The Trustee
Van Loveren Trust
Van Loveren Wine Estate
PO Box 19
KLAASVOOGE
6707

Attention: Mr Phillip Relief
Tel: (023) 615 1650
Fax: (023) 615 1336

Dear Sir

APPLICATION: PROPOSED WAREHOUSE EXPANSION AT THE VAN LOVEREN WINE ESTATE, PORTION 7 OF FARM NO. 121, GOUDMYN ZUID, ROBERTSON.

With reference to your application, find below the environmental authorisation in respect of this application.

ENVIRONMENTAL AUTHORISATION

A. DESCRIPTION OF ACTIVITY:
The proposed activity entails the construction of two adjoining buildings to extend the existing warehouse for storage purposes on Portion 7 of Farm No. 121, Goudmyn Zuid, Robertson. The expansion will cover an area of approximately 2662.5 m².

This is an activity identified in Government Notice No. R 386 of 21 April 2006, being:

Activity Number 1 (i):
The construction of facilities or infrastructure, including associated structures or infrastructure for agri-industrial purposes outside areas zoned for industrial purposes that cover an area of 1 000 square metres or more,
hereinafter referred to as "the activity".

B. LOCATION:
The proposed expansion of the warehouse will be located on Portion 7 of Farm No. 121, Goudmyn Zuid, Robertson,

Co-ordinates:
Latitude: 33° 52' 29.47" S
Longitude: 20° 00' 06.35" E,
hereinafter referred to as "the site".
C. **APPLICANT:**
Van Loveren Trust
% Mr. Philip Retief
PO Box 19
KLAASVOOGD
6707

Tel: (023) 615 1505
Fax: (023) 615 1336

D. **ENVIRONMENTAL ASSESSMENT PRACTITIONER:**
Boland Environmental Consultants CC
% Mr. Nik Wulfschlegel
PO Box 250
WORCESTER
6849

Tel/ Fax: (023) 347 0336

E. **SITE VISIT(S):**
No site visit was conducted. The information submitted in the application documentation (i.e. photographs and maps of the site) together with relevant information contained in the Departmental information base, was considered sufficient to provide adequate information on the nature of the receiving environment.

F. **DECISION:**
This Department is satisfied, on the basis of information available to it and subject to compliance with the conditions of this environmental authorisation, that the applicant should be authorised to undertake the activity specified above.

By virtue of the powers conferred on it by the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA") and the Environmental Impact Assessment ("EIA") Regulations, 2006, the competent authority hereby authorises the activity described above.

The granting of this environmental authorisation is subject to the conditions set out below.

G. **CONDITIONS OF AUTHORISATION:**

1. The activity, including site preparation, may not commence within 20 (twenty) days after receipt of this environmental authorisation. In the event that an appeal notice and subsequent appeal is lodged with the competent authority, the effect of this environmental authorisation will be suspended until such time as the appeal is decided.

2. One week’s notice, in writing, must be given to the Directorate: Integrated Environmental Management (Region A), (hereinafter referred to as “this Directorate”), before commencement of construction activities.

   2.1 Such notice shall make clear reference to the site location details and reference number given above.

   2.2 The said notice must also include proof of compliance with the following conditions described herein:

       Conditions: 1 and 6.

3. Any solid waste shall be disposed of at a landfill licensed in terms of section 20 of the Environment Conservation Act, 1989 (Act No. 73 of 1989).
4. The final building plans of the proposed warehouse expansion must be approved by the relevant authority.

5. Should any heritage remains be exposed during excavations, these must immediately be reported to the Provincial Heritage Resources Authority of the Western Cape, Heritage Western Cape (in terms of the National Heritage Resources Act, 1999 (Act No. 25 of 1999)). Heritage remains uncovered or disturbed during earthworks must not be disturbed further until the necessary approval has been obtained from Heritage Western Cape.

5.1 If any archaeological remains (including but not limited to fossil bones and fossil shells, 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, rock art and rock engravings) are discovered during construction they must immediately be reported to Heritage Western Cape and must not be disturbed further until the necessary approval has been obtained from Heritage Western Cape.

5.2 If any graves or unmarked human burials are discovered, they must be treated with respect and the South African Heritage Resource Agency (SAHRA) must be notified immediately and the burials must not be disturbed further until the necessary approval has been obtained from SAHRA. An archaeologist must be contracted to remove the remains at the expense of the developer.

6. The applicant must, in writing, within 10 (ten) calendar days of being notified of the Department's decision to authorise the activity (the date of "being notified" is deemed to be the date the notice of the Department's decision was sent) –

6.1 Specify the date on which the authorisation was issued.

6.2 Inform all registered Interested and Affected Parties (I&AP's) of the appeal procedure provided for in Chapter 7 of the regulations.

6.3 Advise all registered I&AP's that, should they wish to appeal that they must lodge a Notice of Intention to Appeal with the Minister, within 10 days of being notified of the Department's decision (the 10 day period available to registered I&AP's is deemed to only start 10 calendar days after the date of issue of the Department's decision) and must submit their appeal within 30 days of the lodging of their Notice of Intention to Appeal.

6.4 Inform every Interested and Affected Party that a prescribed Notice of Intention to Appeal form and Appeal form are obtainable from the Minister's office at tel (021) 483 3721, email jedevill@cgwc.gov.za or URL http://www.capecateway.gov.za/eadp.

6.5 Inform all I&AP's that should they wish to appeal, the appellant must serve on the applicant, on the same day that the Notice of Intent is lodged with the Minister, a copy of the Notice of Intention to Appeal form as well as a notice indicating that the appeal submission will be available for inspection for a period of 30 days, that must either start on or before the date the appeal is submitted to the Minister, and also indicate where the appeal submission will be available for inspection.

6.6 If the applicant should decide to appeal, the applicant must –

6.6.1 lodge a Notice of Intention to Appeal with the Minister, within 10 days of being notified of this decision (the date of "being notified" deemed to be the date the notice of the Department's decision was sent);

6.6.2 submit the appeal within 30 days of the lodging of the Notice of Intention to Appeal; and

6.6.3 serve a copy of the Notice of Intention to Appeal, on the same day that the Notice of Intent is lodged with the Minister, on all Registered I&AP's as well as
a notice indicating that the appeal submission will be available for inspection for a period of 30 days, that must either start on or before the date the appeal is submitted to the Minister, and also indicate where the appeal submission will be available for inspection.

7. The holder of the authorisation shall be responsible for ensuring compliance with the conditions by any person acting on his behalf, including but not limited to, an agent, sub-contractor, employee or any person rendering a service to the holder of the authorisation.

8. Any changes to, or deviations from, the project description set out in this authorisation must be approved, in writing, by the Department before such changes or deviations may be effected. In assessing whether to grant such approval or not, the Department may request such information as it deems necessary to evaluate the significance and impacts of such changes or deviations and it may be necessary for the holder of the authorisation to apply for further authorisation in terms of the regulations.

9. The holder of the authorisation must notify this Directorate and any other relevant authority, in writing, within 24 hours thereof if any condition of this authorisation is not adhered to.

10. A copy of this authorisation must be kept at the property where the activity will be undertaken. The authorisation must be produced to any authorised official of the Department who requests to see it and must be made available for inspection by any employee or agent of the holder of the authorisation who works or undertakes work at the property.

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

12. Non-compliance with a condition of this authorisation may result in the withdrawal of the authorisation and may render the holder liable for criminal prosecution.

13. This Department must be notified, within 30 days thereof, of any change of ownership and/or project developer. Conditions imposed in this authorisation must be made known to the new owner and/or developer and are binding on the new owner and/or developer.

14. Departmental officials shall be given access to the property referred to in B above for the purpose of assessing and/or monitoring compliance with the conditions contained in this environmental authorisation, at all reasonable times.

15. The activity which is authorised may only be carried out at the property indicated above.

16. Notwithstanding this authorisation, the holder of the authorisation must still comply with any other statutory requirements that may be applicable to the undertaking of the activity.

17. This activity must commence within a period of two (2) years from the date of issue. If commencement of the activity does not occur within that period, the authorisation lapses and a new application for environmental authorisation must be made in order for the activity to be undertaken.
H. REASONS FOR THE DECISION:

The information contained in the Application Form and Basic Assessment Report dated 13 August 2008 and the additional information, compiled by Boland Environmental Consultants CC were taken into account in the Department’s consideration of the application. The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the NEMA, 1998 (Act No. 107 of 1998) have also been considered in this decision. A summary of the issues which, in the Department’s view, were of the most significance is set out below.

Environment
The proposed site comprises of the existing warehouse, is paved and is surrounded by vineyards with no sensitive environmental elements.

Socio – Economic
The proposed expansion will provide approximately 30 to 40 temporary jobs and a estimated 5 permanent jobs.

Alternatives
The following alternatives were investigated:

Site Alternative 1(preferred):
This preferred alternative entails the construction of two adjoining buildings to extend the existing warehouse for storage purposes on Portion 7 of Farm No. 121, Goudmyn Zuid, Robertson. The proposed new building line will be approximately 15 m from the boundary of Farm No. 191. The expansion will cover an area of approximately 2662.5 m². This preferred option will follow the logical architectural form and line of the existing buildings.

Site Alternative 2:
This alternative will result in goods being stored off-site in a new warehouse. This alternative was not preferred as it would negatively impact on initiatives to streamline current operations and reduce costs.

No - Go alternative:
The no-go alternative would involve no expansion of the existing warehouse facilities on the farm, and no acquisition of off-site storage facilities. The Estate would thus continue to rent storage at a considerable expense.

Public Participation
The public participation process comprised of the following:

- An advertisement was placed in the “Breede River Gazette” newspaper on 7 March 2008;
- Notices were placed on site on 7 March 2008; and
- Letters were also sent to the four neighbouring properties on 8 March 2008.

At the end of the commenting period, no objections were received.

Authorities Consultation:
The following authorities were consulted:

- The Department of Agriculture;
- Cape Winelands District Municpality;
- Heritage Western Cape;
- Department of Water Affairs and Forestry;
- Breede River Winelands Municipality.
- ESKOM.

No objections were received and comments received were adequately addressed by the environmental assessment practitioner.
In view of the above, this Directorate is satisfied that, subject to compliance with the conditions contained in the environmental authorisation, the proposed activities will not conflict with the general objectives of integrated environmental management laid down in Chapter 5 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) and that any potentially detrimental environmental impacts resulting from the proposed activities can be mitigated to acceptable levels. The application is accordingly granted.

I. APPEAL:

Appeals must comply with the provisions as outlined in Chapter 7 of the regulations.

If the applicant should decide to appeal, the applicant must lodge a Notice of Intention to Appeal with the Minister, within 10 days of being notified of this decision (the date of "being notified" deemed to be the date the notice of the Department's decision was sent, i.e. the date of issue), and serve a copy of the Notice of Intention to Appeal, on the same day that the Notice of Intent is lodged with the Minister, on all Registered I&AP's, as well as a notice indicating that the appeal submission will be available for inspection for a period of 30 days, that must either start on or before the date the appeal is submitted to the Minister, and also indicate where the appeal submission will be available for inspection.

Should any other person decide to appeal, the person must lodge a Notice of Intention to Appeal with the Minister, within 10 days of being notified of the Department's decision (the 10 day period is deemed to only start 10 days after the date of issue of the Department's decision), and serve a copy of the Notice of Intention to Appeal, on the same day that the Notice of Intent is lodged with the Minister, on the applicant, as well as a notice indicating that the appeal submission will be available for inspection for a period of 30 days, that must either start on or before the date the appeal is submitted to the Minister, and also indicate where the appeal submission will be available for inspection.

All appeals must be submitted, within 30 days of the lodging of the Notice of Intention to Appeal, by means of one of the following methods:

By post: Western Cape Ministry of Local Government, Environmental Affairs and Development Planning
Private Bag X9186
Cape Town
8000

By facsimile: (021) 483 4174; or

By hand: Attention: Mr Jaap de Villiers
3rd floor Leeusig Building
1 Dorp Street
Cape Town
8001

A prescribed Notice of Intention to Appeal form and Appeal form are obtainable from the Minister's office at tel (021) 493 3721, email jdevill@pgwc.gov.za or URL http://www.capegateway.gov.za/eadm.
Province Government, Local Authority or committees appointed in terms of the conditions of the application or any other public authority or organisation shall not be held responsible for any damages or losses suffered by the developer or his successor in title in any instance where construction or operation subsequent to construction be temporarily or permanently stopped for reasons of non-compliance by the developer with the conditions of authorisation as set out in this document or any other subsequent document emanating from these conditions of authorisation.

Your interest in the future of our environment is greatly appreciated.

Yours faithfully

AYUB MOHAMED
DIRECTOR: INTEGRATED ENVIRONMENTAL MANAGEMENT (REGION A)

DATE OF DECISION: 17/11/2008

Copies to:  
(1) Mr N Wullschleger (BolandEnviro)  Fax: (023) 347 0336  
(2) Mr A Vancoillie (Breede River Winelands Municipality)  Fax: (023) 614 1841