

Ref: 4/9/2/H70H/Melkhout River 492/1(Rem), Swellendam
Date: 24/05/2021

PO Box 387

Swellendam

6740

By Hand and Email

Email: happyhooves14@gmail.com

For Attention: Mr Johan Tradouw Kemp

Cc: hannes@melkhoutriverpgf.com or hannes@jpbcivils.co.za

Dear Sir

NOTICE OF INTENTION TO ISSUE A DIRECTIVE IN TERMS OF SECTION 53(1) OF THE NATIONAL WATER ACT (NWA) (ACT NO 36 OF 1998): FOR ALLEGED UNAUTHORISED WATER USE ACTIVITIES TAKING PLACE AT FARM MELKHOUT RIVIER 492/1 (REM), SWELLENDAM

1. I, Jan Van Staden in my capacity as the Chief Executive Officer (Acting) of the Breede-Gouritz Catchment Management Agency (BGCMA) and duly authorised in terms of powers delegated to me by the Minister of Water and Sanitation hereby give you Mr Johan Tradouw Kemp, in your capacity as the lawful owner of the Remainder Portion of Portion 1 of the Farm Melkhout Rivier Number 492, a written notice of intention to issue a Directive in terms of Section 53 (1) for contravening with Section 22(1) of the NWA, which states that:

22. (1) *A person may only use water*

(a) without a licence if that water use is permissible under Schedule 1;

(i) if that water use is permissible as a continuation of an existing lawful use; or

(ii) if that water use is permissible in terms of a general authorisation issued under section 39;

NOTICE OF INTENTION TO ISSUE A DIRECTIVE IN TERMS OF SECTION 53(1) OF THE NATIONAL WATER ACT, ACT NO 36 OF 1998(NWA): FOR ALLEGED UNAUTHORISED WATER USE ACTIVITIES TAKING PLACE AT FARM MELKHOUT RIVIER 492/1(REM), SWELLENDAM.

- (b) if the water use is authorised by a licence under this Act; or*
 - (c) if the responsible authority has dispensed with a licence requirement under subsection (3)*
- 2. I have reasonable grounds for believing that you have commenced with activities defined as water use in terms of section 21(a), (b), (c), and (i) of the NWA without a water use authorisation.
- 3. The BGCMA has reached this opinion as a result of the following:
 - 3.1 Reference is made to a site investigation conducted by BGCMA officials on 30 April 2021 at the Farm Melkhout Rivier 492/1(rem), Swellendam.
 - 3.2 During the site investigation it was confirmed that you have commenced with activities defined as water use in terms of section 21(a), (b), (c), and (i) of the NWA without a water use authorisation.
 - 3.3 The BGCMA has no record of a water use authorisation confirmed at Farm Melkhout Rivier 492/1 (rem), Swellendam.
- 4. The following water use activities are taking place at the property without authorisation:
 - 4.1 The taking of water from a water resource.
 - 4.2 Storing of water.
 - 4.3 Diverting the flow of water in a watercourse, and
 - 4.4 Altering the bed, banks, course, or characteristics of a watercourse.
- 5. In light of the above, in accordance with Section 3 of the Promotion of Administrative Justice Act, Act no 3 of 2000 you are hereby afforded an opportunity to make written representation to the BGCMA within **14 (fourteen) working days** upon receipt of this notice if you believe there are any compelling reasons for this Office not to exercise its powers in terms of Section 53(1)(a) of the NWA and issue a directive requiring you to:
 - 5.1. Provide proof of authorisation for water use activities taking place at Farm Melkhout Rivier 492/1(rem), Swellendam within **5 (five) working days** upon receipt of this pre-directive notice.
 - 5.2. Provided you have submitted such proof as per **5.1**, submit as built details of the dams survey within **7 (seven) working days** including:
 - 5.2.1 As built dam wall material properties, construction method and compaction details.
 - 5.2.2 Supply the design flood calculations (DF and SEF) and sizing of the overflow culverts.

- 5.3. Failure to provide such details as per **5.1** and **5.2** will compel you to immediately cease the unlawful water use activities taking place at Farm Melkhout Rivier 492/1(rem), Swellendam by demolishing the structures as they pose a risk downstream, discontinue the taking of water from the water resource and rehabilitate the area to mitigate the impact of the activities that took place within the regulated area within **30 (thirty) working days** upon receipt of this directive and provide a proof of cessation.
 - 5.4. Appoint a suitably qualified SACNASP registered aquatic/freshwater specialist to assess the impacts of both the dam and the weir on the tributary of the Breede River on Farm Melkhout Rivier 492/1 (rem) and compile and submit a Rehabilitation Plan for the watercourse affected for approval by the BGCMA **within 30 (thirty) working days**. The report should address the following:
 - 5.4.1 Impacts of the activities that were undertaken on the watercourse.
 - 5.4.2 Rehabilitation requirements of the affected watercourses, including but not limited to erosion control measures in the dam, revegetation of cleared areas (if necessary).
 - 5.4.3 If the releases that are being made from the dam are adequate and are according to the Ecological Requirements of the unnamed tributary of the Breede River.
 - 5.4.4 Any other aspects that the specialist would deem necessary and need addressing.
 - 5.5. Rehabilitate the impacted area once the rehabilitation plan has been approved by the BGCMA.
 - 5.6. Submit an action plan within **5 (Five) working days** upon receipt of this directive, which must include a detailed time schedule on how you plan to comply with provisions of this directive.
 - 5.7. I would also like to bring to your attention that failure to make representations within **fourteen (14) working days** of receipt of this notice will leave the BGCMA with no option but to issue you with a directive in terms of section 53(1) of the NWA in which failure to comply with constitutes an offence in terms of section 151 (1) (d) of the NWA.
6. In terms of Section 151(2) any person who contravenes any provision of Section 151 (1) of the NWA is guilty of an offence and liable on first conviction to a fine or to imprisonment for a period

NOTICE OF INTENTION TO ISSUE A DIRECTIVE IN TERMS OF SECTION 53(1) OF THE NATIONAL WATER ACT, ACT NO 36 OF 1998(NWA): FOR ALLEGED UNAUTHORISED WATER USE ACTIVITIES TAKING PLACE AT FARM MELKHOUT RIVIER 492/1(REM), SWELLENDAM.

not exceeding 5 (five) years or to both such fine and such imprisonment and, in the case of a second or subsequent conviction, to a fine or imprisonment for a period not exceeding ten years or to both a fine and such imprisonment.

7. We wish to make it clear that the instructions contained in this letter are made in the interest of responsible water resource management, and with a view to a co-operative resolution of the issue.

THIS LETTER SHALL NOT BE CONSTRUED AS CONFERRING EXEMPTION FROM COMPLIANCE WITH THE FOLLOWING:

8. The provisions and regulations of the National Environmental Management Act, 1998 (Act No. 107 of 1998) regarding control over activities which may have a detrimental effect on the environment.
9. Should you have any further queries, please contact the relevant official whose name appears under enquiries.
10. Representations must be forwarded for the attention of Mr Jan van Staden and delivered to:

Mr Phumlani Mqondeki and Nolutando Ndlumbini
Breede-Gouritz Catchment Management Agency
Private Bag X 3055
WORCESTER
6850

Fax No: 023 347 2020

Yours faithfully

MR. JAN VAN STADEN

P.P. 

CHIEF EXECUTIVE OFFICER (ACTING)
DATE: 25 May 2021

NOTICE OF INTENTION TO ISSUE A DIRECTIVE IN TERMS OF SECTION 53(1) OF THE NATIONAL WATER ACT, ACT NO 36 OF 1998(NWA): FOR ALLEGED UNAUTHORISED WATER USE ACTIVITIES TAKING PLACE AT FARM MELKHOUT RIVIER 492/1(REM), SWELLENDAM.

Acknowledgement of Receipt:

Received by Mr/Ms _____

On behalf of the company _____

on this _____ day of _____ 2021, at _____

Signature: _____



REFERENCE: 14/1/1/E2/8/10/3/0617/21

ENQUIRIES: Yena Gunguluzi

BY EMAIL: Admin@jpbcivils.co.za

Mr JP Booysen

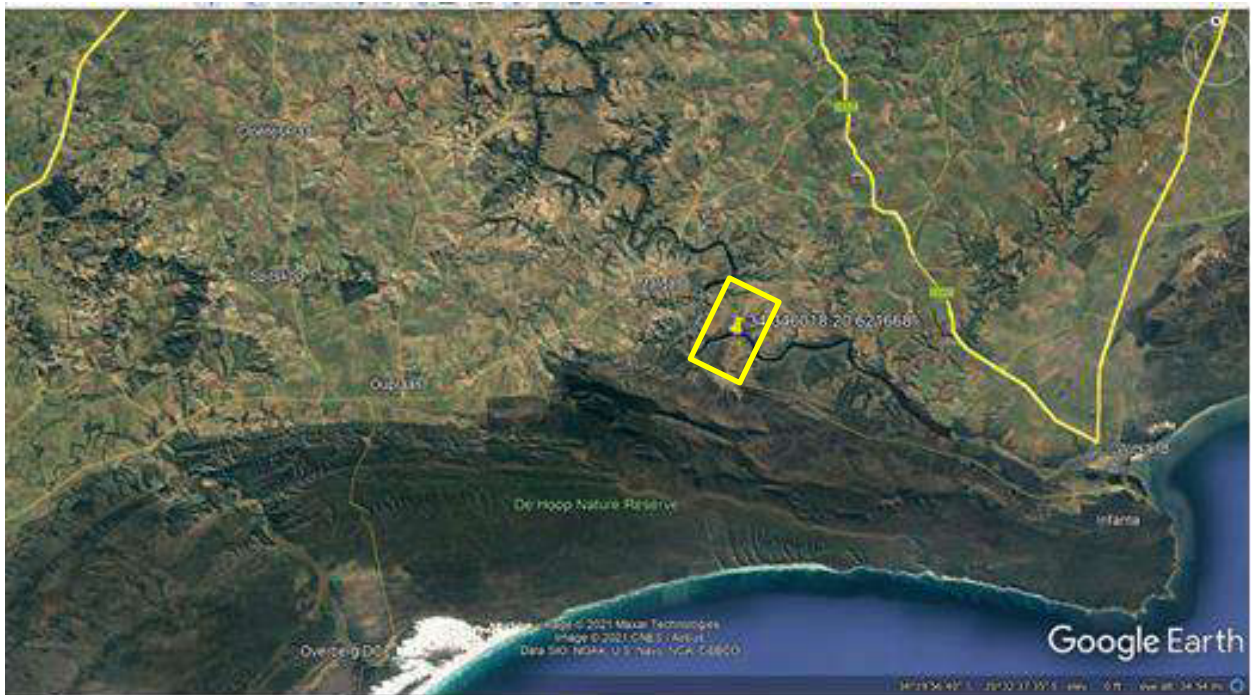
PRE-COMPLIANCE NOTICE

Dear Mr Booysen

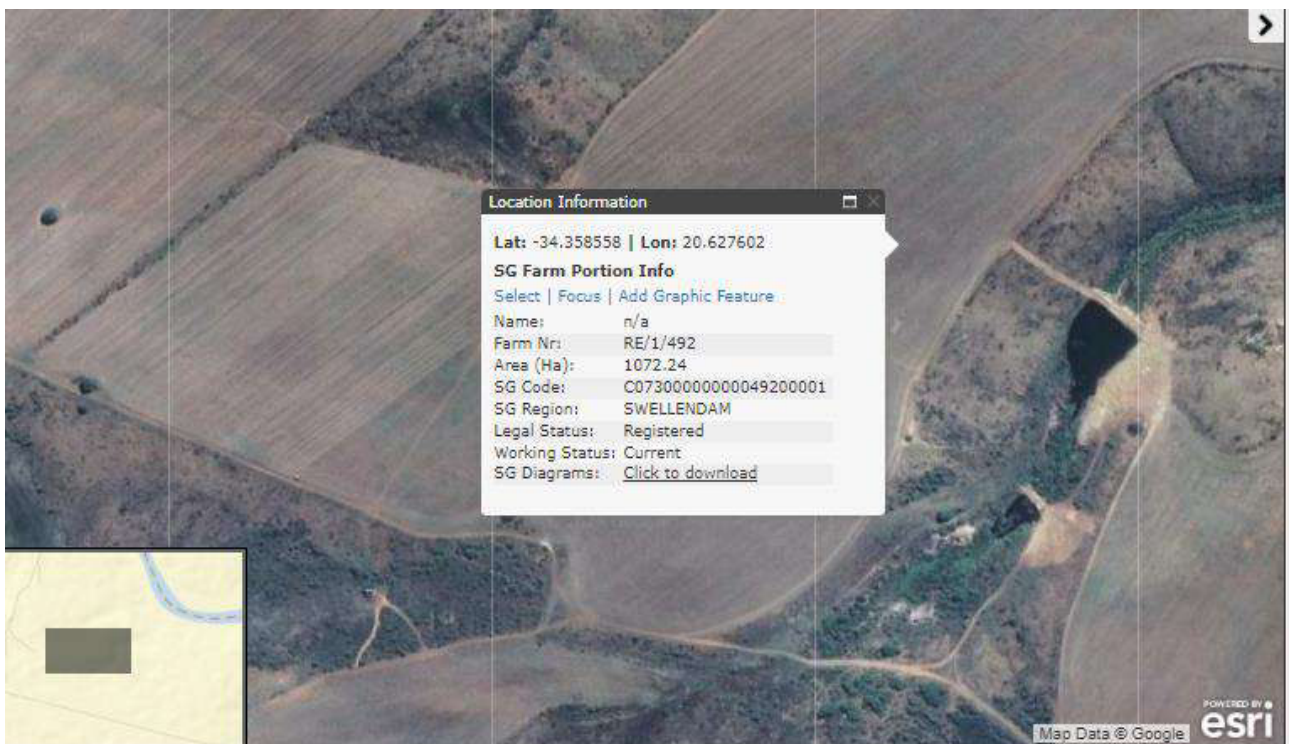
INTENTION TO ISSUE A COMPLIANCE NOTICE IN TERMS OF SECTION 31L OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998

1. During an investigation into allegations of the commencement of a listed activity in contravention of section 24F of the National Environmental Management Act, 1998 ("NEMA"), a site inspection was conducted at Melkhoutriver RE/1/492 Breeder River, Swellendam, by Environmental Management Inspectors from the Department's Directorate: Environmental Law Enforcement on 11 November 2021, which confirmed that you have commenced with the construction of an instream dam without an Environmental Authorisation ("EA").

[S34°21'30.63" E20°33'31.83"]



Aerial map: Location of alleged illegal activity on the property indicated in yellow.



Cape Farm mapper: Location of alleged illegal activity on the property and property details.

2. In terms of section 24F of the NEMA, no activity listed in the Environmental Impact Assessment ("EIA") Regulations Listing Notice 1 of 2014 may

commence without environmental authorisation from the competent authority.

3. Considering the evidence before me, there are reasonable grounds to believe that you have commenced with the following listed activities without environmental authorisation:

Listing Notice 1

Activity 12:

The development of—

- (i) dams or weirs, where the dam or weir, including infrastructure and water surface area, exceeds 100 square metres; or
- (ii) infrastructure or structures with a physical footprint of 100 square metres or more.

where such development occurs—

- (a) within a watercourse;
- (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.

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—

- (a) will occur behind a development setback;
- (b) is for maintenance purposes undertaken in accordance with a maintenance management plan;
- (c) falls within the ambit of activity 21 in this Notice, in which case that activity applies;

- (d) occurs within existing ports or harbours that will not increase the development footprint of the port or harbour; or
- (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.

Activity 48

The expansion of—

- (i) infrastructure or structures where the physical footprint is expanded by 100 square metres or more; or
- (ii) dams or weirs, where the dam or weir, including infrastructure and water surface area, is expanded by 100 square metres or more;

where such expansion occurs—

- (a) within a watercourse;
- (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 expansion of infrastructure or structures within existing ports or harbours that will not increase the development footprint of the port or harbour;
- (bb) where such expansion 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 expansion occurs within an urban area; or

(ee) where such expansion occurs within existing roads, road reserves or railway line reserves.



Google image: showing the google image of 2020.



Photo 1: showing Dam 1.



Photo 2: showing the Dam wall separating dam one and dam two.



Photo 3: showing the culvert built through the dam wall to divert water.

4. In terms of section 49A of the NEMA it is an offence to commence a listed activity without environmental authorisation. A person convicted of such an offence is liable to a fine not exceeding R10 million or to imprisonment for a period not exceeding 10 years, or to both such fine and such imprisonment.
5. As such, you are hereby given notice of the Department's intention to issue you with a Compliance Notice in terms of section 31L of the NEMA, which will instruct you to:
 - 5.1 immediately cease the above listed activities;
 - 5.2 investigate, assess and evaluate the impact that the listed activity has / has had on the environment;
 - 5.3 rehabilitate the entire site to its original condition; and
 - 5.4 carry out any other measure necessary to rectify the effects of the unlawful activity.
6. Furthermore, failure to comply with a Compliance Notice is an offence in terms of section 49A(1)(k). A person convicted of failing to comply with a Compliance Notice is liable to a maximum fine of R5 million and/or 5 years imprisonment or both such fine and such imprisonment.
7. You are afforded a period of **7 (seven) calendar days** from the date of receipt of this Pre-Compliance Notice to make written representations to the Department as to why a Compliance Notice should not be issued.
8. If you inform the Department, in respect of paragraph 7 above that you intend to rectify the non-compliance, you must cease the above listed activities and submit to the Department for approval, **within 30 (thirty) calendar days** of receipt of this Pre-Compliance Notice, a rehabilitation plan compiled by a suitably qualified and experienced independent environmental assessment practitioner, which must include the following:
 - 8.1 assessment and evaluation of the impact on the environment; and

8.2 identification of proposed remedial and/or mitigation measures.

9. If the above plan is approved by the Department, you will be obliged to take the necessary remedial / mitigation measures at your own cost.
10. Approval of the above report by the Department does not remedy the unlawful commencement of the above activity, which remains unlawful in terms of section 49A(1) (a) and/or (d) of the NEMA.
11. If you wish to continue with the listed activity you may apply for environmental authorisation by way of a section 24G ("s24G") application. However, such application does not constitute permission to continue with the listed activity, which remains unlawful unless environmental authorisation is granted.
12. Should you choose to apply in terms of s24G on the NEMA, you must submit to the Department for approval, **within 30 (thirty) calendar days** of receipt of this Pre-Compliance Notice, a project schedule compiled by a suitably qualified and experience independent environmental assessment practitioner. The project schedule must clearly stipulate the time frames in terms of the s24G process and by when a s24G application will be submitted to the Sub-Directorate: Rectification.

13. Notwithstanding the section 24G application, the Department may issue a Compliance Notice and/or commence criminal proceedings should circumstances so require.



Achmad Bassier

Director: Environmental Law Enforcement

Grade 1 Environmental Management Inspector

Date: 09/02/2022

CC: Ms Noluthando Ndlumbini (BGCMA)

email: nndlumbini@bgcma.co.za

Mr Chad Mundell

email: chadmundell@gmail.com



REFERENCE: 14/1/1/E2/8/10/3/0617/21

ENQUIRIES: Yena Gunguluzi

BY EMAIL: Admin@jpbcivils.co.za

Mr JP Booysen

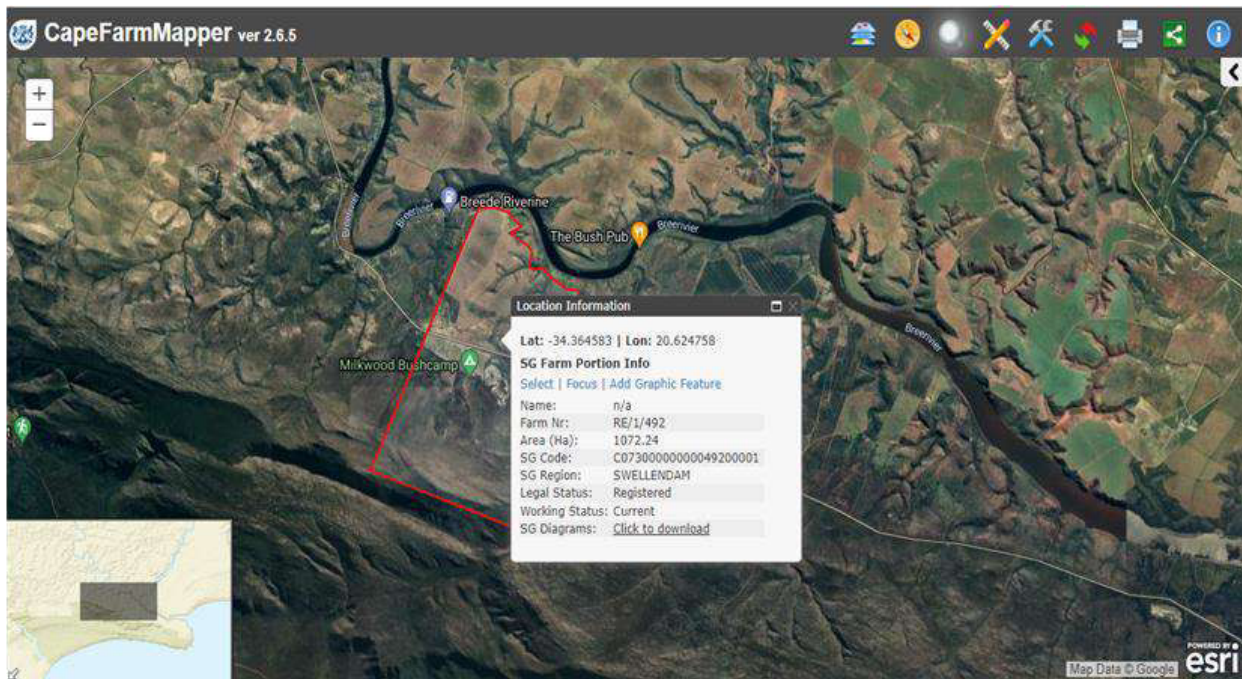
PRE-DIRECTIVE

Dear Mr JP Booysen

**INTENTION TO ISSUE A DIRECTIVE IN TERMS OF SECTION 28(4)
OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998**

1. During an investigation into allegations of environmental pollution and/or degradation of the environment, a site inspection was conducted at Melkhoutriver RE/1/492 Breede River, Swellendam, by Environmental Management Inspectors from the Department's Directorate: Environmental Law Enforcement on 11 November 2021 and it was confirmed that you have caused significant degradation and pollution to the environment through the illegal construction of instream dams on the property mentioned above.

[S34°21'30.63" E20°33'31.83"]



Aerial map: Location of alleged illegal activity on the property indicated in Red.

2. Section 28(1) of the NEMA provides that every person who causes, has caused or may cause significant pollution or degradation of the environment must take reasonable measures to prevent such pollution or degradation from occurring, continuing or recurring, or, in so far as such harm to the environment is authorised by law or cannot reasonably be avoided or stopped, to minimise and rectify such pollution or degradation of the environment.
3. On considering the evidence before me there are reasonable grounds to believe that you are causing significant pollution or degradation of the environment and have not taken reasonable measures to prevent degradation from occurring.



Google image 1: showing the google image of 2020 of the dams



Photo 1: showing Dam1



Photo 2: showing the Dam wall separating Dam 1 and Dam 2



Photo 3: showing the culvert built through the dam wall to direct the flow in the water course

4. In terms of section 49A(1)(e) or (f) of the NEMA it is an offence to unlawfully and intentionally or negligently commit any act or omission which causes significant pollution or degradation of the environment or is likely to cause significant pollution or degradation of the environment.

5. As such, you are hereby given notice of the Department's intention to issue you with a Directive in terms of section 28(4) of the NEMA, which will direct you to:
 - 5.1 investigate, assess and evaluate the impact on the environment;
 - 5.2 inform and educate employees about the environmental risks of their work and the manner in which their tasks must be performed in order to avoid causing significant pollution and/or degradation of the environment;
 - 5.3 cease, modify or control any act, activity or process causing the pollution or degradation;
 - 5.4 contain or prevent the movement of pollutants or the cause of the degradation;
 - 5.5 eliminate any source of the pollution or degradation; or
 - 5.6 remedy the effects of the pollution or degradation.
6. In terms of section section 49A(1)(g) of the NEMA failure to comply with a Directive is an offence.
7. A person convicted of the above offences is liable to a fine not exceeding R10 million or to imprisonment for a period not exceeding 10 years, or to both such fine and such imprisonment.
8. You are afforded a period of **7 (seven) calendar days** from the date of receipt of this Pre-Directive to make written representations to the Department as to why a Directive should not be issued.
9. Should you inform the Department, in respect of paragraph 10 above that you intend to remedy the pollution and/or degradation you must cease the activity causing the pollution and/or degradation and submit to the Department for approval, **within 30 (thirty) calendar days** of receipt of this Pre-Direct, a rehabilitation plan compiled by a suitably qualified and experienced

independent environmental assessment practitioner, which must include the following:

- 9.1 assessment and evaluation of the impact on the environment; and
- 9.2 identification of proposed remedial and/or mitigation measures.

- 10. If the above plan is approved by the Department, you will be obliged to take the necessary remedial / mitigation measures at your own cost.



Achmad Bassier

Director: Environmental Law Enforcement

Grade 1 Environmental Management Inspector

Date: 09/02/2022

CC: Ms Noluthando Ndlumbini (BGCMA)

Email: nndlumbini@bgcma.co.za

Mr Chad Mundell

Email: chadmundell@gmail.com



24G Application: 14/2/4/2/2/E3/10/0015/24

SECTION 24G PRE-DIRECTIVE

The Director
Melkhoutrivier Properties (Pty) Ltd.
PO Box 979
SOMERSET WEST
7130

Attention: Mr. J. Booysen

Tel: 021 213 1219

Email: hannes@jpbcivils.co.za
admin@jpbcivils.co.za

PRE-DIRECTIVE IN TERMS OF SECTION 24G OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) ("NEMA"): THE UNLAWFUL EXPANSION OF DAMS AND CLEARING OF INDIGENOUS VEGETATION ON PORTION 1 OF FARM MELKHOUT RIVIER NO.492, SWELLENDAM.

1. Section 24G of the NEMA provides for the consequences of unlawful commencement, and upon application to the competent authority, applies to any person who has commenced a listed or a specified activity without environmental authorisation in contravention of section 24F(1) of the NEMA.
2. The Department has received your application on 27 May 2024 regarding the unlawful expansion of dams and clearing of indigenous vegetation on Portion 1 of Farm Melkhout Rivier No. 492, Swellendam.
3. Having considered the information in respect of your application, you are hereby given notice of the delegated authority's intention to issue you with a Directive in terms of section 24G of the NEMA (as amended), which will direct you to:
 - 3.1 Compile a report containing a description of the public participation process ("PPP") followed during the course of compiling the application and assessment report, including all comments received from interested and affected parties and an indication of how the issues raised have been addressed;
 - 3.2 Investigate, evaluate and assess the impact of the activity on the environment, and
 - 3.3 Provide such other information or undertake such further studies as the relevant competent authority may deem necessary.
4. You are reminded that a section 24G application is only relevant to listed activities that has commenced without the pre-requisite environmental authorisation. Only those activities applied for will be considered for authorisation. Therefore, the applicant / EAP is required to ensure that all the applicable listed activities are included in the application to be submitted.

5. Based on the information contained in the section 24G application form, this Directorate notes the following:
- 5.1. The proposed development entails the development of approximately 1292m² on land previously used for mining;
 - 5.2. The existing and proposed development has / will result in the combined clearance of more than 1 hectares of indigenous vegetation;
 - 5.3. The EAP's response provided on page 7 of the Comments and Response Report (contained in Appendix 7 of the draft Section 24G application) refers to the development of a lodge with a development footprint of approximately 3094m² in extent;
 - 5.4. In accordance with the comments provided by CapeNature (dated 19 February 2024), it is noted that concerns regarding ground-truthing of entire site from a botanical perspective has been requested and the potential requirement of a biodiversity offset with respect to the site; and
 - 5.5. Page 27 of the section 24G application refers to a septic tank with soak away system.
6. In light of the above, confirmation as to whether the following listed activities in terms of the NEMA EIA Regulations, 2014 (as amended) is applicable to the development, viz:

Listing Notice 1 of the NEMA EIA Regulations, 2014 (as amended)

Activity No: 26

Activity Description:

"Residential, retail, recreational, tourism, commercial or institutional developments of 1 000 square metres or more, on land previously used for mining or heavy industrial purposes; — excluding —

- (i) where such land has been remediated in terms of part 8 of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008) in which case the National Environmental Management: Waste Act, 2008 applies; or*
- (ii) where an environmental authorisation has been obtained for the decommissioning of such a mine or industry in terms of this Notice or any previous NEMA notice; or*
- (iii) where a closure certificate has been issued in terms of section 43 of the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002) for such land."*

Activity No: 27

Activity Description:

"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—

- (i) the undertaking of a linear activity; or*
- (ii) maintenance purposes undertaken in accordance with a maintenance management plan."*

Revision of the Application

7. You are advised that the section 24G Application and Comments and Response Report must be updated and be submitted to the competent authority with respect to the following:
- 7.1. Clarification on the applicability of the additional listed activities in terms of the NEMA EIA Regulations, 2014 (as amended) as indicated above;
 - 7.2. Clarification with respect to the correct extent of the development footprint of the proposed lodge must be provided; and
 - 7.3. An updated response from CapeNature respect to the requirement of further ground-truthing of the site and the need of a biodiversity offset; and

- 7.4. Since the groundwater resource is in se and is proposed for domestic purposes and the site is located above the groundwater resource, confirmation with respect to the appropriate use of a septic tank / soakaway system must be obtained from the relevant competent authority; and
- 7.5. A detailed description with respect to the service infrastructure (i.e. electricity supply (i.e. photovoltaic panels), potable water supply and effluent treatment / disposal) must be included in the activity description.

Public Participation requirements

8. Kindly be reminded of the NEMA public participation requirements for applications for environmental authorisation:
- (i) Section 24(1A) and 24(4)(a) of the NEMA stipulate the minimum requirements for applications for environmental authorisation and includes the requirement for public participation to be undertaken.
 - (ii) Please refer to Chapter 6 of the *Environmental Impact Assessment Regulations, 2014* (as amended G.N. No 326 of 7 April 2017) for detail on the public participation process to be followed for applications for environmental authorisation.
 - (iii) In terms of section 24O of the NEMA, the Environmental Assessment Practitioner ("EAP") must consult with every State department that administers a law relating to a matter affecting the environment when such authority considers an application for an environmental authorisation.
 - (iv) You are advised that an unredacted version of the public participation report must be provided to the delegated authority for decision-making purposes.
9. The application must therefore be made available to registered Interested and Affected Parties (I&APs) and State Departments for a 30-day commenting period.
10. The applicant / EAP is required to inform this Department, in writing, upon submission of the application to the relevant State Departments.
11. In terms of the PPP to be undertaken, kindly be advised that all comments received during the PPP must be recorded and adequately responded to. The comments and responses must be captured in a Comment and Response Report ("C&RR") and must also include a description of the PPP followed.
12. Following the initial 30-day commenting period, the application and the C&RR must be made available to registered I&APs and State Departments for an additional 21-days for review and/or comment, if any, advising them how their issues or concerns have been addressed, before it is submitted to the Department for consideration. Proof of notification of the additional 21-day commenting period must be appended to the final C&RR.
13. Together with a public participation process, that comprises of comments and responses, the section 24G application process includes the issuing and payment of an administrative fine, prior to deciding on the application.
14. Please note that a signed declaration page must be included as part of the s24G application and must therefore be submitted with the final application.
15. In addition to any representations made in the application, you are afforded a period of **7 (seven) calendar days** from the date of receipt of this Pre-directive to make written representations to the Department as to why a Directive should not be issued.

16. Please note that if you fail to comply with a Directive, you will have committed a criminal offence in terms of 49A(1)(g) of the NEMA.
17. In addition, section 49B of the NEMA stipulates that a person convicted of an offence in terms of section 49A(1)(g) is liable to a fine not exceeding R10 million, or to imprisonment for a period not exceeding 10 years or to both such fine and such imprisonment.
18. Kindly quote the abovementioned reference number in any future correspondence in respect of this application.



Zaidah Toefy

Digitally signed by Zaidah Toefy
Date: 2024.07.05 14:24:18 +02'00'

MRS Z TOEFY

ACTING DIRECTOR: ENVIRONMENTAL GOVERNANCE

Copy to: (1) Ms. A. Fritz-Whyte (PHS Consulting)
(2) Mr. J. Kemp (Landowner)
(3) Mr. R. Brunings (Swellendam Local Municipality)
(4) Mr. R. Apolles (DEA & DP: Biodiversity & Coastal Management)
(5) Ms. A. McClelland (DEA & DP: Pollution & Chemicals Management)

Email: amanda@phsconsulting.co.za

Email: Happyhooves14@gmail.com

Email: rbrunings@swellenmun.co.za

Email: Ryan.Apolles@westerncape.gov.za

Email: Arabel.McClelland@westerncape.gov.za



24G Application: 14/2/4/2/2/E3/10/0015/24

SECTION 24G PRE-DIRECTIVE

The Director
Melkhoutrivier Properties (Pty) Ltd.
PO Box 979
SOMERSET WEST
7130

Attention: Mr. J. Booysen

Tel: 021 213 1219

Email: hannes@jpbcivils.co.za
admin@jpbcivils.co.za

PRE-DIRECTIVE IN TERMS OF SECTION 24G OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) ("NEMA"): THE UNLAWFUL EXPANSION OF DAMS AND CLEARING OF INDIGENOUS VEGETATION ON PORTION 1 OF FARM MELKHOUT RIVIER NO.492, SWELLENDAM (MALGAS).

1. Section 24G of the NEMA provides for the consequences of unlawful commencement, and upon application to the competent authority, applies to any person who has commenced a listed or a specified activity without environmental authorisation in contravention of section 24F(1) of the NEMA.
2. The Department has received your final application on 12 September 2024 regarding the unlawful expansion of dams and clearing of indigenous vegetation on Portion 1 of Farm Melkhout Rivier No. 492, Swellendam (Malgas).
3. Having considered the information in respect of your application, the application was presented to the 24G Administrative Fines Committee on 11 February 2025. Following review and discussion, the committee concluded that the application has not adequately considered and assessed all the potential impacts associated with the unlawful commencement and consequences for the intended development on Portion 1 of Farm Melkhout Rivier No. 492, Swellendam.
4. In this regard, you are hereby given notice of the delegated authority's intention to issue you with a Directive in terms of Section 24G of the NEMA (as amended), which will direct you to:
 - 4.1. Investigate, evaluate and assess the impact of the activity on the environment, and
 - 4.2. Provide such other information or undertake such further studies as the relevant competent authority may deem necessary.

5. You are reminded that a Section 24G application is only relevant to listed activities that has commenced without the pre-requisite environmental authorisation. Only those activities applied for will be considered for authorisation. Therefore, the applicant / EAP is required to ensure that all the applicable listed activities are included in the application to be submitted.
6. Based on the information contained in the Section 24G Application and Assessment Report, the Comments and Response Report ("C&RR") and the discussion of the Administrative Fine Committee, the following was noted:
 - 6.1. The proposed development of the lodge or hospitality facility included as part of the activity description is indicated to comprises of approximately 10 units that may have a sleeping capacity of at least 15 people.
 - 6.2. The proposed site is located within 5km of the De Hoop Nature Reserve which has been proclaimed as a provincial nature reserve on 10 December 1976 (Gazette No. 409). The boundaries of which have been extended on 20 April 1990 (Gazette No. 29) and is located on the southern boundary of Portion 1 of the Farm Melkhout Rivier No. 492, Swellendam.
 - 6.3. This Directorate has noted that the De Hoop Nature Reserve forms part of the Cape Floral Region Protected Areas (i.e. as a representative component) which has been proclaimed as a World Heritage Site on 30 January 2009 (Gazette No. 31832).
 - 6.4. The comment from CapeNature (in their correspondence dated 03 July 2024) has indicated that the site (i.e. Portion 1 of Farm melkhout Rivier No. 492, Swellendam) is identified as a Priority Focus Area and is within the National Protected Areas Expansion Strategy ("NPAES"). Given the conservation value of the remnant vegetation, CapeNature has additionally advised that due consideration of formal conservation of the property be taken.
 - 6.5. In accordance with the National Protected Areas Register, the site appears to be mapped within the NPEAS as indicated by CapeNature.
 - 6.6. In accordance with the Botanical Impact Assessment Report (compiled by Nick Helme Botanical Surveys and dated 15 April 2024), the site on which activities have unlawfully commenced is within a Critical Biodiversity Area.
 - 6.7. In accordance with satellite imagery and information contained in the Section 24G application, the development of solar photovoltaic infrastructure has been developed for the abstraction and pumping of water from Dam 1. The solar photovoltaic infrastructure appears to be located within proximity to the watercourse. The extent (i.e. development footprint) and capacity of the solar photovoltaic infrastructure is not provided in the Section 24G application.
 - 6.8. The Maintenance Management Plan ("MMP") provided as part of the Section 24G application is unsigned.
7. Considering the above, the Administrative Fines Committee has requested additional information with respect to the confirmation of applicability of the following listed activities in terms of the NEMA EIA Regulations, 2014 (as amended) with respect to the unlawful commencement of activities on site, viz:

Listing Notice 1 of the NEMA EIA Regulations, 2014 (as amended)

Activity No: 12

Activity Description:

"The development of—

- (i) dams or weirs, where the dam or weir, including infrastructure and water surface area, exceeds 100 square metres; or
- (ii) **infrastructure or structures with a physical footprint of 100 square metres or more;**

where such development occurs—

- (a) within a watercourse;
- (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."

Listing Notice 3 of the NEMA EIA Regulations, 2014 (as amended)

Activity No: 6

Activity Description:

"The **development** of resorts, **lodges**, hotels, tourism or hospitality facilities that **sleeps 15 people or more**.

i. Western Cape

- i. Inside a protected area identified in terms of NEMPAA;
- ii. Outside urban areas;
 - (aa) **Critical biodiversity areas** as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans; or
 - (bb) **Within 5km from** national parks, **world heritage sites**, areas identified in terms of NEMPAA or from the core area of a biosphere reserve; -

excluding the conversion of existing buildings where the development footprint will not be increased.

Activity No: 23

Activity Description:

"The **expansion** of

- (i) **dams** or weirs where the dam or weir is **expanded by 10 square metres or more**; or
- (ii) **infrastructure or structures** where the physical footprint is **expanded by 10 square metres** or more;

where such expansion occurs—

- (a) **within a watercourse**;
- (b) in front of a development setback adopted in the prescribed manner; or
- (c) if no development setback has been adopted, **within 32 metres of a watercourse**, measured from the edge of a watercourse;

excluding the expansion of infrastructure or structures within existing ports or harbours that will not increase the development footprint of the port or harbour.

i. Western Cape

i. Outside urban areas:

- (aa) A protected area identified in terms of NEMPAA, excluding conservancies;
- (bb) **National Protected Area Expansion Strategy Focus areas**;
- (cc) World Heritage Sites;
- (dd) Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;
- (ee) Sites or areas listed in terms of an international convention;
- (ff) **Critical biodiversity areas** or **ecosystem service areas** as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;
- (gg) Core areas in biosphere reserves; or
- (hh) Areas on the estuary side of the development setback line or in an estuarine functional zone where no such setback line has been determined."

8. Should the abovementioned be determined as applicable, the following is required:

- 8.1. An amended and revised section 24G application that includes all relevant listed activities as it relates to the unlawful development and the assessment of the potential impacts and consequences associated with the unlawful development.
- 8.2. The revised Section 24G application must be made available to registered Interested and Affected Parties (I&APs) and State Departments for an additional 30-day commenting period.
- 8.3. An updated C&RR must be submitted to the Competent Authority for consideration and decision-making.
- 8.4. A duly dated and signed MMP must be provided with the amended Section 24G application and updated C&RR.

9. In terms of the PPP to be undertaken, kindly be advised that all comments received during the PPP must be recorded and adequately responded to. The comments and responses must be captured in a C&RR and must also include a description of the PPP followed.

10. Together with a public participation process, that comprises of comments and responses, the Section 24G application process includes the issuing and payment of an administrative fine, prior to deciding on the application.
11. In addition to any representations made in the application, you are afforded a period of **7 (seven) calendar days** from the date of receipt of this Pre-directive to make written representations to the Department as to why a Directive should not be issued.
12. Please note that if you fail to comply with a Directive, you will have committed a criminal offence in terms of 49A(1)(g) of the NEMA.
13. In addition, section 49B of the NEMA stipulates that a person convicted of an offence in terms of section 49A(1)(g) is liable to a fine not exceeding R10 million, or to imprisonment for a period not exceeding 10 years or to both such fine and such imprisonment.
14. Kindly quote the abovementioned reference number in any future correspondence in respect of this application.



Zaidah Toefy

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Date: 2025.02.25 13:55:57
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MRS Z TOEFY

ACTING DIRECTOR: ENVIRONMENTAL GOVERNANCE

DATE: 25 FEBRUARY 2025

Copy to: (1) Ms. A. Fritz-Whyte (PHS Consulting)
(2) Ms. R. Smart (CapeNature)
(3) Mr. J. Kemp (Landowner)
(4) Mr. R. Brunings (Swellendam Local Municipality)

Email: amanda@phsconsulting.co.za
Email: Rsmart@capenature.gov.za
Email: Happyhooves14@gmail.com
Email: rbrunings@swellenmun.co.za



DEA&DP Ref: 14/2/4/2/2/E3/10/0015/24 (S24G)

3 March 2025

Attention: Ms Zaidah Toefy

Cc: Ms Naadiya Wookey - naadiya.wookey@westerncape.gov.za

**PRE-DIRECTIVE IN TERMS OF SECTION 24G OF THE NATIONAL ENVIRONMENTAL
MANAGEMENT ACT, 1998 (ACT 107 OF 1998) ("NEMA"): THE UNLAWFUL EXPANSION
OF DAMS AND CLEARING OF INDIGENOUS VEGETATION ON PORTION 1 OF FARM
MELKHOUT RIVIER NO.492, SWELLENDAM, (MALGAS)**

Your letter to Mr JP Booysen dated 25 February 2025 and received on 25 February 2025 refers.

According to your letter the Administrative Fines Committee has requested additional information with respect to the confirmation of applicability of the following listed activities in terms of the NEMA EIA Regulations, 2014 (as amended) with respect to the unlawful commencement of activities on site, viz:

Listing Notice 1 of the NEMA EIA Regulations, 2014 (as amended):

Activity No: 12

The development of—

(i) dams or weirs, where the dam or weir, including infrastructure and water surface area, exceeds 100 square metres; or

*(ii) infrastructure or structures with a physical footprint of 100 square metres or more;
where such development occurs—*

(a) within a watercourse;

(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.

PHS response:

The solar area footprint measures below 100m², but it also forms part of the infrastructure associated with the dam expansion, and rather Listed Activity 48 in Listing 1 applies, as this is for the expansion of an existing dam and its infrastructure. Listed Activity 48 in Listing 1 is included in the S24G application. The solar area is included throughout the S24G report in the project description.

Listing Notice 3 of the NEMA EIA Regulations, 2014 (as amended):

Activity No: 6

The development of resorts, lodges, hotels, tourism or hospitality facilities that sleeps 15 people or more.

i. Western Cape

i. Inside a protected area identified in terms of NEMPAA;

ii. Outside urban areas;

*(aa) **Critical biodiversity areas** as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans; or*

*(bb) **Within 5km from national parks, world heritage sites, areas identified in terms of NEMPAA or from the core area of a biosphere reserve; -***

excluding the conversion of existing buildings where the development footprint will not be increased.

PHS response: This listed activity is applicable and is included in the S24G report. Activity 26 under Listing 1 is also applicable to the development of the lodge and is also included in the S24G report.

Activity No: 23

The expansion of

*(i) **dams** or weirs where the dam or weir is expanded by **10 square metres or more**; or*

*(ii) **infrastructure** or structures where the physical footprint is expanded by **10 square metres or more**;*

where such expansion occurs—

(a) within a watercourse;

(b) in front of a development setback adopted in the prescribed manner; or

*(c) if no development setback has been adopted, **within 32 metres of a watercourse**, measured from the edge of a watercourse;*

excluding the expansion of infrastructure or structures within existing ports or harbours that will not increase the development footprint of the port or harbour.

i. Western Cape

*i. **Outside urban areas:***

(aa) A protected area identified in terms of NEMPAA, excluding conservancies;

*(bb) **National Protected Area Expansion Strategy Focus areas;***

(cc) World Heritage Sites;

(dd) Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;

(ee) Sites or areas listed in terms of an international convention;

*(ff) **Critical biodiversity areas or ecosystem service areas** as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;*

(gg) Core areas in biosphere reserves; or

(hh) Areas on the estuary side of the development setback line or in an estuarine functional zone where no such setback line has been determined.”

PHS response: The applicability of this listed activity is based on a technical trigger **(bb) National Protected Area Expansion Strategy Focus areas** – The comment raised by CapeNature in their letter dated 3 July 2024 stated - *“The properties linking De Hoop Nature Reserve to the Breede River Estuary have been identified as a protected area expansion priority....”*

In the same letter dated 3 July 2024 CapeNature stated - *“In conclusion, CapeNature is satisfied that our concerns have been addressed with the recommended amendments to the EMP, and that there is sufficient information to make a decision.”*

This is echoed in the comment by CapeNature on 14 August 2024 - *“In conclusion, CapeNature is satisfied that our concerns have been addressed with the recommended amendments to the EMP, and that there is sufficient information to make a decision.”*

The omission of this listed activity 23 of Listing 3 from the S24G report does not affect the outcome of the impact assessments by the specialists, the mitigation provided and therefor the S24G process. The S24G report can be amended, resigned and resubmitted to DEA&DP with the additional listed activity in it should it be required, without the need for additional 30-day PPP with IAP's. This S24G report had been subjected to comprehensive public participation of 3 rounds of PPP to date. A Fourth round would add no value for an administrative correction and would not affect the registered IAPs. Please note the bioregional plans had not been adopted at the time of this S24G process. They were adopted 13 December 2024.

Further to this the MMP was apparently not signed. The EAP who submitted the MMP was made aware by the DEA&DP that the unsigned MMP had been submitted by mistake, and the signed MMP was resent to DEA&DP (see email attached). This was on sent on 20 September 2024.

PHS Consulting therefor requests the following:

- 1) The S24G report be amended to include listed activity 23 of Listing 3 should it be required, resigned and resubmitted.
- 2) That no additional PPP be conducted based on this administrative correction and therefor no updated C&R be required.
- 3) That no Directive be issued.
- 4) That DEA&DP acknowledge the signed MMP was already submitted and does not need to be resubmitted.

We hereby request that no Directive is issued to allow the S24G and WULA processes to be concluded.

Please confirm that the above will be in order.

Yours truly,



Amanda Fritz-Whyte

BSc; BSc (Hons) Geology; MSc Water Resource Management

Fellow Member WISA

Member IAIA

Registered Environmental Assessment Practitioner: Number 2019/367 (EAPASA)

Pri.Sci.Nat (118385)



24G Application: 14/2/4/2/2/E3/10/0015/24

Comment on Additional Information

The Director
Melkhoutrivier Properties (Pty) Ltd.
PO Box 979
SOMERSET WEST
7130

Attention: Mr. J. Booysen

Tel: 021 213 1219

Email: hannes@jpbcivils.co.za

ACKNOWLEDGMENT OF RECEIPT AND COMMENT ON THE ADDITIONAL INFORMATION WITH RESPECT TO THE UNLAWFUL EXPANSION OF DAMS AND CLEARING OF INDIGENOUS VEGETATION ON PORTION 1 OF FARM MELKHOUT RIVIER NO.492, SWELLENDAM (MALGAS).

1. The final Section 24G application dated September 2024 and received by this Directorate on 12 September 2024, the site inspection conducted by officials from this Directorate on 05 November 2024, this Directorate's Pre-Directive dated 25 February 2025 and the additional information dated and received by this Directorate on 03 March 2025, refer.
2. This letter serves as acknowledgement of receipt and comment on the aforementioned additional information by this Directorate.
3. Based on the additional information received, this Directorate notes the following:
 - 3.1. The Environmental Assessment Practitioner ("EAP") has indicated that **Activity 12 of Listing Notice 1** of the NEMA EIA Regulations, 2014 (as amended) is not applicable since the development footprint area of the solar photovoltaic infrastructure does not exceed 100m² in extent.
 - 3.1.1. The EAP further states that the development of additional infrastructure is considered to be associated infrastructure related to the dam expansion and is within the scope of **Activity 48 of Listing Notice 1** of the NEMA EIA Regulations, 2014 (as amended).
 - 3.2. The EAP confirmed the applicability of **Activity 6 of Listing Notice 3** of the NEMA EIA Regulations, 2014 (as amended) and stated that this listed activity is included in the Section 24G application submitted to this Directorate.
 - 3.3. The EAP has indicated that **Activity 23 of Listing Notice 3** of the NEMA EIA Regulations, 2014 (as amended) "is based on a technical trigger" and that the omission of the relevant listed activity does not affect the outcome of the impact assessment or mitigation provided. Further to this, the EAP has noted that CapeNature is satisfied that concerns raised have been addressed.

- 3.4. The EAP has indicated that the previous / alternative EAP has erroneously initially submitted an unsigned Maintenance Management Plan ("MMP") and has subsequently been corrected with a duly dated and signed MMP that had been submitted to this Directorate on **20 September 2024**.
- 3.5. The following representations and requests were made with respect to the further processing of the application:
- 3.5.1. The Section 24G application to be amended to include Activity 23 of Listing Notice 3 of the NEMA EIA Regulations, 2014 (as amended), resigned and resubmitted for decision-making;
 - 3.5.2. A request that no additional Public Participation Process be conducted based on the administrative corrections and therefore no updated Comments and Response Report be required;
 - 3.5.3. A request that no Directive in terms of Section 24G Fine Regulations, 2017 be issued; and
 - 3.5.4. The acknowledgment of the subsequently submitted signed MMP that does not require resubmission.
4. In light of the above, please note the following:
- 4.1. With respect to the applicability of Activity 12 of Listing Notice 1 of the NEMA EIA Regulations, 2014 (as amended), please note the following:
- 4.1.1. You are advised that the capacity and existing development footprint of the solar photovoltaic ("PV") plant is not included in the Section 24G application, nevertheless, should the development footprint not be 100m² or more in extent as indicated by the EAP, this Directorate is in agreement that the Activity 12 of Listing Notice 1 is not applicable to the Section 24G application. The Section 24G application **must be amended** to include a detailed description of the solar PV plant infrastructure associated with the unlawful development i.e. footprint, capacity, location etc.
 - 4.1.2. In addition, this Directorate notes that the EAP has indicated that the current Eskom power supply is not a viable power supply for the proposed lodge, detailed information with respect to the proposed solar power supply is required. **An amended Section 24G application / assessment report is therefore required.**
 - 4.1.3. Furthermore, this Directorate notes that Activity 48 of Listing Notice 1 of the NEMA EIA Regulations, 2014 (as amended) has been included in the Section 24G application for the expansion of the dam and associated infrastructure.
 - 4.1.3.1. However, the EAP's conclusion that the unlawfully developed solar PV infrastructure falls within the scope of Activity 48 of Listing Notice 1 is currently contentious. This is due to the fact that the solar PV plant was not established prior to the unlawful expansion activities and may be considered a new facility or feature developed outside the scope of the dam expansion project. Additionally, the scale of the solar PV plant appears to serve a broader purpose, not limited solely to powering the pumping of water from the dam. Therefore, confirmation is required with respect to the intended use of the solar PV plant within the scope of the Section 24G application (i.e. continuation of listed activities and proposed operational phase).
- 4.2. With respect to the applicability of Activity 6 of Listing Notice 3 of the NEMA EIA Regulations, 2014 (as amended), please note the following:

- 4.2.1. This Directorate is in agreement that the relevant listed activity is included, however you are advised that the impact assessment contained within the Section 24G application has not identified and adequately assessed the potential impacts associated with the development of the lodge within 5km from national parks, world heritage sites, areas identified in terms of NEMPAA or from the core area of a biosphere reserve. Therefore, the **Section 24G application must be amended** to include the assessment thereof since the activity is considered to potentially have an impact on the surrounding environment.
- 4.3. With respect to the applicability of Activity 23 of Listing Notice 3 of the NEMA EIA Regulations, 2014 (as amended), please note the following:
- 4.3.1. Since the expansion of the dam and associated infrastructure has resulted in more than 10m² and is located within 32m of a watercourse, outside an urban area and within the National Protected Area Expansion Strategy Focus areas ("NPEAS"), the relevant listed activity is deemed applicable to the unlawful development and section 24G application.
- 4.3.2. You are further advised that although a registered Interested and Affected Party or Organ of State is satisfied that their concerns raised have been adequately addressed by the responses provided, does not detract from the fact that the listed activity is relevant to the unlawful development (i.e. unlawfully commenced). The listed activity is deemed to have been triggered / constituted and is not considered a technical trigger as referred to in the additional information (dated 03 March 2025). Therefore, you are advised that an **amended Section 24G application** that includes the adequate assessment of the consequences of the unlawful development located within the NPEAS must be provided.
- 4.4. This Directorate is in agreement and acknowledges that a duly dated and signed MMP has been subsequently submitted to this Directorate on 20 September 2024 by a previous EAP. The administrative database will be updated accordingly.
5. Considering the above, you are advised that an **amended Section 24G application** is required for further processing of the application. You are hereby informed that since the amended Section 24G application will result in significant changes to the existing final Section 24G application report, the amended Section 24G application **must be subjected to** another PPP of at least 20 days prior to submission for decision-making in terms of Section 24G of the NEMA.
- 5.1. The final amended Section 24G application form and updated final C&RR (if applicable) must be submitted to this Directorate for further processing.
6. Kindly quote the abovementioned reference number in any future correspondence in respect of this application.



Zaidah
Toefy

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MRS Z TOEFY

HEAD OF RECTIFICATION

DIRECTORATE: ENVIRONMENTAL GOVERNANCE

DATE: 20 MARCH 2025

Copy to: (1) Ms. A. Fritz-Whyte (PHS Consulting)
(2) Ms. R. Smart (CapeNature)
(3) Mr. R. Brunings (Swellendam Local Municipality)

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