



**24G Application: 14/2/4/2/3/D1/14/0026/24**

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## ENVIRONMENTAL AUTHORISATION

The Managing Director  
The Shabby Fufu Lifestyle Farm  
Portion 4 of the Farm Harkerville No. 428  
PLETTENBERG BAY  
6600

Email: [irenever@live.co.za](mailto:irenever@live.co.za)

### **Attention: Irene Vermeulen**

**APPLICATION IN TERMS OF SECTION 24G OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) ("NEMA"): THE UNLAWFUL COMMENCEMENT OF A LISTED ACTIVITY: THE UNLAWFUL CHANGE OF LANDUSE FROM AGRICULTURE TO A COMMERCIAL DEVELOPMENT OF SHABBY FUFU LIFESTYLE FARM ON PORTION 4 OF FARM HARKERVILLE NO. 428, PLETTENBERG BAY.**

With reference to your application dated September 2024 in terms of section 24G of the NEMA for the consequences of unlawful commencement of listed activities identified in terms of the NEMA, find below the decision in respect of your application.

### **A. DECISION**

By virtue of the powers conferred by section 24G of the NEMA and the *Environmental Impact Assessment Regulations, 2014* ("EIA Regulations, 2014") (as amended), the competent authority herewith **grants environmental authorisation** to the applicant to continue with the listed activities specified in Section C below in accordance with the preferred alternative as described in the application and environmental assessment dated September 2024.

The granting of this Environmental Authorisation is for the continuation, conducting or undertaking of the listed activities as described in Section C below and is subject to compliance with the conditions set out in Section G. This Environmental Authorisation shall only take effect

from the date on which it has been issued. The Environmental Authorisation does not exempt the holder thereof from compliance with any other applicable legislation.

## B. DETAILS OF THE APPLICANT FOR THIS ENVIRONMENTAL AUTHORISATION

9 Provinces Crematoria cc  
C/o Ms. Irene Vermeulen  
The Shabby Fufu Lifestyle Farm  
Portion 4 of the Farm Harkerville No. 428  
PLETTENBERG BAY  
6600

Tel: 082 375 3245  
Email: [irenever@live.co.za](mailto:irenever@live.co.za)

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

## C. LIST OF ACTIVITIES AUTHORISED

Listed Activities	Activity/Project Description
<p>Government Notice No.327 of 2014 –</p> <p><b>Activity Number: 12</b></p> <p>Activity Description: <b>The development of—</b></p> <p>(i) <b>dams</b> or weirs, where the dam or weir, including infrastructure and water surface area, exceeds 100 square metres; or</p> <p>(ii) infrastructure or structures with a physical footprint of 100 square metres or more; <b>where such development occurs—</b></p> <p><b>(a) within a watercourse;</b></p>	<p>The Shabby Lifestyle Farm includes the development of a recreational dam in the middle of the property that was unlawfully constructed within a watercourse. The dam has a surface area of 2 100 m<sup>2</sup> and a volume of 3 150 m<sup>3</sup></p>

<p>(b) in front of a development setback; or  (c) if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse; —excluding—  (aa) the development of infrastructure or structures within existing ports or harbours that will not increase the development footprint of the port or harbour;  (bb) where such development activities are related to the development of a port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies;  (cc) activities listed in activity 14 in Listing Notice 2 of 2014 or activity 14 in Listing Notice 3 of 2014, in which case that activity applies;  (dd) where such development occurs within an urban area;  (ee) where such development occurs within existing roads, road reserves or railway line reserves; or  (ff) the development of temporary infrastructure or structures where such infrastructure or structures will be removed within 6 weeks of the commencement of development and where indigenous vegetation will not be cleared.</p>	
<p>Government Notice No.327 of 2014 –  <b>Activity Number: 19</b>  Activity Description: <b>The infilling or depositing of any material of more than 10 cubic metres into, or the dredging, excavation, removal or moving of soil,</b></p>	<p>The development would have included the excavation, removal and moving of soil and sand exceeding 10 cubic meters.</p>

<p><b>sand, shells, shell grit, pebbles or rock of more than 10 cubic metres from a watercourse;</b> but excluding where such infilling, depositing, dredging, excavation, removal or moving—</p> <p>(a) will occur behind a development setback;</p> <p>(b) is for maintenance purposes undertaken in accordance with a maintenance management plan;</p> <p>(c) falls within the ambit of activity 21 in this Notice, in which case that activity applies;</p> <p>(d) occurs within existing ports or harbours that will not increase the development footprint of the port or harbour; or</p> <p>(e) where such development is related to the development of a port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies.</p>	
<p>Government Notice No. R. 327 of 2014 –</p> <p><b>Activity Number: 28</b></p> <p>Activity Description: <b>Residential, mixed, retail, commercial, industrial or institutional developments where such land was used for agriculture, game farming, equestrian purposes or afforestation on or after 01 April 1998 and where such development:</b></p> <p>(i) will occur inside an urban area, where the total land to be developed is bigger than 5 hectares; or</p> <p>(ii) <b>will occur outside an urban area, where the total land to be developed is bigger than 1 hectare;</b> excluding where such land</p>	<p>The Shabby Fufu Lifestyle Farm includes the total development of the dam, farm stall, accommodation and recreational area exceeds 1 ha and the previous zoning for the property was agriculture.</p>

has already been developed for residential, mixed, retail, commercial, industrial or institutional purposes.	
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The abovementioned list is hereinafter referred to as "the listed activities/development".

#### D. PROPERTY DESCRIPTION AND LOCATION

The listed activities commenced on Remainder of Portion 4 of the Farm Harkerville, No. 428, Plettenberg Bay.

The SG digit code: **C0390000000042800004**

The co-ordinates for the property boundary are:

Point	Latitude (S)	Longitude (E)
1	34° 2' 39.94" S	23° 16' 31.49" E
2	34° 2' 39.88" S	23° 16' 39.62" E
3	34° 3' 4.00" S	23° 16' 37.39" E
4	34° 3' 3.12" S	23° 16' 44.99" E

The co-ordinates for the site boundary are:

Point	Latitude (S)	Longitude (E)
1	34° 2' 39.94" S	23° 16' 31.49" E
2	34° 2' 39.88" S	23° 16' 39.62" E
3	34° 2' 51.61" S	23° 16' 33.88" E
4	34° 2' 51.88" S	23° 16' 42.36" E

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

Herein-after referred to as "the site".

## **E. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER (“EAP”)**

EnviroAfrica  
c/o Ms Zandria Jordaan  
P. O. Box 5367  
HELDERBERG  
7446

Tel: 021 851 1616

Email: [zandria@enviroafrica.co.za](mailto:zandria@enviroafrica.co.za)

## **F. DETAILS OF THE ACTIVITY/IES UNDERTAKEN**

The unlawful change of land use from agriculture to a commercial development for the development of a tourist facility, farm dam and associated infrastructure, the Shabby Fufu Lifestyle Farm, on Portion 4 of the Farm Harkerville No. 428, Plettenberg Bay.

## **G. CONDITIONS OF AUTHORISATION**

The following are conditions of authorisation that are set and must be implemented for this Environmental Authorisation.

### **PART I**

#### **Scope of authorisation**

1. The holder is authorised to undertake the listed activities specified in Section C above in accordance with and restricted to preferred alternative described in the application and assessment report dated September 2024 on the site as described in Section D above.
2. The holder shall be responsible for ensuring compliance with the conditions by any person acting on his/her behalf, including an agent, sub-contractor, employee or any person rendering a service to the holder.
3. Any changes to, or deviations from the scope of the alternative described in Section F above must be accepted or approved, in writing, by the competent authority before such

changes or deviations may be implemented. In assessing whether to grant such acceptance/approval or not, the competent authority may request information to evaluate the significance and impacts of such changes or deviations, and it may be necessary for the holder to apply for further authorisation in terms of the applicable legislation.

## **PART II**

### **Notification and administration of an appeal**

4. The holder must in writing, within 14 (fourteen) calendar days of the date of this decision—
  - 4.1 notify all registered Interested and Affected Parties (“I&APs”) of –
    - 4.1.1 the outcome of the application;
    - 4.1.2 the reasons for the decision as included in Annexure 3;
    - 4.1.3 the date of the decision; and
    - 4.1.4 the date when the decision was issued.
  - 4.2 draw the attention of all registered I&APs to the fact that an appeal may be lodged against the decision in terms of the *National Appeals Regulations, 2014* detailed in Section I below.
  - 4.3 draw the attention of all registered I&APs to the manner in which they may access the decision.
  - 4.4 provide the registered I&APs with:
    - 4.4.1 the name of the holder (entity) of this Environmental Authorisation;
    - 4.4.2 name of the responsible person for this Environmental Authorisation;
    - 4.4.3 postal address of the holder;
    - 4.4.4 telephonic and fax details of the holder;
    - 4.4.5 e-mail address, if any, of the holder; and
    - 4.4.6 the contact details (postal and/or physical address, contact number, facsimile and e-mail address) of the decision-maker and all registered I&APs in the event that an appeal is lodged in terms of the *National Appeal Regulations, 2014*.
5. The listed activities, including site preparation, may not commence within 34 (thirty-four) calendar days from the date of issue of this Environmental Authorisation. In the event that an appeal is lodged with the Appeal Authority, the effect of this Environmental Authorisation is suspended until the appeal is decided.

### **PART III**

#### **Management of the activity/development**

6. The Environmental Management Programme ("EMPr") dated September 2024 compiled by EnviroAfrica CC and submitted as part of the application for environmental authorisation is hereby approved and must be implemented.
7. The EMPr must be included in all contract documentation for all phases of implementation.

### **PART IV**

#### **Monitoring**

8. A copy of the Environmental Authorisation, EMPr, audit reports and compliance monitoring reports must be kept at the site of the authorised activities, and must be made available to anyone on request, including a publicly accessible website (if applicable).
9. Access to the site referred to in Section D must be granted, and the environmental reports mentioned above must be produced, to any authorised official representing the competent authority who requests to see it for the purposes of assessing and/or monitoring compliance with the conditions contained herein.

### **PART V**

#### **Auditing**

10. In terms of regulation 34 of the *EIA Regulations, 2014* the holder must conduct environmental audits to determine compliance with the conditions of the Environmental Authorisation, the EMPr and submit Environmental Audit Reports to the competent authority annually and upon receiving such request in writing from the competent. The Audit Report must be prepared by an independent person and must consider all the information required in Appendix 7 of the *EIA Regulations, 2014*.

### **PART VI**

#### **Activity/ Development Specific Conditions**

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



Heritage remains include: meteorites, archaeological and/or paleontological remains (including fossil shells and trace fossils); coins; indigenous and/or colonial ceramics; any articles of value or antiquity; marine shell heaps; stone artefacts and bone remains; structures and other built features with heritage significance; rock art and rock engravings; and/or graves or unmarked human burials including grave goods and/or associated burial material.

12. A qualified archaeologist and/or palaeontologist must be contracted where necessary (at the expense of the holder) to remove any heritage remains. Heritage remains can only be disturbed by a suitably qualified heritage specialist working under a directive from the relevant heritage resources authority.
13. The remaining extent of the natural vegetation on the property must be maintained as natural veld, unless authorisation has been obtained for removal of such indigenous vegetation.
14. The dam (pond) must be protected to maintain its function as it is a breeding site for the endangered Knysna banana frog.
15. A well-planned alien eradication program must be implemented, and alien invasive vegetation must be removed in accordance with an approved Alien Invasive Management Plan by the relevant delegated authority. Proof of obtaining such approval must be made available for compliance monitoring purposes.

## **H. GENERAL MATTERS**

1. Notwithstanding this Environmental Authorisation, the holder must comply with any other statutory requirements that may be applicable when undertaking the listed activities.
2. Non-compliance with a condition or term of this Environmental Authorisation or EMPr may render the holder liable to criminal prosecution.
3. The holder must submit an application for amendment of the Environmental Authorisation to the competent authority where any detail with respect to the Environmental Authorisation must be amended, added, substituted, corrected, removed or updated. If a new holder is proposed, an application for Amendment in terms of Part 1 of the *EIA Regulations, 2014* must be submitted.

Please note that an amendment is not required if there is a change in the contact details of the holder. In this case, the competent authority must only be notified of such changes.

4. The manner and frequency for updating the EMPr is as follows:

Amendments to the EMPr, other than those mentioned above, must be done in accordance with regulations 35 to 37 of the *EIA Regulations, 2014* or any relevant legislation that may be applicable at the time.

## I. APPEALS

Appeals must comply with the provisions contained in the *National Appeal Regulations, 2014*.

1. An appellant (if the holder) must –

1.1 submit an appeal in accordance with regulation 4 *National Appeal Regulations, 2014* to the Appeal Administrator and a copy of the appeal to any registered I&APs, any Organ of State with interest in the matter and the decision maker within 20 (twenty) calendar days from the date the holder was notified by the competent authority of this decision.

2. An appellant (if NOT the holder) must –

2.1 submit an appeal in accordance with regulation 4 *National Appeal Regulations, 2014* to the Appeal Administrator, and a copy of the appeal to the holder, any registered I&APs, any Organ of State with interest in the matter and the decision maker within 20 (twenty) calendar days from the date the holder notified the registered I&APs of this decision.

3. The holder (if not the appellant), the decision-maker, I&APs and Organ of State must submit their responding statements, if any, to the Appeal Authority and the appellant within 20 (twenty) calendar days from the date of receipt of the appeal submission.

4. This appeal and responding statement must be submitted to the address listed below -

By post: Attention: Marius Venter  
Western Cape Ministry of Local Government, Environmental Affairs &  
Development Planning  
Private Bag X9186, Cape Town, 8000; or

By facsimile: (021) 483 4174; or

By hand: Attention: Mr Marius Venter (Tel: 021-483 3721)  
Room 809, 8th floor Utilitas Building  
1 Dorp Street, Cape Town, 8000; or

By e-mail: [DEADP.Appeals@westerncape.gov.za](mailto:DEADP.Appeals@westerncape.gov.za)

**Note:** You are also requested to submit an electronic copy (Microsoft Word format) of the appeal and any supporting documents to the Appeal Administrator to the address listed above and/ or via e-mail to [DEADP.Appeals@westerncape.gov.za](mailto:DEADP.Appeals@westerncape.gov.za).

5. A prescribed appeal form, as well as assistance regarding the appeal processes is obtainable from the office of the appeal authority/ at: Tel. (021) 483 3721, E-mail [DEADP.Appeals@westerncape.gov.za](mailto:DEADP.Appeals@westerncape.gov.za) or URL <http://www.westerncape.gov.za/eadp> .

## J. CONSEQUENCES OF NON-COMPLIANCE WITH CONDITIONS

Non-compliance with a condition or term of this Environmental Authorisation or EMPr may result in suspension or withdrawal of this Environmental Authorisation and may render the holder liable for criminal prosecution.

## K. DISCLAIMER

The Western Cape Government, appointed in terms of the conditions of this Environmental Authorisation, shall not be responsible for any damages or losses suffered by the holder, developer or his/her successor in any instance where construction or operation subsequent to construction is temporarily or permanently stopped for reasons of non-compliance with the

conditions as set out herein or any other subsequent document or legal action emanating from this decision.

Yours faithfully



Zaidah  
Toefy

Digitally signed by  
Zaidah Toefy  
Date: 2025.02.17  
09:33:17 +02'00'

**MRS Z TOEFY**

**ACTING DIRECTOR: ENVIRONMENTAL GOVERNANCE**

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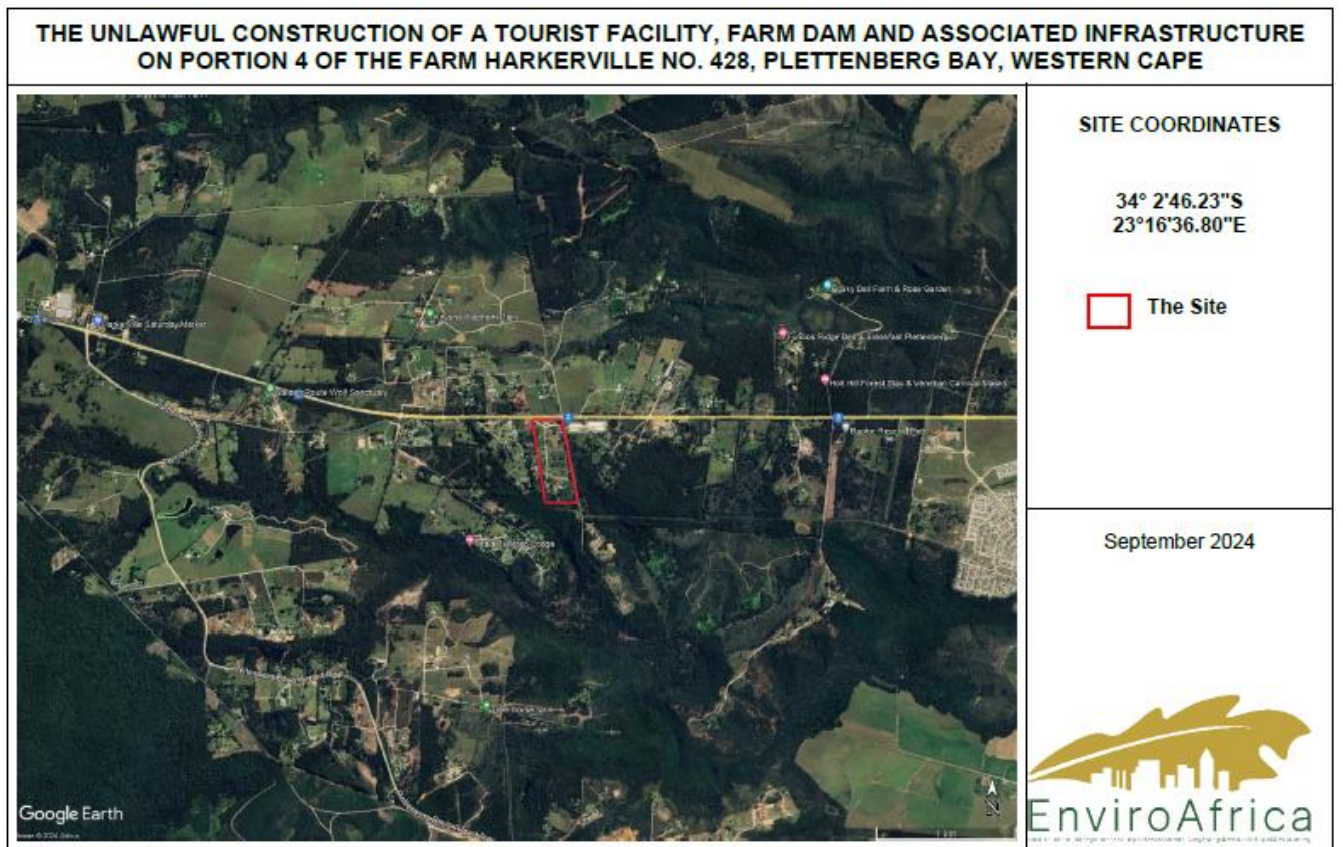
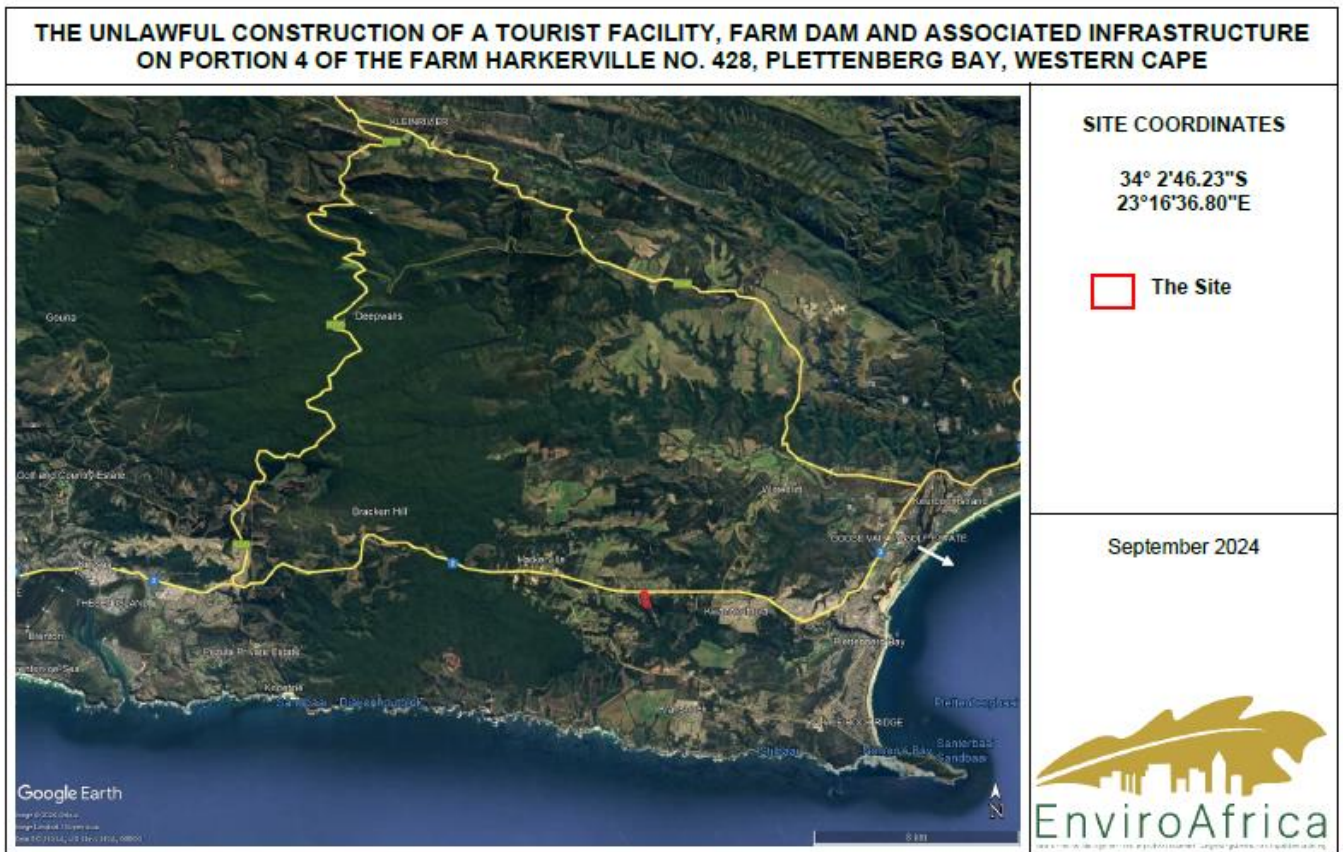
- (1) Clinton Geysers (EAP)
- (2) Zandria Jordaan (EAP)
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**ANNEXURE 1: LOCALITY MAP**






ANNEXURE 2: SITE PLAN

**THE UNLAWFUL CONSTRUCTION OF A TOURIST FACILITY, FARM DAM AND ASSOCIATED INFRASTRUCTURE ON PORTION 4 OF THE FARM HARKERVILLE NO. 428, PLETTENBERG BAY, WESTERN CAPE**



**SITE COORDINATES**

34° 2'46.23"S  
23°16'36.80"E

 **The Site**

September 2024



**FOR OFFICIAL USE ONLY:**

**S24G REFERENCE:** [14/2/4/2/3/D1/14/0026/24](#)  
**ENFORCEMENT REFERENCE :** [14/1/1/E3/4/6/3/L1341/23](#)

### **ANNEXURE 3: REASONS FOR THE DECISION**

This Environmental Authorisation is in respect of the consequences of commencement of the afore-mentioned illegal activities. An Environmental Assessment Practitioner ("EAP") was appointed to submit a section 24G Environmental Impact Assessment ("EIA") to the Department to obtain this Environmental Authorisation. The EIA was considered adequate for informed decision-making. In addition, the holder paid an administrative fine of **R60 000 (Sixty thousand Rand)** to meet the requirements of section 24G of the *National Environmental Management Act, 1998* ("NEMA").

In reaching its decision, the competent authority, *inter alia*, considered the following:

- a) The information contained in the application form, Environmental Impact report, comments and response report dated September 2024 and received by the competent authority on 30 September 2024.
- b) The Environmental Management Programme ("EMPr") dated September 2024 submitted together with the environmental impact report.
- c) Relevant information contained in the Departmental information base, including, the Guidelines on Public Participation and Alternatives.
- d) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the NEMA.
- e) The comments received from Interested and Affected Parties ("I&APs") and the responses provided thereto.
- f) The sense of balance of the negative and positive impacts and proposed mitigation measures.
- g) The site visit conducted on

Date/s: 06 November 2024

Attended by: Officials of the Sub-directorate: Rectification

All information presented to the competent authority was taken into account in the consideration of the application for environmental authorisation. A summary of the issues which, according to the competent authority, were the most significant reasons for the decision is set out below.

## 1. Public Participation Process

In terms of section 24G(1)(vii)(dd) of the NEMA, "...a description of the public participation process followed during the course of compiling the report, including all comments received from interested and affected parties and an indication of how the issues raised have been addressed ...", is required.

The public participation process conducted by the EAP comprised of the following:

- identification of and engagement with interested and affected parties (I&APs).
- fixing a notice board at the site where the listed activities unlawfully commenced on 14 August 2024;
- giving written notice to the owners and occupiers of land adjacent to the site where the listed activities were undertaken, the municipality and ward councillor, and the various organs of state having jurisdiction in respect of any aspect of the listed activities on 14 August 2024.
- the placing of a newspaper advertisement in the **Bitou News** on 16 February 2024.

At the end of the public participation process, comments from the Breede Olifants Catchment Management Agency (BOCMA) and two I&APs were raised. BOCMA stated that the commencement of the water uses activities by the applicant without a water use authorisation is a contravention in terms of section 151(1)(a) of the *National Water Act, 1998* (Act no. 36 of 1998) (NWA). The BOCMA through the Compliance Monitoring & Enforcement (CM&E) will thus initiate the relevant CM&E administrative processes on the matter in terms of the NWA. Additionally, no water use activities may commence without authorisation in terms of NWA as per section 22 of the Act.

The I&APs had no concerns to raise but requested to be updated on the process.

### Consultation with organs of state in terms of section 24O of the NEMA

The following organs of state provided comment on the application:

- Department of Agriculture
- CapeNature
- Department of Water and Sanitation
- BOCMA



- This Department's Biodiversity & Coastal Management and Development Management directorates
- Heritage Western Cape
- WC Department of Public Works and Transport
- Department of Rural Development and Land Reform (Knysna)
- Department of Economic Development (Knysna)
- SANRAL
- Bitou Local Municipality
- Garden Route District Municipality

All the concerns raised by I&APs were responded to and adequately addressed during the public participation process. Specific management and mitigation measures have been considered in this Environmental Authorisation and in the EMPr to adequately address the concerns raised.

The competent authority concurs with the EAP's responses to the issues raised during the public participation process and has included appropriate conditions in this Environmental Authorisation and in the EMPr.

## **2. Alternatives**

### 2.1 Technology/Location/Site/Activity Alternatives

#### Preferred Alternative (Herewith authorized)

The preferred alternative entails the development of a tourist facility, farm dam and associated infrastructure, Shabby Fufu Lifestyle Farm, on Portion 4 of the Farm Harkerville No. 428, Plettenberg Bay.

There were no property or site alternatives. The property is owned by the applicant. Additionally, no activity, design or layout, technology alternatives were considered.

No operational alternatives exist that would mitigate any potential impacts. No feasible and/or reasonable alternative exists. The activity is for a farmstall, self-catering accommodation, recreational dams, a restaurant and children's playpark. No other site alternatives were considered.

## 2.2 The option of not implementing or continuing with the activity ("No-Go" Alternative)

The "no-go" alternative would only be considered if the development posed or was creating significant negative environmental damage or degradation. The development is considered to have a Very Low negative impact.

### **3. Environmental Impact Assessment (EIA) and Mitigation Measures**

In reaching its decision, the competent authority, considered the following in respect of the EIA and mitigation measures:

#### 3.1. Activity Need and Desirability

The development is an agri-tourism initiative within the Harkerville area, aligning with the municipal Spatial Development Framework and Integrated Development Plan. It supports local tourism, contributing to economic growth while ensuring the long-term viability of the farm. Additionally, the development enables the landowner to fund alien vegetation clearing and maintain the farm facilities, which include the restaurant, farm stall, children's play park, and accommodation units. Furthermore, the development generates permanent, temporary, and indirect employment opportunities, benefiting the local community.

#### 3.2. Regional/ Planning Context

The development aligns with the local municipality's Integrated Development Plan by providing year-round accommodation, particularly during peak tourist seasons, and serving as a convenient rest stop along the N2.

As an agri-tourism venture within the Harkerville area identified for residential and holiday settlement the development aligns with in the municipal Spatial Development Framework (SDF). The development supports key objectives outlined in the approved 2022 SDF. These include optimizing regional connectivity and mobility, enhancing local access through a comprehensive movement network, leveraging economic opportunities along the N2 coastal corridor, and promoting sustainable economic growth through diverse tourism activities tailored to the region's unique characteristics.

Strategically located adjacent to the N2, the development serves as a significant tourist attraction, with its primary goal being to offer accommodation and services that draw visitors to the farm and surrounding area, further boosting local tourism.

### 3.3. Services/ Bulk Infrastructure

The development does not use any municipal services besides solid waste disposal. No additional use of Municipal infrastructure is required.

### 3.4. Cumulative

According to the assessment reports, the location and small scale of the development result in a low cumulative impact. The proposed mitigation measures must preserve and restore the remaining natural veld at the back of the site. A structured alien vegetation eradication program is recommended, starting from the back of the site and gradually progressing forward. Additionally, the pond (dam) should be protected and maintained to support its ecological function, as it may serve as a potential breeding site for the endangered Knysna banana frog.

### 3.5. Biophysical Impacts

Biophysical impacts are associated with the past agricultural activities that occurred on the property. The physical aspects of the property have improved prior to the current development.

### 3.6. Biodiversity Impacts

According to the 2017 Western Cape Biodiversity Spatial Plan (WCBSPP) for the Bitou Municipality, the dam may have impacted an aquatic ecological support area (ESA1) (CapeNature, 2017). However, the Terrestrial Biodiversity Report suggests that the original watercourse had already been altered and transformed due to historical agricultural practices. Historical Google Earth imagery included in the report indicates that the site was previously used for agriculture, likely ploughed, with the original stream integrated into the agricultural landscape, compromising its aquatic integrity and riparian vegetation. Despite these past modifications, it remains essential to protect the environment to preserve the Knysna leaf-folding frog and its remaining habitat. No red-listed or protected plant species were observed, and there was no loss of vulnerable or endangered vegetation or associated habitat. Additionally, impact minimisation must also focus on the protection of the remaining and recovering indigenous vegetation to the south of the site.

### 3.7. Heritage/ Visual / Sense of Place

No heritage was impacted upon, and the property is surrounded by similar land uses.

### 3.8. Noise Impacts

The development does not impact on the sense of place and is expected to not contribute any significant amounts of odours or noise, due to the nature of the activity.

### 3.9. Socio-economic Impacts

Plettenberg Bay is a major tourism hub right through the year. There are multiple tourist attractions in the area and Shabby Fufu forms part of the local tourism community. The development does have positive socio-economic impacts, creating permanent work opportunities for 14 local people, as well as temporary jobs for maintenance and alien vegetation clearing. The development also makes the farm viable and creates tourism opportunities for the area.

### 3.10. Impact Assessment and Significance

The environmental significance of the development, after mitigation, was assessed as low. Historical agricultural practices had already altered and transformed the original watercourse. Preserving the habitat integrity of the Dam remains crucial to safeguarding the Knysna leaf-folding frog and its remaining habitat. The area is considered to have low sensitivity in terms of terrestrial biodiversity. However, while the vegetation is not classified as vulnerable or endangered, conserving the remaining natural veld at the back of the site will enhance terrestrial diversity and may support habitat for various sensitive animal species.

## 4. **NEMA Principles**

The National Environmental Management Principles (set out in section 2 of the NEMA), which apply to the actions of all organs of state, serve as guidelines by reference to which any organ of state must exercise any function when taking any decision, and which must guide the interpretation, administration and implementation of any other law concerned with the protection or management of the environment), *inter alia*, provides for:

- the effects of decisions on all aspects of the environment to be taken into account;
- the consideration, assessment and evaluation of the social, economic and environmental impacts of activities (disadvantages and benefits), and for decisions to be appropriate in the light of such consideration and assessment;
- the co-ordination and harmonisation of policies, legislation and actions relating to the environment;

- the resolving of actual or potential conflicts of interest between organs of state through conflict resolution procedures; and
- the selection of the best practicable environmental option.

The development results in both negative and positive impacts.

#### Negative Impacts:

The development has not resulted in significant environmental impacts and has had a minimal effect on biodiversity. The property was previously cultivated land before the current development took place. According to the 2017 Western Cape Biodiversity Spatial Plan (WC BSP) for the Bitou Municipality, the dam may have affected an aquatic ecological support area (ESA1). However, given the scale and nature of the development, no significant ongoing or future impacts on other biological aspects are expected.

The Terrestrial Biodiversity Report indicates that historical agricultural practices had already altered and transformed the original watercourse. Efforts to minimize impacts focus on protecting the remaining and regenerating indigenous vegetation to the south of the site, as well as preserving a potential habitat for an endangered frog species. No red-listed or protected plant species were identified, and no vulnerable or endangered vegetation or associated habitats were lost.

#### Positive Impacts:

The development has contributed positively to the local socio-economic landscape by creating 14 permanent employment opportunities for local residents, along with temporary jobs related to maintenance and the clearing of alien vegetation. Additionally, the development enhances the farm's viability and promotes tourism, further benefiting the local economy. Given that Plettenberg Bay is a year-round tourism hub, these economic contributions help support sustainable growth in the region.

In view of the above, the NEMA principles, compliance with the conditions stipulated in this Environmental Authorisation, and compliance with the EMP, the competent authority is satisfied that the listed activities will not conflict with the general objectives of integrated environmental management stipulated in Chapter 5 of the NEMA and that any potentially detrimental environmental impacts resulting from the listed activities can be mitigated to acceptable levels.

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