to the State Organs (in the format of their choice).

The comments received on the Post-app. DSR will be collated and included in the C&RR, and responses to such comments will be provided by the project team.

#### 7.1.3.1 Post-Application Scoping Phase: Submit Post-application Final Scoping Report

The Post-app. DSR will be revised to include the comments received from I&APs, including the updated C&RR. Recommendations will be made regarding any additional specialist studies that may need to be undertaken to provide additional information regarding the potential impacts and the mitigation that may be applied to reduce such impacts.

The Final Scoping Report (FSR) will be submitted to the DEA&DP for consideration.

## 7.2 Impact Assessment Phase Public Participation

See **Section 9.6** below for a description of the impact assessment phase public participation activities.

## 7.3 Categories/summary of Issues Raised by I&APs and Organs of State

### Summary of comment from CapeNature:

- CapeNature is in agreement with the recommendations of the Terrestrial Biodiversity Report with regards to the proposed cultivation areas and no-go areas.
- The current preferred layout should either be amended to exclude the areas identified in the freshwater constraints and opportunities report or a freshwater assessment addendum report must be compiled with relevant mitigation measures.
- The application will not impact any further on the water-stressed Keisers River catchment.
- CapeNature agrees with the proposed layout with regards to the terrestrial ecological constraints, however the freshwater constraints also need to be taken into account.

### Summary of comment from Langeberg Municipality:

- The proposal as set out in the draft scoping report, dated August 2021, is supported from a land use planning point of view, subject that comment from CapeNature be obtained and that the recommendations from the specialists be complied with.

### Summary of comment from the Central Breede River Water Use Association:

- A proper stormwater management plan needs to be included in the study which specifically addresses measures to prevent any concentrated flows from entering the Le Chasseur & Goree canal.

### Summary of comment from the WC Department of Agriculture:

- No slopes more than 20% should be developed to protect the land from erosion. Especially in Area 1b, it is recommended that the upper proposed boundary be lowered. (The cultivation area has been amended to exclude this steep area.)
- A complete soil analysis must be submitted to determine the characteristics of the soil and potential agricultural value. This will aid to address the need for a drainage design and to determine the quality of sub-surface drainage water. (A Soil Study was compiled and included under **Appendix E4**.)

- It is the farmer/landowners responsibility to maintain a 10 m buffer from any watercourse or water resource to protect the natural ecosystems within such a watercourse.
- No-till practice is recommended to minimise soil disturbance and to reduce the risk soil erosion.
- Proof of the availability of water to irrigate should be provided.
- A diverse variety of cover crops must be planted in between the crop rows to improve the water holding capacity of the soil minimizing surface water run-off. This will also improve the microclimate in the soil and promote healthy soil conditions for biodiversity.

#### Summary of comment from Heritage Western Cape:

- Since there is no reason to believe that the proposed activity will impact on heritage resources, no further action under Section 38 of the National Heritage Resources Act (Act 25 of 1999) is required.

Please refer to the Comments and Responses Report, under **Appendix F8**, for the all the comments received and replies by the Project Team.

## 8 POTENTIAL ENVIRONMENTAL IMPACTS

The potential environmental aspects, as well as risks and issues (collectively referred to as “impacts”), were identified by the EAP during the site sensitivity/screening and scoping phase by undertaking the following activities:

- site visits;
- input obtained from the project team, including the applicant and the specialist consultants by means of meetings and telephone and e-mail communication;
- desktop analysis of available aerial imagery, biodiversity maps, cadastral maps, etc. by using platforms such as Google Earth and Cape Farm Mapper;
- reviewing of secondary information sources including the DFFE Screening Report, applicable guidelines, policies, plans, and legislation; and
- reviewing of the Scoping level specialist reports.

The following sections summarise the most significant potential biological, physical, social, economic and cultural impacts that were identified during the scoping phase, and which will be further assessed as part of the impact assessment phase of this EIA process.

### 8.1 Impacts Associated with the Clearing of Land for Agricultural Development

The proposed clearing of land for agricultural development could result in impacts on vegetation and terrestrial ecology, as are described in more detail below.

#### 8.1.1 Impacts on Vegetation and Ecology

Proposed developments usually have both direct and indirect impacts, as well as cumulative impacts, on the vegetation and ecology, and this would be the case with the proposed development. A detailed Terrestrial Biodiversity Impact Assessment will be included as part of the Impact Assessment phase, in which all potential impacts on vegetation and ecology will be assessed in detail.

Direct impacts usually occur as a result of the construction or development phase, whilst the indirect impacts may occur at this stage but can also take place at the post development (operational) phase. Indirect impacts are often hard to observe and measure, but may in many cases be more significant than the direct impacts, although this is not usually the case in a partly natural agricultural landscape. Cumulative impacts can be described as the total impact arising from the project, or the combined results of the activity.

### **8.1.1.1 Potential Construction Phase Impacts on Vegetation and Ecology**

The boundaries of the five cultivation areas proposed for development have been specifically defined to exclude plant SoCC and very steep areas. The development of new cultivation sites would effectively result in the permanent loss of all existing natural vegetation (and most of the associated fauna and ecology) in the development footprint. The consequence would be the physical transformation of  $\pm 42$  ha of Robertson Karoo (LT) vegetation and  $\pm 30$  ha Breede Sand Fynbos (VU), which could have a significant impact on the local faunal habitat within an already fragmented landscape. It could also impact on populations of three VU and two NT plant species. All other direct botanical impacts would be relatively minor in relation to those noted above.

### **8.1.1.2 Operational Phase Impacts on Vegetation and Ecology**

Operational phase impacts will take effect as soon as the natural vegetation on the site is lost, and will persist in perpetuity, or as long as the area is cultivated. Operational phase impacts include loss of ecological connectivity across the sites, and possible disturbances to the adjacent natural areas due to farming activities.

## **8.1.2 Impacts on the Aquatic Environment**

The boundaries of the five areas (sites) proposed for development have been specifically defined to exclude significant drainage lines and the wetland area. Due to the sheer number of aquatic features within the application site, some of the cultivation areas will inevitably include drainage lines, but in these instances, to reduce impacts, adequate buffers were incorporated. A suitable buffer area of 15 m has been implemented for the significant drainage lines, and a 20 m buffer for the wetland area. Potential impacts on the aquatic environment will be assessed during the impact assessment phase of this project.

## **8.2 Impacts on Agricultural Resources**

The DFFE Screening Tool Report verified that the land capability for viticulture ranges from low to very high across the farm. A Soil Study was undertaken as part of this project, to determine the soil/agricultural potential of the proposed cultivation areas. It was found that the land has a “medium” agricultural land capability.

It is not anticipated that the proposed development will negatively impact on agricultural resources, as agricultural resources will not be lost, but rather utilised for agricultural purposes.

## **8.3 Climate Change Impacts**

When considering climate change in an EIA process, two specific terms are relevant, i.e. climate change “mitigation” and “adaptation”. Climate change “mitigation” refers to the implementation of measure to reduce the impact of a proposed project on climate change, thereby reducing a project’s greenhouse gas (GHG) emissions. Climate change “adaptation” refers to the implementation of measure to reduce the impacts of climate change on a specific project, thereby addressing a project’s vulnerability to climate change by implementing measure to increase project resilience.

The potential impacts that climate change could have on the proposed agricultural development, as well as the potential impacts of the proposed project on climate change will be addressed during the impact assessment phase of this EIA process. Measures should be identified to increase the project’s resilience to the impacts of climate change, i.e. “climate proofing” of the proposed development.

## **8.4 Socio-Economic Impacts**

The proposed agricultural development should benefit the broader community, as it will enable agricultural activities on the farm, which could translate to more jobs in the future (both temporary and permanent). As such, any overriding socio-economic impacts are likely to be positive. This will be further assessed during the impact assessment phase of this EIA process.

## **8.5 Impacts on Heritage Resources**

A NID and Heritage Screener Report were submitted to HWC to determine whether a Heritage Impact Assessment will be required. See **Appendix E3** for the HWC NID and Screener Report prepared by CTS Heritage.

CTS Heritage made the following recommendation: “Based on the available information, it is likely that the proposed development will not negatively impact significant archaeological and/or palaeontological heritage resources.”

HWC confirmed that since there is no reason to believe that the proposed clearance of vegetation at Uitnood Farm will impact heritage resources, no further action under Section 38 of the NHRA is required (**Appendix E3b**).

## **8.6 Erosion and Stormwater Management**

Erosion and stormwater management related aspects and impacts will be considered and assessed during the impact assessment phase of this EIA process. A stormwater management plan will be included as proposed by the Central Breede River Water Use Association. Mitigation measures addressing potential stormwater runoff and erosion will be identified during this phase.

## **8.7 Other Impacts**

Other impacts that will be considered and assessed in the impact assessment phase include potential impacts associated with, *inter alia*, water supply, energy consumption, dust, waste generation and consumption of materials.

## **8.8 Site Selection**

The original assessment area was  $\pm 128.6$  ha in extent. The outcome of the terrestrial biodiversity and freshwater assessments was that  $\pm 78$  ha (within the originally proposed five sites) of lesser sensitivity were identified within the  $\pm 128.6$  ha study area. Following the inputs of the Soil Study, a further 6 ha were eliminated from the layout. Environment Authorisation is required before the selected  $\pm 72$  ha may be developed, which will therefore be taken forward into the impact assessment process.

## 9 PLAN OF STUDY FOR ENVIRONMENTAL IMPACT ASSESSMENT PHASE

The Plan of Study for EIA forms an integral part of the Scoping Report and sets out the proposed approach to the impact assessment phase of this EIA process.

The content requirements for a **Plan of Study for EIA** are set out in Appendix 2 of the NEMA EIA Regulations of 2014, as amended, and are presented in the table below.

**Table 11:** Plan of Study content requirements.

| Appendix 2 of the EIA Regulations of 2014, as amended                                           |                                                                                                                                                                                     | Section Reference<br>(in this report) |
|-------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------|
| 2.(1) A Scoping Report must comply with Appendix 2 of the EIA Regulations of 2014 and include - |                                                                                                                                                                                     |                                       |
| (h)                                                                                             | a <b>plan of study</b> for undertaking the environmental impact assessment process to be undertaken, including —                                                                    | See bellow                            |
| (i)                                                                                             | a <b>description of the alternatives</b> to be considered and assessed within the preferred site, including the option of not proceeding with the activity;                         | <b>9.1</b>                            |
| (ii)                                                                                            | a description of the <b>aspects to be assessed</b> as part of the environmental impact assessment process;                                                                          | <b>9.2</b>                            |
| (iii)                                                                                           | <b>aspects to be assessed by specialists;</b>                                                                                                                                       | <b>9.3</b>                            |
| (iv)                                                                                            | a description of the <b>proposed method of assessing the environmental aspects</b> , including aspects to be assessed by specialists;                                               | <b>9.4</b>                            |
| (v)                                                                                             | a description of the proposed <b>method of assessing duration and significance;</b>                                                                                                 | <b>9.4</b>                            |
| (vi)                                                                                            | an indication of the <b>stages at which the competent authority will be consulted;</b>                                                                                              | <b>9.5</b>                            |
| (vii)                                                                                           | particulars of the <b>public participation process</b> that will be conducted during the environmental impact assessment process; and                                               | <b>9.6</b>                            |
| (viii)                                                                                          | a <b>description of the tasks</b> that will be undertaken as part of the environmental impact assessment process;                                                                   | <b>9.7</b>                            |
| (ix)                                                                                            | identify <b>suitable measures to avoid, reverse, mitigate or manage identified impacts</b> and to determine the extent of the residual risks that need to be managed and monitored. | <b>9.8</b>                            |

### 9.1 Description of the Alternatives to be considered and Assessed

A Terrestrial Biodiversity Report, Freshwater Constraints Study and Soil study was undertaken to identify those areas on site which could potentially be appropriate for the establishment of new cultivation areas. Those alternatives that have been considered (i.e. identified and investigated) to date, and which are deemed to be “feasible” and “reasonable” are described in **Chapter 6** of this Report. The following alternatives will be assessed during the impact assessment phase:

#### 1) Alternative 1 (Preferred Alternative):

**Establishment of Cultivation Areas:** The proposed clearance of indigenous vegetation at five sites, totalling ± 72 ha, for the expansion of viticulture at Uitnood Farm:

- Area 1a = ± 30.3 ha;
- Area 1b = ± 20 ha;
- Area 1c = ± 2.1 ha;
- Area 2 = ± 8.2 ha;
- Area 3 = ± 1 ha;
- Area 4 = ± 6.8 ha; and
- Area 5 = ± 3.7 ha;

All the required infrastructure to farm these areas are already in place. Irrigation pipelines (with a 250 mm diameter) will be laid inside the already disturbed footprint of existing farm roads and cultivation areas. No new farm roads are required. Different sections of irrigation pipelines will have to be constructed from the pump station near the existing dam, to the respective proposed cultivation areas.

Irrigation water for the proposed vineyards will be sourced from the Breede River, from Brandvlei Dam. A water license for this additional water is being applied for

## 2) No-go Alternative

The **No-go alternative** will be assessed as part of this EIA process. This would entail maintaining the *status quo* of the application area, whereby the proposed cultivation areas will not be established.

The identified Alternatives will be assessed during the impact assessment phase, in line with the key aspects identified below.

### 9.2 Description of the Key Aspects to be assessed in the EIA Process

An “aspect” is an element of a proposed project or activity that can interact with, or change the environment, i.e. that can have a negative or positive impact on the environment. An “aspect” is therefore the cause (or source), and an impact the “effect” on the environment.

The following key aspects and impacts were identified during this Scoping Phase to date, and will be further assessed for the various project phases during the impact assessment:

- Clearing of land for agricultural development and its associated activities and the potential impacts on:
  - vegetation and ecology;
  - impacts on the aquatic environment;
- Impacts on agricultural resources;
- Climate change related impacts;
- Socio-economic aspects;
- Impacts on heritage resources (None expected); and
- Dust, erosion and stormwater management and consumption of materials.

### 9.3 Specialist Studies and Specialist Terms of References

A specialist Terrestrial Biodiversity Report (**Appendix E1**) and a Freshwater Constraints Report (**Appendix E2**) has been undertaken as part of the Scoping Phase. A Heritage Screener Report (**Appendix E3**) and a Soil Study (**Appendix E4**) was also done.

During the impact assessment phase of this EIA, the Terrestrial Biodiversity Report and Freshwater Report will be amended to include impact assessment, both to be included in the Draft EIA Report for comment. The Terms of Reference for both these Impact Assessments, are presented below.

Specialist studies not included in this Terms of Reference are deemed not to be required for this project and minor impacts associated with construction phase aspects will be addressed by the EAP during the impact assessment process.

The climate change related assessment as part of the impact assessment phase will be prepared by the EAP, since Cornerstone Environmental Consultants has in house expertise in this field to undertake the relevant work.

#### 9.3.1 Terrestrial Biodiversity Impact Assessment

The basic terms of reference drawn from the Ecosystem Guidelines for Environmental Assessment in the Western Cape (Cadman 2016) will be considered in this assessment. In addition, the NEMA Protocol for the Specialist Assessment of Environmental Impacts on Terrestrial Biodiversity (GN 320 of 20 March 2020) will be followed. Furthermore, the report must comply with Appendix 6 of the NEMA EIA Regulations of 2014, as amended, and will include a Specialist Declaration.

#### 9.3.2 Freshwater Impact Assessment

The Terms of Reference for this specialist freshwater impact assessment is as follows:

- The report must comply with Appendix 6 of the NEMA EIA Regulations of 2014, as amended and will include a Specialist Declaration. Describe the aquatic ecosystem present on/or adjacent to the site.

- Mapping of watercourses on the affected portion of the property.
- Familiarisation with available information regarding (*inter alia*) the watercourses, wetlands, groundwater, botanical aspects of the study area.
- Assessment of the present ecological status and importance of mapped watercourses.
- Assessment of the functional and other roles played by the watercourses.
- Identification and assessment of potential aquatic ecosystem impacts and any proposed alternatives.
- Recommendations concerning measures that can be undertaken to mitigate any potential impacts.
- Identify all relevant legislation, permits and standards that would apply to the development.

#### 9.4 Impact Assessment Methodology

The significance of an impact is defined as a combination of the consequence of the impact occurring and the probability that the impact will occur.

For each potential impact, the **DURATION** (time scale), **EXTENT** (spatial scale), **IRREPLACEABLE** loss of resources, **REVERSIBILITY** of the potential impacts, **MAGNITUDE** of negative or positive impacts, and the **PROBABILITY** of occurrence of potential impacts must be assessed.

The assessment of the above criteria will be used to determine the **SIGNIFICANCE** of each impact, with and without the implementation of the proposed mitigation measures.

The scales to be used to assess these variables and to define the rating categories are tabulated in **Table 12** and **Table 13** below.

**Table 12: Evaluation components, ranking scales and descriptions (criteria).**

| Evaluation component                                                    | Ranking scale and description (criteria)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|-------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>MAGNITUDE of NEGATIVE IMPACT</b><br>(at the indicated spatial scale) | <b>Very high:</b> Bio-physical and/or social functions and/or processes might be <i>severely</i> altered.<br><b>High:</b> Bio-physical and/or social functions and/or processes might be <i>considerably</i> altered.<br><b>Medium:</b> Bio-physical and/or social functions and/or processes might be <i>notably</i> altered.<br><b>Low</b> : Bio-physical and/or social functions and/or processes might be <i>slightly</i> altered.<br><b>Very Low:</b> Bio-physical and/or social functions and/or processes might be <i>negligibly</i> altered.<br><b>Zero:</b> Bio-physical and/or social functions and/or processes will remain <i>unaltered</i> .                                                                            |
| <b>MAGNITUDE of POSITIVE IMPACT</b> (at the indicated spatial scale)    | <b>Very high (positive):</b> Bio-physical and/or social functions and/or processes might be <i>substantially</i> enhanced.<br><b>High (positive):</b> Bio-physical and/or social functions and/or processes might be <i>considerably</i> enhanced.<br><b>Medium (positive):</b> Bio-physical and/or social functions and/or processes might be <i>notably</i> enhanced.<br><b>Low (positive):</b> Bio-physical and/or social functions and/or processes might be <i>slightly</i> enhanced.<br><b>Very Low (positive):</b> Bio-physical and/or social functions and/or processes might be <i>negligibly</i> enhanced.<br><b>Zero (positive):</b> Bio-physical and/or social functions and/or processes will remain <i>unaltered</i> . |
| <b>DURATION</b>                                                         | <b>Permanent</b><br><b>Long term:</b> Impact ceases after operational phase/life of the activity (> 20 years).<br><b>Medium term:</b> Impact might occur during the operational phase/life of the activity (2 to 20 years).<br><b>Short term:</b> Impact might occur during the construction phase (< 2 years).<br><b>Immediate</b>                                                                                                                                                                                                                                                                                                                                                                                                  |
| <b>EXTENT</b><br>(or spatial scale/influence of impact)                 | <b>International:</b> Beyond National boundaries.<br><b>National:</b> Beyond Provincial boundaries and within National boundaries.<br><b>Regional:</b> Beyond 5 km of the proposed development and within Provincial boundaries.<br><b>Local:</b> Within 5 km of the proposed development.<br><b>Site-specific:</b> On site or within 100 m of the site boundary.<br><b>None</b>                                                                                                                                                                                                                                                                                                                                                     |
| <b>IRREPLACEABLE loss of resources</b>                                  | <b>Definite</b> loss of irreplaceable resources.<br><b>High</b> potential for loss of irreplaceable resources.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |

|                                    |                                                                                                                                                                                                                                                                                                                                                                                    |
|------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                    | <b>Moderate</b> potential for loss of irreplaceable resources.<br><b>Low</b> potential for loss of irreplaceable resources.<br><b>Very low</b> potential for loss of irreplaceable resources.<br><b>None</b>                                                                                                                                                                       |
| <b>REVERSIBILITY</b> of impact     | Impact <b>cannot</b> be reversed.<br><b>Low</b> potential that impact might be reversed.<br><b>Moderate</b> potential that impact might be reversed.<br><b>High</b> potential that impact might be reversed.<br>Impact <b>will be</b> reversible.<br>No impact.                                                                                                                    |
| <b>PROBABILITY</b> (of occurrence) | <b>Definite:</b> >95% chance of the potential impact occurring.<br><b>High probability:</b> 75% - 95% chance of the potential impact occurring.<br><b>Medium probability:</b> 25% - 75% chance of the potential impact occurring<br><b>Low probability:</b> 5% - 25% chance of the potential impact occurring.<br><b>Improbable:</b> <5% chance of the potential impact occurring. |

| Evaluation component      | Ranking scale and description (criteria)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|---------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>CUMULATIVE</b> impacts | <b>High:</b> The activity is one of several similar past, present or future activities in the same geographical area, and might contribute to a very significant combined impact on the natural, cultural, and/or socio-economic resources of local, regional or national concern.<br><b>Medium:</b> The activity is one of a few similar past, present or future activities in the same geographical area, and might have a combined impact of moderate significance on the natural, cultural, and/or socio-economic resources of local, regional or national concern.<br><b>Low:</b> The activity is localised and might have a negligible cumulative impact.<br><b>None:</b> No cumulative impact on the environment. |

**Table 13: Definition of significance ratings (positive and negative).**

| Environmental Significance | Description                                                                                                                                                                                                                        |
|----------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Fatal Flaw (FF)</b>     | An impact of very high significance will mean that the project cannot proceed, and that impacts are irreversible, regardless of available mitigation options.                                                                      |
| <b>High (H)</b>            | An impact of high significance which could influence a decision about whether or not to proceed with the proposed project, regardless of available mitigation options.                                                             |
| <b>Medium-high (MH)</b>    | If left unmanaged, an impact of medium-high significance could influence a decision about whether or not to proceed with a proposed project. Mitigation options should be re-evaluated at.                                         |
| <b>Medium (M)</b>          | If left unmanaged, an impact of moderate significance could influence a decision about whether or not to proceed with a proposed project.                                                                                          |
| <b>Low (L)</b>             | An impact of low is likely to contribute to positive decisions about whether or not to proceed with the project. It will have little real effect and is unlikely to have an influence on project design or alternative motivation. |
| <b>Positive impact (+)</b> | A positive impact is likely to result in a positive consequence/effect, and is likely to contribute to positive decisions about whether or not to proceed with the project.                                                        |

## 9.5 Stages at which the Competent Authority will be consulted

The table below provides the stages at which the Competent Authority will be consulted during the scoping and impact assessment phases of this EIA process.

**Table 14: Stages at which the Competent Authority will be consulted.**

| Project Phase/Stage                                                                                         | Estimated Timeframe |
|-------------------------------------------------------------------------------------------------------------|---------------------|
| <b>Pre-Application Scoping Phase</b>                                                                        |                     |
| Pre-app. DSR for comment by the DEA&DP (as part of the 30-day pre-application public participation process) | August 2021         |
| <b>Post-Application Scoping Phase</b>                                                                       |                     |
| Submission of Application Form to the DEA&DP                                                                | April 2023          |

| Project Phase/Stage                                                                                                                                   | Estimated Timeframe |
|-------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|
| Post-app. DSR for comment by the DEA&DP (as part of the 30-day post-application public participation process)                                         | April/May 2023      |
| Submission of Final Scoping Report to the DEA&DP for consideration (after the 30-day public comment period, within 44-days of application submission) | June 2023           |
| <b>Impact Assessment Phase</b>                                                                                                                        |                     |
| Submission of Draft EIA Report and EMPr for comment                                                                                                   | July 2023           |
| Submission of Final EIA Report and EMPr for decision-making                                                                                           | August 2023         |

## 9.6 Public Participation during the Impact Assessment Phase

All registered I&APs and relevant Organs of State, as identified during the scoping phase, will be invited to comment on the Draft EIA Report and EMPr:

- Letters/emails will be issued to all the registered I&APs to advise them of the availability of the Draft EIA Report and EMPr for comment.
- The reports will also be loaded onto the EAP's website ([www.cornerstoneenviro.co.za](http://www.cornerstoneenviro.co.za)) for public review.
- A hard copy will also be made available for review at the Robertson Public Library.
- Copies of the Draft EIA Report and EMPr will also be made available and/or distributed to State Organs.

The comments received during the above comment period will be collated in the Comments and Response Report (C&RR), and responses to such comments will be provided by the project team.

### 9.6.1 Submit Final EIA Report and EMPr to Competent Authority

The concluding activities as part of the impact assessment phase will include the following:

- Revise the EIA Report and EMPr based on the findings of the specialist studies and public participation process, providing all the necessary mitigation that is required to reduce the significance of the identified impacts.
- Submit Final EIA Report and EMPr, together with any final comments received from I&APs, to the DEA&DP for decision-making.

### 9.6.2 Final Decision by the Competent Authority

Upon receipt of final decision from the decision-making authority (DEA&DP), all registered I&APs will be informed of the decision and of their rights in terms of the relevant appeal process.

### 9.6.3 Appeal Process

Once a final decision has been issued by the DEA&DP, the EAP will inform registered I&APs, within 14 days, of their right to an appeal process, should the application be authorised. Should the application not be authorised, the Applicant also has the right to an appeal process.

## 9.7 Tasks of the EIA Process

Following the scoping phase, the impact assessment phase will include the following tasks:

- updating of the Terrestrial Biodiversity Report;
- updating of the Freshwater Constraints Report;
- compilation of the EIA Report and EMPr;
- impact assessment phase public participation activities; and
- finalisation and submission of the Final EIA Report and EMPr to the DEA&DP for decision-making.

Appendix 3 of the EIA Regulations of 2014, as amended, provides the content requirements for an EIA Report. An EIA Report must also comply with Section 23 of the NEMA, as amended. The table below lists the relevant requirements in terms of Appendix 3.

**Table 15: EIA Report requirements in terms of Appendix 3 of the EIA Regulations of 2014, as amended.**

| <b>Appendix 3 of the EIA Regulations of 2014, as amended</b>                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2.(1) An EIA report must contain the information that is necessary for the competent authority to consider and come to a decision on the application, and must include - |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| (a)                                                                                                                                                                      | details of -<br>(i) the EAP who prepared the report; and<br>(ii) the expertise of the EAP, including a curriculum vitae;                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| (b)                                                                                                                                                                      | the location of the development footprint of the activity on the approved site as contemplated in the accepted scoping report, including:<br>(iv) the 21 digit Surveyor General code of each cadastral land parcel;<br>(v) where available, the physical address and farm name;<br>(vi) (iii) where the required information in items (i) and (ii) is not available, the coordinates of the boundary of the property or properties;                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| (c)                                                                                                                                                                      | a plan which locates the proposed activity or activities applied for as well as the associated structures and infrastructure at an appropriate scale, or, if it is—<br>(iii) a linear activity, a description and coordinates of the corridor in which the proposed activity or activities is to be undertaken;<br>(iv) on land where the property has not been defined, the coordinates within which the activity is to be undertaken;                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| (d)                                                                                                                                                                      | a description of the <b>scope</b> of the proposed activity, including—<br>(iii) all <b>listed</b> and specified <b>activities</b> triggered and being applied for;<br>(iv) a description of the associated structures and infrastructure related to the development;                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| (e)                                                                                                                                                                      | a description of the policy and legislative context within which the development is located and an explanation of how the proposed development complies with and responds to the legislation and policy context;                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| (f)                                                                                                                                                                      | a motivation for the need and desirability for the proposed development, including the need and desirability of the activity in the context of the preferred development footprint within the approved site as contemplated in the accepted scoping report;                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| (g)                                                                                                                                                                      | a motivation for the preferred development footprint within the approved site as contemplated in the accepted scoping report;                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| (h)                                                                                                                                                                      | a full description of the process followed to reach the proposed development footprint within the approved site as contemplated in the accepted scoping report, including;<br>(xii) details of all the <b>development footprint alternatives</b> considered;<br>(xiii) details of the <b>PPP</b> undertaken in terms of regulation 41 of the Regulations, including copies of the supporting documents and inputs;<br>(xiv) a summary of the <b>issues raised by I&amp;APs</b> , and an indication of the manner in which the issues were incorporated, or the reasons for not including them;<br>(xv) the <b>environmental attributes (description of affected environment)</b> associated with the alternatives focusing on the geographical, physical, biological, social, economic, heritage and cultural aspects;<br>(xvi) the <b>impacts and risks</b> identified including the nature, significance, consequence, extent, duration and probability of the impacts, including the degree to which these impacts—<br>(aa) can be reversed;<br>(bb) may cause irreplaceable loss of resources; and<br>(cc) can be avoided, managed or mitigated;<br>(xvii) the <b>methodology</b> used in identifying and ranking the nature, significance, consequences, extent, duration and probability of <b>potential environmental impacts</b> and risks;<br>(xviii) <b>positive and negative impacts</b> that the proposed activity and alternatives will have on the environment and on the community that may be affected focusing on the geographical, physical, biological, social, economic, heritage and cultural aspects;<br>(xix) the possible <b>mitigation</b> measures that could be applied and level of residual risk;<br>(xx) if no alternative development footprints for the activity were investigated, the <b>motivation for not considering such</b> ; and<br>(xxi) a <b>concluding statement</b> indicating the location of the preferred alternative development footprint within the approved site as contemplated in the accepted scoping report; |
| (i)                                                                                                                                                                      | a full description of the process undertaken to identify, assess and rank the impacts the activity and associated structures and infrastructure will impose on the preferred development footprint on the approved site as contemplated in the accepted scoping report through the life of the activity, including—                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |

| <b>Appendix 3 of the EIA Regulations of 2014, as amended</b> |                                                                                                                                                                                                                                                                                                                                                |
|--------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                              | (x) a description of all environmental issues and risks that were identified during the EIA process; and                                                                                                                                                                                                                                       |
|                                                              | (xi) an assessment of the significance of each issue and risk and an indication of the extent to which the issue and risk could be avoided or addressed by the adoption of mitigation measures;                                                                                                                                                |
| (j)                                                          | an assessment of each identified potentially significant impact and risk, including—                                                                                                                                                                                                                                                           |
|                                                              | (i) cumulative impacts;                                                                                                                                                                                                                                                                                                                        |
|                                                              | (ii) the nature, significance and consequences of the impact and risk;                                                                                                                                                                                                                                                                         |
|                                                              | (iii) the extent and duration of the impact and risk;                                                                                                                                                                                                                                                                                          |
|                                                              | (iv) the probability of the impact and risk occurring;                                                                                                                                                                                                                                                                                         |
|                                                              | (v) the degree to which the impact and risk can be reversed;                                                                                                                                                                                                                                                                                   |
|                                                              | (vi) the degree to which the impact and risk may cause irreplaceable loss of resources; and                                                                                                                                                                                                                                                    |
|                                                              | (vii) the degree to which the impact and risk can be mitigated;                                                                                                                                                                                                                                                                                |
| (k)                                                          | where applicable, a summary of the findings and recommendations of any specialist report complying with Appendix 6 to these Regulations and an indication as to how these findings and recommendations have been included in the final assessment report;                                                                                      |
| (l)                                                          | an environmental impact statement which contains—                                                                                                                                                                                                                                                                                              |
|                                                              | (i) a summary of the key findings of the EIA;                                                                                                                                                                                                                                                                                                  |
|                                                              | (ii) a map at an appropriate scale which superimposes the proposed activity and its associated structures and infrastructure on the environmental sensitivities of the preferred development footprint on the approved site as contemplated in the accepted scoping report indicating any areas that should be avoided, including buffers; and |
|                                                              | (iii) a summary of the positive and negative impacts and risks of the proposed activity and identified alternatives;                                                                                                                                                                                                                           |
| (m)                                                          | based on the assessment, and where applicable, recommendations from specialist reports, the recording of proposed impact management outcomes for the development for inclusion in the EMPr as well as for inclusion as conditions of authorisation;                                                                                            |
| (n)                                                          | the final proposed alternatives which respond to the impact management measures, avoidance, and mitigation measures identified through the assessment;                                                                                                                                                                                         |
| (o)                                                          | any aspects which were conditional to the findings of the assessment either by the EAP or specialist which are to be included as conditions of authorisation;                                                                                                                                                                                  |
| (p)                                                          | a description of any assumptions, uncertainties and gaps in knowledge which relate to the assessment and mitigation measures proposed;                                                                                                                                                                                                         |
| (q)                                                          | a reasoned opinion as to whether the proposed activity should or should not be authorised, and if the opinion is that it should be authorised, any conditions that should be made in respect of that authorisation;                                                                                                                            |
| (r)                                                          | where the proposed activity does not include operational aspects, the period for which the EA is required and the date on which the activity will be concluded and the post construction monitoring requirements finalised;                                                                                                                    |
| (s)                                                          | an undertaking under oath or affirmation by the EAP in relation to—                                                                                                                                                                                                                                                                            |
|                                                              | (iv) the correctness of the information provided in the reports;                                                                                                                                                                                                                                                                               |
|                                                              | (v) the inclusion of comments and inputs from stakeholders and I&APs;                                                                                                                                                                                                                                                                          |
|                                                              | (vi) the inclusion of inputs and recommendations from the specialist reports where relevant; and                                                                                                                                                                                                                                               |
|                                                              | (vii) any information provided by the EAP to I&APs and any responses by the EAP to comments or inputs made by interested or affected parties;                                                                                                                                                                                                  |
| (t)                                                          | where applicable, details of any financial provision for the rehabilitation, closure, and ongoing post decommissioning management of negative environmental impacts;                                                                                                                                                                           |
| (u)                                                          | an indication of any deviation from the approved scoping report, including the plan of study, including—                                                                                                                                                                                                                                       |
|                                                              | (i) any deviation from the methodology used in determining the significance of potential environmental impacts and risks; and                                                                                                                                                                                                                  |
|                                                              | (ii) a motivation for the deviation;                                                                                                                                                                                                                                                                                                           |
| (v)                                                          | any specific information that may be required by the competent authority; and                                                                                                                                                                                                                                                                  |
| (w)                                                          | any other matters required in terms of section 24(4)(a) and (b) of the Act.                                                                                                                                                                                                                                                                    |

## 9.8 Application of the Mitigation Hierarchy

In terms of Appendix 3 of the EIA Regulations of 2014, as amended, this Plan of Study needs to identify suitable measures to avoid, reverse, mitigate or manage identified impacts and to determine the extent of the residual risks that need to be managed and monitored. Further information in this regard is provided below.

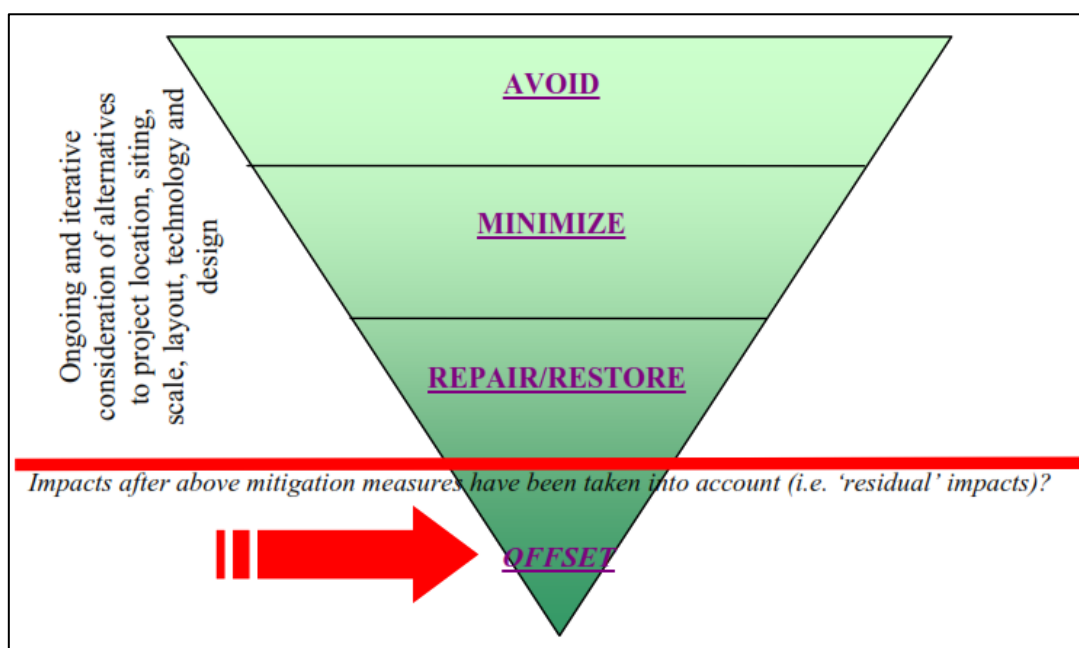
The NEMA, as amended, and the EIA Regulations of 2014, as amended, call for the following hierarchical approach to impact management, also called the **mitigation hierarchy** (Figure 18):

- Firstly, alternatives must be investigated to avoid negative impacts altogether.
- Secondly, after it has been found that the negative impacts cannot be avoided, alternatives must be investigated to reduce (mitigate and manage) unavoidable negative impact.
- Thirdly, alternatives must be investigated to remediate (rehabilitate and restore).
- Fourthly, unavoidable impact that remain after mitigation and remediation must be compensated for through investigating options to offset the negative impacts.
- While throughout, alternatives must be investigated to optimise positive impact.

In this regard, Section 2 of the EIA Regulations of 2014, as amended, states that the purpose of the EIA Regulation is "... to regulate the procedure and criteria as contemplated in Chapter 5 of the Act relating to the submission, processing and consideration of, and decision on, applications for environmental authorisations for the commencement of activities in order to avoid detrimental impacts on the environment, or where it cannot be avoided, ensure mitigation and management of impacts to acceptable levels, and to optimise positive environmental impacts, and for matters Pertaining thereto."

The effectiveness of an EIA process depends on the implementation of the impact mitigation hierarchy (DEA&DP, 2013b).

The mitigation hierarchy will therefore be implemented during the impact assessment phase of this EIA process, and will perform an integral role in identifying suitable measures to avoid, reverse, mitigate or manage identified impacts and to determine the extent of the residual risks that need to be managed and monitored.



**Figure 18:** Mitigation hierarchy (source: DEA&DP, 2007).

## 10 CONCLUSIONS AND RECOMMENDATIONS

The following general conclusions and recommendations are made:

- The necessary steps are being followed for this EIA process in accordance with the NEMA EIA Regulations of 2014, as amended.
- The Post-app. DSR contains the relevant information required in terms of Appendix 2 of the NEMA EIA Regulations of 2014, as amended. The Plan of Study for EIA is also included in this report.
- A full public participation process is being undertaken in compliance with the NEMA EIA Regulations of 2014, as amended, as well as GN No. 650 of 5 June 2020.

- A Terrestrial Biodiversity Impact Assessment and a Freshwater Impact Assessment will be undertaken during the impact assessment phase to be included in the Draft EIA Report for comment.

Based on the scoping process undertaken to date, no environmental fatal flaws have been identified that would prohibit the proposed project from continuing. However, a few environmental aspects have been identified which require in-depth investigation and the identification of detailed mitigation measures. This will be addressed during the impact assessment phase of this EIA process.

**Next steps:** All issues and comments submitted on this Post-app. DSR will be incorporated into the C&RR after lapsing of the comment period. Thereafter, the Final Scoping Report will be submitted to the DEA&DP for their decision to proceed with the impact assessment phase of the project.

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