

March 2026

DEA&DP Directorate Environmental Governance Ref: 14/2/4/1/E3/6/0002/26

Document Version: Pre-Application Draft

# NEMA Section 24G Application

**VEGETATION CLEARANCE, EXCAVATION AND DEVELOPMENT  
WITHIN A DISTANCE OF 100M INLAND OF THE HIGH-WATER MARK  
OF THE ESTUARY ON PORTION 54 OF FARM 516, POTTEBERG  
ESTATES, INFANTA.**



## **EAP Responsible for the application:**

Paul Slabbert (EAP) - EAPASA Reg. No. 2019/1036

Olivia Venter (Candidate EAP) - EAPASA Reg. No. 2023/6743



**IMPORTANT:** Kindly ensure that this checklist is completed and attached to the NEMA SECTION 24G Application.

Please indicate by ticking the following below to serve as confirmation that the required information has been included in the application.

No.	Application Requirements	Please tick for confirmation
1.	Requirements of Preliminary Advertisement (pre-application public participation requirements including register of all I&APs), in accordance with Annexure A, Section D of the Section 24G Fine Regulations. <b>(Note: Failure to meet the Regulation 8 will result in rejection of the application)</b>	First pre application PPP to be run from 3 April 2026 – 6 May 2026
2.	Application form has been completed and attached, which includes among others:	
	2.1. A list of all listed activities and/or waste management activities that was triggered when the development activity was commenced with.	✓
	2.2. A list of all <b>similarly listed</b> activities in terms of the current EIA regulations (if applicable).	✓
	2.3. A description of the receiving environment <b>before</b> commences of the activity(ies).	✓
	2.4. A description of the receiving environment <b>after</b> commences of the activity(ies).	✓
	2.5. All appendices and annexures:	
	2.5.1. Locality map	✓
	2.5.2. Site plans or/and Layout plan	✓
	2.5.3. Building plans (if applicable)	In Process
	2.5.4. Colour photographs	✓
	2.5.5. Biodiversity overlay map	✓
	2.5.6. Permit(s) / license(s) from any other organ of state including service letters from the municipality	
	2.5.7. Public participation information: including a copy of the register of interested and affected parties, the comments and responses report, proof of notices, advertisements, Land owner consent and any other public participation information	First pre application PPP to be run from 3 April 2026 – 6 May 2026
	2.5.8. Environmental Management Programme	✓
	2.5.9. Certified copy of Identity Document of Applicant	✓
	2.5.10. Certified copy of the title deed (or title deeds in the case of linear activities)	✓
	2.6. Signed declaration forms.	✓
3.	Are any specialist assessments required: e.g. Botanical, Hydro-geological, soil, socio-economic?	Y ✓   N
	3.1. If yes, has the specialist assessment report been attached to the application?	
	Botanical and Faunal Impact Assessment	✓
	Freshwater Assessment	✓
4.	An assessment of the impacts of the activity or activities in terms of the following categories:	
	• Socio-economic	✓
	• Biodiversity	✓
	• Sense of place &/or Heritage/ Cultural	✓



	<ul style="list-style-type: none"> <li>Any pollution or environmental degradation which has been, is being, is being or may be caused</li> </ul>	✓
5.	A methodology of how the investigation into the impacts associated with the unlawful activity was undertaken.	✓
6.	Completed and attached representations of Annexure A, Section A (Directives) in terms of the S24G Fine Regulations: Information/ Representation submitted in terms of any Directives the Minister/ decision maker may issue in terms of the National Environmental Management Act (Act 107 of 1998) (NEMA) s24G(1)(b)(i)-(viii).	✓
7.	Completed and attached representations in terms of Annexure A, Section B (Deferral) of the S24G Fine Regulations.	✓
8.	Completed and attached representations in terms of Annexure A, Section C, Part 1 (Fine Quantum based on the assessment as specified above (4).	✓
	Confirmation that Annexure A, Section C, Part 1 has been completed by an environmental assessment practitioner (EAP)	✓
9.	Compliance history of the applicant:	
	9.1. Completed Annexure A, Section C, Part 2 and 3; namely:	
	9.1.1. Whether or not administrative enforcement notices, including pre -notices where appropriate, have previously been issued to the applicant in respect of a contravention of section 24F(1) of the NEMA and/or section 20(b) of the National Environmental Management: Waste Act (Act 59 of 2008) (NEM: WA).	✓
	9.1.2. Whether or not the applicant has previously been convicted in respect of a contravention of section 24F(1) of the Act and /or section 20(b) of the NEM: WA;	✓
	9.1.3. Whether or not the applicant has previously submitted a section 24G application in respect of an activity or activities which commenced prior to the activity or activities that are the subject of the current application; and	✓
	9.1.4. Whether the applicant is a firm or a natural person. (see Section 24G Fine Regulations for definition of "firm")	✓
	9.2. Provided information or whether or not any of the directors of the applicant firm are, or were, at the relevant time, directors of a firm to whom the above (9.1.1. - 9.1.3.) applies;	✓
	9.3. Advise on whether an applicant who is a natural person is, or was, at the relevant time a director of a firm to whom the above (9.1.1.- 9.1.3.) may apply.	✓
10.	Consultation with relevant State departments in terms of section 24O(2) & 24O(3) of the NEMA.	First pre application PPP to be run from 3 April 2026 – 6 May 2026
	10.1 Proof of Consultation with relevant State departments, including, <i>inter alia</i> , notices, adverts etc.	
	10.2 Copies of comments and responses included in the application.	
	10.2 Comments and Response report attached to the application.	
11.	Public Participation Process undertaken in terms of Chapter 6 of the Environmental Impact Assessment Regulations, 2014 ("EIA Regulations, 2014") (GN No. R.326 of 7 April 2017) <b>(if conducted/undertaken)</b>	First pre application PPP to be run from 3 April 2026 – 6 May 2026



**Section 24G Application Form for the consequences of unlawful commencement of listed activity/ies in terms of the:**

- **National Environmental Management Act, 1998 (Act No. 107 of 1998), ("NEMA");**
- **National Environmental Management: Waste Act, 2008 (Act 59 of 2008) ("NEM: WA")**

**April 2018**

**Form Number S24GAF/04/2018**

**Kindly note that:**

1. This application must be submitted where a person has commenced with a listed or specified activity without an environmental authorisation in contravention of section 24F(1) of NEMA (i.e. where the person commenced with an activity listed or specified in terms of section 24(2) (a) or (b) of NEMA - the activities contained in the EIA Listing Notices) or has commenced, undertaken or conducted a waste management activity without a waste management licence in terms of section 20 (b) of the NEM:WA.
2. This **Application Form** must be completed for all section 24G applications, by an independent Environmental Assessment Practitioner ("EAP").
3. This Application Form is current as of 01 April 2018. It is the responsibility of the Applicant/EAP to ascertain whether subsequent versions of the Application Form have been published or produced by the competent authority. Note that this Application Form replaces all the previous versions. This updated Application Form must be used for all new applications submitted from 01 April 2018.

**4. The contents of this Application Form includes the following:**

**PART 1 -**

**Section A: Background Information**

**Section B: Activity Information**

**Section C: Description of Receiving Environment**

**Section D: Need and Desirability**

**Section E: Alternatives**

**Section F: Impact Assessment, Management, Mitigation and Monitoring Measures**

**Section G: Assessment Methodologies and Criteria, Gaps in Knowledge, underlying Assumptions and Uncertainties**

**Section H: Recommendations of the EAP**

**Section I: Representations - Response to an Incident or Emergency Situation**

**Section J: Public Participation Process**

**PART 2 –**

**ANNEXURE A of Fine Regulations**

**Section A: Directives**

**Section B: Deferral of the Application**

**Section C: Quantum of the section 24G fine**

**Section D: Preliminary advertisement**

**PART 3 –**

**Appendices and Declarations**

**PART 4 –**

**ANNEXURE B: Waste Management Activity Supporting Information (if relevant)**

5. An independent EAP must be appointed to complete the required sections (in terms of NEMA and its Regulations) of the Application Form on behalf of the applicant; the declaration of independence must be completed by the independent EAP and submitted with this Application Form. If a specialist report is required, the specialist will also be required to complete the declaration of independence.
6. Two hard copies (including the original) and one electronic copy (CD/DVD/Flash drive) of this application form must be submitted.

7. The required information must be typed within the spaces provided. The sizes of the spaces provided are not necessarily indicative of the amount of information to be provided. The space provided extend as each space is filled with typing. **A legible font type and size must be used when completing the form.** A digital copy of the Application Form is available on the Department's website <https://www.westerncape.gov.za/eadp/>
  8. The use of "not applicable" in the Application Form must be done with circumspection.
- 9. No faxed or e-mailed application forms will be accepted.**
10. Unless protected by law, all information contained in and attached to this application will become public information on receipt by the competent authority. Please note that, unless exemption has been granted in terms of the National Exemption Regulations published under GN R994 in GG 38303 of 8 December 2014, any Interested and Affected Party should be provided with the information contained in and attached to this Application Form as well as any subsequent information submitted.
  11. This Application Form must be submitted to the Department at the postal address given below or by delivery thereof to the Registry Office of the Department.

**PROCESS TO BE FOLLOWED:**

- a) **Prior to submission of an Application Form**, the applicant is required to undertake a pre-application public participation process in terms of Regulation 8 of the Regulations relating to the procedure to be followed and criteria to be considered when determining an appropriate fine in terms of section 24G published in the Government Gazette on 20 July 2017, Gazette No 40994, No. R. 698 ("Section 24G Fine Regulations").
- b) Together with the submission of a section 24G Application Form, the form **must include Proof of compliance with Regulation 8** of the Section 24G Fine Regulations, including, but not limited to, proof of the pre-application advertisement in a local newspaper and register of I&APs.
- c) The Department will acknowledge receipt of the application (within 14 days) and provide the Applicant / EAP with the relevant application reference number to be used in all future correspondence and the application public participation processes.
- d) Upon receipt of the application, the MEC/Competent Authority may direct the applicant in terms of section 24G(1)(i-viii) of the NEMA.
- e) In terms of the provisions of section 24G of NEMA, the applicant must pay an administrative fine up to a maximum of R5 million before the MEC/Competent Authority decides on the application.
- f) The applicant **must within 14 days** of receipt of the determination of the quantum of the fine, ensure that all registered interested and affected parties are notified of the determination of the quantum of the fine, including the reasons and provided with access to the determination.
- g) The administrative fine **must be paid within the time period stipulated** in the determination. Failure to pay the fine within the specified period, will result in the lapse of the application and any partial amounts paid in will not be refunded.
- h) **Proof of payment of the fine must be submitted to the Department.** Upon payment of the administrative fine, the MEC/Competent Authority may-
  - refuse to issue an environmental authorisation; or
  - issue an environmental authorisation to such person to continue, conduct or undertake the activity subject to such conditions as may be deemed necessary, which environmental authorisation shall only take effect from the date on which it has been issued; or
  - direct the applicant to provide further information or take further steps prior to making a decision provided for above;
  - together with the above decision the MEC/Competent Authority may direct a person to rehabilitate the environment within such time and subject to such conditions as may deem necessary or take any other steps necessary under the circumstances.

**PLEASE NOTE THE FOLLOWING:**

1. Failure to comply with a directive may result in the institution of appropriate legal action as is deemed necessary and as provided for in the legislation.
2. The submission of an application or the granting of an environmental authorisation shall in no way derogate from—

- (a) the environmental management inspector's or the South African Police Services' authority to investigate any transgression in terms of NEMA or any specific environmental management Act;
- (b) the National Prosecuting Authority's legal authority to institute any criminal prosecution.
3. If, at any stage after the submission of an application it comes to the attention of the Minister, Minister for mineral resources or MEC that the applicant is under criminal investigation for the contravention of or failure to comply with section 24F(1) or section 20(b) of the *National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008)*, the Minister, Minister for mineral resources or MEC may defer a decision to issue an environmental authorisation until such time that the investigation is concluded and—
- (a) the National Prosecuting Authority has decided not to institute prosecution in respect of such contravention or failure;
- (b) the applicant concerned is acquitted or found not guilty after prosecution in respect of such contravention or failure has been instituted; or
- (c) the applicant concerned has been convicted by a court of law of an offence in respect of such contravention or failure and the applicant has in respect of the conviction exhausted all the recognised legal proceedings pertaining to appeal or review.
4. A person is guilty of an offence if that person:
- Prior to submission of a section 24G application:
    - o fails, in terms of Regulation 8(1), to place a preliminary advertisement in a local newspaper in circulation in the area in which the activity was, or activities were, commenced and on the applicant's website, if any or
    - o fails, in terms of Regulation 8(2), to comply with the advertisement requirements set out in Annexure A, section D or
    - o fails, in terms of Regulation 8(3), to open and maintain a register of interested and affected parties)); or
    - o fails, in terms of Regulation 8(4), to attach to the application form the register of interested and affected parties, which must be included in the report, or form part of the information submitted in terms of section 24G(1) of NEMA.
  - Provides incorrect, false or misleading information in any form, including in any document submitted to a competent authority in terms of the Section 24G Fine Regulations or omits information that may have an influence on the outcome of a recommendation of the fine committee or determination of the competent authority.
5. A person convicted of an offence in terms of these Regulations is liable to a fine not exceeding R5 million or to imprisonment for a period not exceeding 5 years, and in the case of a second or subsequent conviction to a fine not exceeding R10 million or to imprisonment for a period not exceeding 10 years, and in both instances to both such fine and such imprisonment.
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**DEPARTMENTAL DETAILS**

Department of Environmental Affairs and Development Planning,  
**Directorate:** Environmental Governance  
**Attention:** Sub-directorate: Rectification  
 Private Bag X9086  
 Cape Town, 8000

Registry Office  
 1<sup>st</sup> Floor Utilitas Building  
 1 Dorp Street, Cape Town

Queries should be directed to the Sub-directorate: Rectification at:  
 Tel: (021) 483-5827 Fax: (021) 483-4033

**DEPARTMENTAL REFERENCE NUMBER(S)** (for official use)

File Reference number (S24G)	
Administrative Fine Reference	

**DEPARTMENTAL REFERENCE NUMBER(S)** (to be completed by the EAP)

File Reference number (Enforcement), if applicable	<b>24G Consultation:</b> 14/2/4/1/E3/6/0002/26
File reference number (EIA), if applicable:	<b>Compliance Notice:</b> 14/1/1/E2/8/9/3/0894/24
File reference number (Waste), if applicable:	<b>N/A</b>
File reference number (Other (specify)):	<b>N/A</b>

View the Department's website on <http://www.westerncape.gov.za/eadp> for the latest version of the documents

**PART 1**

**PROJECT TITLE**

**SECTION 24G APPLICATION FOR THE UNLAWFUL CLEARANCE OF INDIGENOUS VEGETATION, SOIL REMOVAL AND DEVELOPMENT WITHIN A DISTANCE OF 100M INLAND OF THE HIGH-WATER MARK OF THE ESTUARY ON PORTION 54 OF FARM 516, POTTEBERG ESTATES, INFANTA**

This Section 24G application is submitted in terms of the National Environmental Management Act (NEMA, Act 107 of 1998) to obtain retrospective Environmental Authorization for development activities undertaken on Portion 54 of Farm 516, Potteberg Estates, Infanta. The property is located in the Swellendam rural area, between Malgas and Infanta, approximately 13 kilometres northwest of Infanta, and borders the Breede River to the north. Access is provided via existing gravel roads off the Malgas/Infanta main gravel road.

The property lies within a rural landscape, with surrounding areas predominantly natural and impacted to varying degrees by alien invasive vegetation. Historically, the site has been used for residential purposes. The current owner intends to continue this residential use through the expansion of the existing main dwelling and the construction of a caretaker's cottage.

In February 2024, development activities—including vegetation clearance, excavation, and construction within 100 metres of an estuary—were undertaken without the required Environmental Authorization. In total, approximately 0.4 ha of vegetation has been removed across three disturbance footprints:

- Footprint 1: Approximately 0.24 ha cleared around the existing main dwelling in the north-eastern portion of the property
- Footprint 2: Approximately 0.12 ha cleared within a floodplain saltmarsh located south-west of the main dwelling
- Footprint 3: Approximately 0,02ha of clearing undertaken in the southern portion of the property adjacent to the access road.

Prior to the unlawful clearing, the property contained an existing main dwelling, terraced structures and an associated access road network. The total disturbance footprint associated with this existing main dwelling was

approximately 1443 m<sup>2</sup>.

The following activities have already taken place on site and form part of this Section 24G application:

- Unlawful clearing and levelling of approximately 0.24 ha (2363 m<sup>2</sup>) around the existing main dwelling (Footprint 1) – *to be retained*.
- Unlawful clearing and soil removal of approximately 0.12 ha (1206 m<sup>2</sup>) within the floodplain saltmarsh (Footprint 2) – *to be rehabilitated*.
- Unlawful clearing of approximately 0.02 ha (267 m<sup>2</sup>) in the southern portion of the property adjacent to the access road (Footprint 3) – *200m<sup>2</sup> to be retained*.
- Construction of an approximately 64 m<sup>2</sup> double garage within Footprint 1 – *to be retained*.
- Construction of an approximately 8 m<sup>2</sup> pumphouse within Footprint 1 – *to be retained*.
- Construction of an approximately 36 m<sup>2</sup> caretaker's cottage within Footprint 3 – *to be retained*.

The following activities are linked to the unlawful works on site and form part of this Section 24G application:

- Proposed additions to the existing main dwelling within Footprint 1, comprising a bedroom extension (approximately 72 m<sup>2</sup>), a roofed deck area (approximately 164 m<sup>2</sup>), and a carport (approximately 54 m<sup>2</sup>).
- Landscaping with primarily indigenous vegetation within all remaining disturbed portions of Footprints 1 and 3 not occupied by structures or access roads.
- Rehabilitation of the floodplain saltmarsh within Footprint 2, where unauthorised clearing occurred and where no development is proposed.

**RELEVANT REGION IN WHICH THE ACTIVITY COMMENCED**

Cross out the appropriate box "☒" in which region the unlawful activity/ies has commenced.

REGION 1 City of Cape Town and West Coast District	<b>REGION 2</b> <b>Cape Winelands District and Overberg District</b>	REGION 3 Central Karoo District and Eden District
	<b>X</b>	

**SECTION A: BACKGROUND INFORMATION**

**1. APPLICANT PROFILE INDEX**

Cross out the appropriate box "☒".

1.1	The applicant is a Natural Person (individual)					
1.2	The applicant is a Firm (i.e. any body incorporated by, or established in terms of, any law as well as any partnership, trust, parastatal or organ of state)					<b>X</b>
1.2.1	If a firm, please tick the relevant box below:					
	Body Corporate	Partnership	Trust	Parastatal	Organ of State	
	<b>Directors of a Company X</b>	Members of a Board	Other, please specify			

<b>Applicant's details</b> (duplicate this section where there is more than one applicant)	
Applicant Name:	WABD Investments (Pty) Ltd
RSA Identity Number/ Passport Number of Applicant, if natural person:	n/a
Name of Firm (if applicable):	WABD Investments (Pty) Ltd

Firm Registration Number:	2021 / 526880 / 07		
Contact Person at the Firm:	Warwick Leslie		
List of all (as applicable at the relevant time):	Please insert the names and RSA ID numbers of the relevant persons below –		
Directors of a company	Name: Warwick Douglas Leslie RSA ID No. 8005115045081		
	Name: Angeliques Leslie RSA ID No. 8201030043083		
Postal address:	Blomvlei Rd, Nerissa estate, Cape Town		
		Postal code:	7780
Telephone:	n/a	Cell:	0217033028
E-mail:	warwick@alu-cab.co.za	Fax:	n/a
<b>Project Consultant</b>			
Contact person:			
Postal address:			
		Postal code:	
Telephone:	( )	Cell:	
E-mail:		Fax:	( )
<b>Name of the Environmental Assessment Practitioner (“EAP”) responsible for the application:</b>	Paul Slabbert (EAP) Olivia Venter (Candidate EAP)		
Company name (if any):	PHS Consulting		
Postal address:	PO Box 1752, Hermanus		
		Postal code:	720
Telephone:	028 312 1734	Cell:	082 740 8046
E-mail:	<a href="mailto:paul@phsconsulting.co.za">paul@phsconsulting.co.za</a> <a href="mailto:olivia@phsconsulting.co.za">olivia@phsconsulting.co.za</a>	Fax:	086 508 3249
EAP Qualifications	Paul Slabbert: B Art Et Science Olivia Venter: BSc Conservation Ecology		
EAP Registrations/Associations	Paul Slabbert: EAPASA Reg 2019-1036 (EAP) Olivia Venter: EAPASA Reg 2023/6743 (Candidate EAP)		
<b>Name of the Landowner:</b>	WABD Investments (Pty) Ltd		
Name of the contact person for the land owner (if other):	Warwick Leslie		
Postal address:	Blomvlei Rd, Nerissa estate, Cape Town		
		Postal code:	7780
Telephone:	n/a	Cell:	0217033028
E-mail:	warwick@alu-cab.co.za	Fax:	n/a
Person in control of land:	Warwick Leslie		

Contact person:	Warwick Leslie		
Postal address:	6 Almond Close, Dennendal Tokai		
		Postal code:	7945
Telephone:	n/a	Cell:	0827757620
E-mail:	warwick@alu-cab.co.za	Fax:	n/a

**Please note:**

In instances where there is more than one landowner, please attach a list of landowners with their contact details to the back of this form.

A certified copy of the applicant's (if natural person), alternatively a director's (as defined), Identity Document must be attached to the application.

A certified copy of the title deed of the property/s on which the unlawful listed activity/ies has commenced must be attached to the application.

Municipality in whose area of jurisdiction the activity falls:	Swellendam Local Municipality		
Contact person, if known:	Ron Brunings		
Postal address:	PO Box 20, SWELLENDAM,		
		Postal code:	6740
Telephone:	028 514 8500	Cell:	
E-mail:	<a href="mailto:rbrunings@swellendam.gov.za">rbrunings@swellendam.gov.za</a>	Fax:	028 514 2694

**Please note:**

In instances where there is more than one Municipality involved, please attach a list of Municipalities with their respective contact details to the form.

Property location(s):	The farm falls within the Swellendam rural area between Malgas and Infanta, approximately 13 kilometres northwest of Infanta and borders the Breede River which is located to the north of the property (refer Appendix A and Figure 1 below).		
Farm/Erf name(s) & number(s) including portion(s)	Portion 54 of Farm 516, The Potteberg Estates, Infanta		
Property size(s) (m <sup>2</sup> )	23,81ha		
Development footprint size(s) (m <sup>2</sup> )	Approximately 0,4ha		
SG21 Digit code(s)	C0730000000051600054		

**Property boundary (refer Figure 1 below):**

Point	Latitude (S)	Longitude (E)
1	34°22'36.70"S	20°42'53.72"E
2	34°22'43.04"S	20°43'5.85"E
3	34°23'6.99"S	20°42'53.20"E
4	34°22'56.43"S	20°42'44.92"E

**The co-ordinates for Cleared Area 1 are (refer figure 1 below):**

Point	Latitude (S)	Longitude (E)
1	34°22'42.63"S	20°42'58.22"E
2	34°22'43.38"S	20°42'57.13"E
3	34°22'45.72"S	20°43'0.80"E
4	34°22'44.46"S	20°43'1.28"E

**The co-ordinates for Cleared Area 2 are (refer figure 1 below):**

Point	Latitude (S)	Longitude (E)
1	34°22'44.78"S	20°42'53.25"E
2	34°22'45.93"S	20°42'52.66"E
3	34°22'46.20"S	20°42'53.40"E
4	34°22'44.95"S	20°42'54.10"E

The co-ordinates for Cleared Area 3 are (refer figure 1 below):

Point	Latitude (S)	Longitude (E)
1	34°23'0.89"S	20°42'54.93"E
2	34°23'1.26"S	20°42'54.91"E
3	34°23'1.50"S	20°42'55.33"E
4	34°23'0.88"S	20°42'55.66"E

\*Please note: The coordinates provided do not represent the exact shape of the cleared areas but merely serve to provide an indication of location and extent. A kml of exact shapes can be provided upon request. Please see Figure 1 below for a locality map.

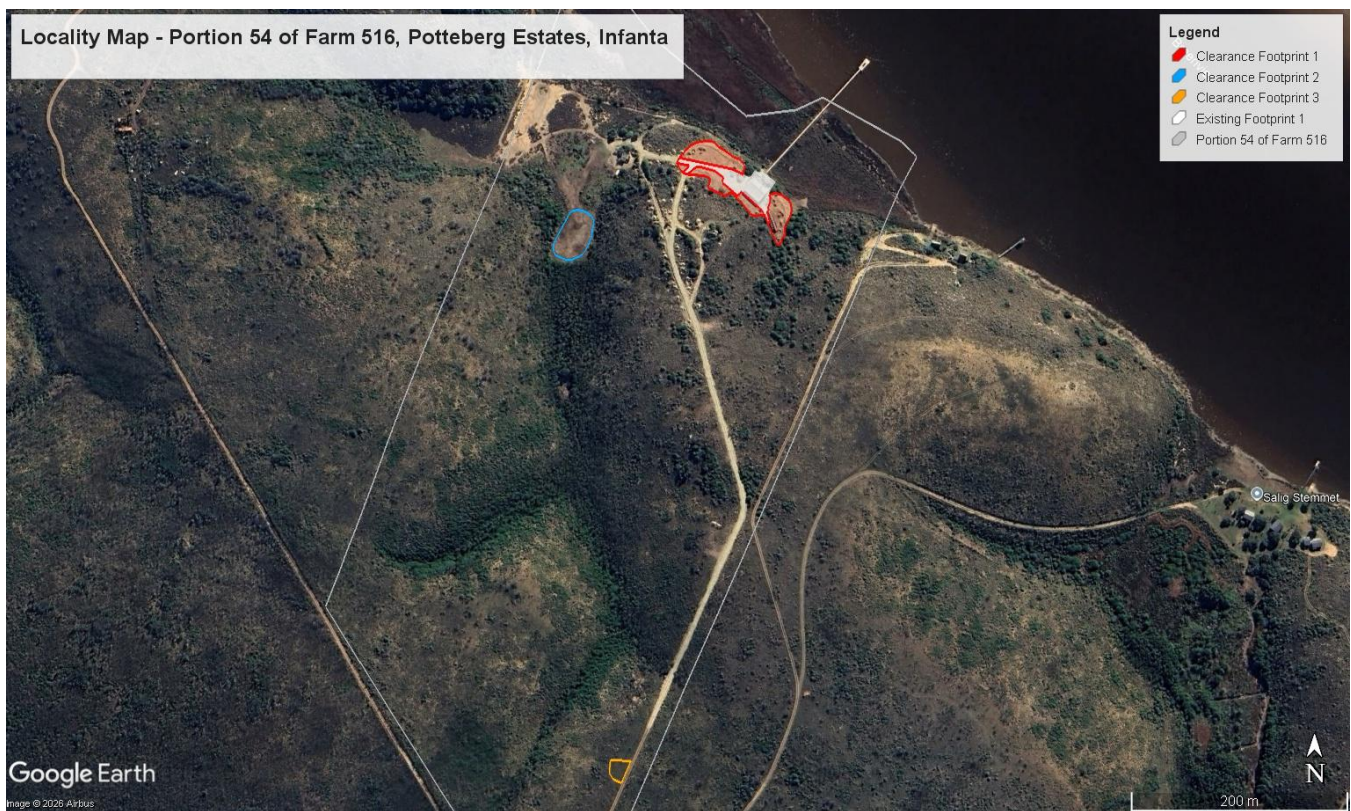


Figure 1: Locality Map - Clearance on Portion 54 of Farm 516, Potteberg Estates, Infanta

Please note:

Where numerous properties/sites are involved (e.g. linear activities), attach a list of property descriptions and street addresses to the consultation form.

Street address:	Portion 54 of Farm 516, The Potteberg Estates, Infanta. The farm falls within the Swellendam rural area between Malgas and Infanta and borders the Breede River which is located to the north of the property. Access is via a dirt road.		
Magisterial District or Town:	Swellendam		
Closest City/Town:	Infanta	Distance	±13 km
Zoning of Property:	Agricultural		

Please note:

In instances where there is more than one zoning applicable, please attach a list or map of the properties indicating their

respective zoning to the Application Form.

Was the property rezoned after commencement of activities?		YES	<b>NO X</b>
If yes, what was the previous zoning?			
n/a			
Is a rezoning application required?		YES	<b>NO X</b>
Is a consent use application required?		YES	<b>NO X</b>
Locality map:	<p>A locality map must be attached to the Application Form as an appendix. The scale of the locality map must be at least 1:50 000. For linear activities of more than 25 kilometres, a smaller scale e.g. 1:250 000 can be used. The scale must be indicated on the map. The map must indicate the following:</p> <ul style="list-style-type: none"> <li>• an accurate indication of the project site position as well as the positions of the alternative sites, if any;</li> <li>• road names or numbers of all the major roads as well as the roads that provide access to the site(s)</li> <li>• a north arrow;</li> <li>• a legend;</li> <li>• the prevailing wind direction; and</li> <li>• GPS co-ordinates (Indicate the position of the proposed activity using the latitude and longitude of the centre point of the site for each alternative site. The co-ordinates should be in degrees and decimal minutes. The minutes should have at least three decimals to ensure adequate accuracy. The projection that must be used in all cases is the WGS-84 spheroid in a national or local projection)</li> </ul>		
Landowner(s) Consent:	<p>If the applicant is not the owner or person in control of the land on which the activity has been undertaken, he/she must obtain written consent from all landowners or persons in control of the land (of the site and all alternative sites). This must be attached to this document as Appendix G. Such consent must indicate whether or not the owner or person in control of the land would support approval of the application and that the land need not be rehabilitated.</p> <p><b>Note:</b> The consent of the landowner or person in control of the land is not required for: a) linear activities; b) an activity directly related to prospecting or exploration of a mineral and petroleum resource or extraction and primary processing of a mineral resource; or c) strategic integrated projects ("SIPs") as contemplated in the <i>Infrastructure Development Act, 2014 (Act No. 23 of 2014)</i>.</p>		

**2. APPLICATION HISTORY**

(Cross out the appropriate box "X" and provide a description where required).

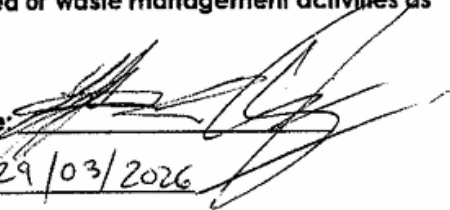
Has any national, provincial or local authority considered any development applications on the property previously?	Yes	<b>No X</b>
<b>Swellendam Building Control confirmed they do not have anything on record for this property.</b>		
If so, please give a brief description of the type and/or nature of the application/s as well as a reference number, if applicable: (In instances where there was more than one application, please attach a list of these applications)		
Which authority considered the application:		
Has <u>any</u> one of the previous application/s on the property been approved <b>or</b> refused?		
If so provide a list of the successful and unsuccessful application/s and the reasons for decision(s).	Yes	No
Provide detail on the period of validity of decision and expiry dates of the above applications/ permits etc.		

SECTION B: ACTIVITY INFORMATION

1. ACTIVITIES APPLIED FOR

I hereby apply in terms of section 24G of the National Environmental Management Act (Act 107 of 1998) for the regularisation of the unlawful commencement or continuation of the listed or waste management activities as specified in Section B:1 below.


Applicant (Full names): WABD Investments (Pty) Ltd

Signature: 

Place: Tokai

Date: 29/03/2026

EAP (Full names): Paul Slabbert

Signature: 

Place: Hermanus

Date: 16/03/2026

All listed activities associated with the development must be indicated below.

1.1 Applicable EIA listed activities

ECA EIA Contraventions: between 08 September 1997 and end of 09 May 2002			
Activities commenced with on or after 08 September 1997 and before end 09 May 2002: EIA regulations promulgated in terms of the ECA, Act 73 of 1989			
Government Notice No. ("GN") R1182 Activity No(s):	Describe the relevant listed activity/ies in writing as per GN No. 1182 of 1997	Describe the portion of the development as per the project description that relates to the applicable listed activity.	State the date of commencement of each activity
None Applicable			

ECA EIA Contraventions: between 10 May 2002 and end of 02 July 2006			
Activities unlawfully commenced with on or after 10 May 2002 and before end 02 July 2006: EIA regulations promulgated in terms of the ECA, Act 73 of 1989,			
None Applicable			

NEMA EIA Contraventions: between 03 July 2006 and end of 01 August 2010			
Activities unlawfully commenced with on or after 03 July 2006 and before end 01 August 2010: EIA regulations promulgated in terms of the NEMA			
GN R386 Activity No(s): (Listing Notice 1 of 2006)	Describe the relevant listed activity/ies in writing as per GN No. R. 386 of 2006 ("NEMA 2006 Basic Assessment listed activity/ies")	Describe the portion of the development as per the project description that relates to the applicable listed activity.	State the date of commencement of each activity
None Applicable			
Government Notice No. R387 Activity No(s): (Listing Notice 2 of 2006)	Describe the relevant listed activity/ies in writing as per GN No. R. 387 of 2006 ("NEMA 2006 Scoping/EIA listed activity/ies")	Describe the portion of the development as per the project description that relates to the applicable listed activity.	State the date of commencement of each activity
None Applicable			

NEMA EIA Contraventions: between 02 August 2010 and end of 07 December 2014			
Activities unlawfully commenced with on or after 02 August 2010 and before end 07 December 2014: EIA regulations promulgated in terms of the NEMA, Act 107 of 1998,			
GN No. R. 544 Activity No(s): (Listing Notice 1 of 2010)	Describe the relevant listed activity(ies) in writing as per GN No. R. 544 of 2010 ("NEMA 2010 Basic Assessment listed activity/ies")	Describe the portion of the development as per the project description that relates to the applicable listed activity.	State the date of commencement of each activity

None Applicable			
GN No. R. 545 Activity No(s): <b>(Listing Notice 2 of 2010)</b>	Describe the relevant listed activity/ies in writing as per GN No. R. 545 of 2010. (NEMA 2010 Scoping/EIA listed activity/ies")	Describe the portion of the development as per the project description that relates to the applicable listed activity.	State the date of commencement of each activity
None Applicable			
GN No. R. 546 Activity No(s): <b>(Listing Notice 3 of 2010)</b>	Describe the relevant listed Activity(ies) in writing as per GN No. R. 546 of 2010	Describe the portion of the development as per the project description that relates to the applicable listed activity.	State the date of commencement of each activity
None Applicable			

<b>NEMA EIA Contraventions: on or after 08 December 2014</b>			
<b>Activities unlawfully commenced with on or after 08 December 2014: EIA regulations promulgated in terms of the NEMA, Act 107 of 1998,</b>			
GN No. R. 327 Activity No(s): <b>(Listing Notice 1 of 2014)</b>	Describe the relevant listed activity(ies) in writing as per GN No. R.327 of 2014  ("NEMA 2014 Basic Assessment listed activity/ies")	Describe the portion of the development as per the project description that relates to the applicable listed activity.	State the date of commencement of each activity
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; [or]  (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.	The development activities included the removal of more than 10 cubic meters of soil from within Footprint 2 which is delineated as within a Floodplain Saltmarsh wetland. None of the exclusions are applicable.	February 2024
Activity 19A	The infilling or depositing of any material of more than 5 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 5 cubic metres from—  (i) the seashore;  (ii) the littoral active zone, an estuary or a distance of 100 metres inland of the high-water mark of the sea or an estuary, whichever distance is the greater; or  (iii) the sea; —  but excluding where such infilling, depositing, dredging, excavation, removal	Clearance Footprint 1 is located within 100 m from the HWM of the Breede River Estuarine Functional Zone. The excavation of soil and rock to expand the existing platform for the construction of the garage, water tanks, pumphouse, proposed expansions to the existing residential dwelling and associated infrastructure equate to more than 5 cubic metres. None of the exclusion are applicable.	February 2024

	<p>or moving—</p> <ul style="list-style-type: none"> <li>(a) will occur behind a development setback;</li> <li>(b) is for maintenance purposes undertaken in accordance with a maintenance management plan;</li> <li>(c) falls within the ambit of activity 21 in this Notice, in which case that activity applies;</li> <li>(d) occurs within existing ports or harbours that will not increase the development footprint of the port or harbour; or 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.</li> </ul>		
Activity 54	<p>The expansion of facilities—</p> <ul style="list-style-type: none"> <li>(i) in the sea;</li> <li>(ii) in an estuary;</li> <li>(iii) within the littoral active zone;</li> <li>(iv) in front of a development setback; or</li> <li>(v) if no development setback exists, within a distance of 100 metres inland of the high-water mark of the sea or an estuary, whichever is the greater;</li> </ul> <p>in respect of—</p> <ul style="list-style-type: none"> <li>(a) fixed or floating jetties and slipways;</li> <li>(b) tidal pools;</li> <li>(c) embankments;</li> <li>(d) rock revetments or stabilising structures including stabilising walls; or</li> <li>(e) [buildings where the building is expanded by 50 square metres or more; or] [</li> <li>(f) infrastructure or structures where the development footprint is expanded by 50 square metres or more,</li> </ul> <p>but excluding—</p> <ul style="list-style-type: none"> <li>(aa) the expansion of infrastructure or structures within existing ports or harbours that will not increase the development footprint of the port or harbour; or</li> <li>(bb) where such expansion occurs within an urban area.</li> </ul>	<p>The works include the expansion of the existing main dwelling through the construction of an approximately 64 m<sup>2</sup> double garage and an 8 m<sup>2</sup> pump room. In addition, proposed additions to the existing main dwelling within Footprint 1 comprise a bedroom extension (approximately 72 m<sup>2</sup>), a roofed deck area (approximately 164 m<sup>2</sup>), and a carport (approximately 54 m<sup>2</sup>).</p> <p>All of these structures are located within 100 metres inland of the high-water mark of the Breede River Estuarine Functional Zone. The newly constructed garage and pump room, together with the proposed additions to the main dwelling, exceed the 50 m<sup>2</sup> threshold and therefore trigger the listed activity.</p>	February 2024
GN No. R. 325 Activity No(s): <b>(Listing Notice 2 of 2014)</b>	Describe the relevant listed activity(ies) in writing as per GN No. R.325 of 2014 ("NEMA 2014 Scoping/EIA listed activity/ies")	Describe the portion of the development as per the project description that relates to the applicable listed activity.	State the date of commencement of each activity
None Applicable			
GN No. R. 324 Activity	Describe the relevant listed activity(ies) in writing as per GN No. R.324 of 2014	Describe the portion of the development as per the project description that relates to	State the date of commencement

No(s): <b>(Listing Notice 3 of 2014)</b>		the applicable listed activity.	of each activity
Activity 12	<p>The clearance of an area of 300 square metres or more of indigenous vegetation except where such clearance of indigenous vegetation is required for maintenance purposes undertaken in accordance with a maintenance management plan.</p> <p>i. Western Cape</p> <ul style="list-style-type: none"> <li>(i) Within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA or prior to the publication of such a list, within an area that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004;</li> <li>(ii) Within critical biodiversity areas identified in bioregional plans;</li> <li>(iii) Within the littoral active zone or 100 metres inland from high water mark of the sea or an estuarine functional zone, whichever distance is the greater, excluding where such removal will occur behind the development setback line on erven in urban areas;</li> <li>(iv) On land, where, at the time of the coming into effect of this Notice or thereafter such land was zoned open space, conservation or had an equivalent zoning; or</li> <li>(v) On land designated for protection or conservation purposes in an Environmental Management Framework adopted in the prescribed manner, or a Spatial Development Framework adopted by the MEC or Minister.</li> </ul>	<p>The development activities undertaken onsite include the clearance of approximately 0.4 ha of indigenous vegetation from three footprints:</p> <ul style="list-style-type: none"> <li>• Footprint 1: Approximately 0.24 ha cleared around the existing main dwelling in the north-eastern portion of the property</li> <li>• Footprint 2: Approximately 0.12 ha cleared within a floodplain saltmarsh located south-west of the main dwelling</li> <li>• Footprint 3: Approximately 0,02ha of clearing undertaken in the southern portion of the property adjacent to the access road.</li> </ul> <p>All three clearance footprints are located within a critically endangered ecosystem (Potberg Ferricrete Fynbos) classified as critical biodiversity areas. Footprint 1 is also located within 100m inland from the Breede River Estuarine functional zone.</p>	February 2024

Please ensure that you have provided the similarly listed activities if the listed activities were commenced before the period the EIA Regulations came into effect, i.e. before 08 December 2014.

1.2 Applicable Waste Management Activities

List the relevant waste management activity/ies applied for:

<b>Waste Management Activity Contraventions: On or after 03 July 2007 up to end of 28 November 2013</b>			
<b>Activities unlawfully commenced with in terms of GNR 718 of 03 July 2009 under the National Environmental Management Waste Act, Act 59 of 2008</b>			
GN No. 718 – Category A Activity No(s):	Describe the relevant <u>Category A</u> waste management activity/ies in writing.	Describe the portion of the development as per the project description that relates to the applicable waste activity.	State the date of commencement of each activity
None Applicable			
GN No. 718 – Category B Activity No(s):	Describe the relevant <u>Category B</u> waste management activity/ies in writing.	Describe the portion of the development as per the project description that relates to the applicable waste activity.	State the date of commencement of each activity
None Applicable			

<b>Waste Management Activity Contraventions: On or after 29 November 2013</b>			
<b>Activities unlawfully commenced with in terms of GNR 921 of 29 November 2013 under the National Environmental Management Waste Act, Act 59 of 2008,</b>			
GN No. 921 -	Describe the relevant <u>Category A</u> waste	Describe the portion of the	State the date of

Category A Activity No(s):	management activity/ies in writing.	development as per the project description that relates to the applicable waste activity.	commencement of each activity
None Applicable			
GN No. 921 – Category B Activity No(s):	Describe the relevant <u>Category B</u> waste management activity/ies in writing.	Describe the portion of the development as per the project description that relates to the applicable waste activity.	State the date of commencement of each activity
None Applicable			

**Please note:**

**The National Department of Environmental Affairs is the competent authority for activities regarded as hazardous waste. Such activities must be indicated as hazardous waste in the abovementioned lists.**

**Only those activities listed above shall be considered for authorisation. The onus is on the applicant to ensure that all applicable listed activities are included in the application. If a specific listed activity is not included in an Environmental Authorisation, an application for amendment or a new application for Environmental Authorisation will have to be submitted.**

1.3 Activities listed similarly in terms of the EIA Regulations

Kindly indicate the listed activities in terms of the EIA Regulations that is listed similar to the unlawfully commenced activities. The descriptions provided below must clearly state why the activity/development is still similarly listed in terms of the EIA Regulations, 2014.

The similarly listed activities in terms of the EIA Regulations promulgated in terms of the NEMA, Act 107 of 1998,		
GN No. R. 327 Activity No(s): <b>(Listing Notice 1 of 2014)</b>	Describe the relevant listed activity(ies) in writing as per GN No. R.327 of 2014 ("NEMA 2014 Basic Assessment listed activity/ies")	Describe the portion of the development as per the project description that relates to the applicable listed activity.
Activity 19	<p>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</p> <p>but excluding where such infilling, depositing, dredging, excavation, removal or moving—</p> <ul style="list-style-type: none"> <li>(i) will occur behind a development setback;</li> <li>(ii) is for maintenance purposes undertaken in accordance with a maintenance management plan; [or]</li> <li>(iii) falls within the ambit of activity 21 in this Notice, in which case that activity applies;</li> <li>(iv) occurs within existing ports or harbours that will not increase the development footprint of the port or harbour; or</li> <li>(v) 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.</li> </ul>	The development activities included the removal of more than 10 cubic meters of soil from within Footprint 2 which is delineated as within a Floodplain Saltmarsh wetland. None of the exclusions are applicable.
Activity 19A	<p>The infilling or depositing of any material of more than 5 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 5 cubic metres from—</p> <ul style="list-style-type: none"> <li>(i) the seashore;</li> <li>(ii) the littoral active zone, an estuary or a distance of 100 metres inland of the high-water mark of the sea or an estuary, whichever distance is the greater; or</li> <li>(iii) the sea; —</li> </ul> <p>but excluding where such infilling, depositing,</p>	Clearance Footprint 1 is located within 100 m from the HWM of the Breede River Estuarine Functional Zone. The excavation of soil and rock to expand the existing platform for the construction of the garage, water tanks, pumproom, proposed expansions to the existing residential dwelling and associated infrastructure equate to more than 5 cubic metres. None of the exclusion are applicable.

	<p>dredging, excavation, removal or moving—</p> <ul style="list-style-type: none"> <li>(a) will occur behind a development setback;</li> <li>(b) is for maintenance purposes undertaken in accordance with a maintenance management plan;</li> <li>(c) falls within the ambit of activity 21 in this Notice, in which case that activity applies;</li> <li>(d) occurs within existing ports or harbours that will not increase the development footprint of the port or harbour; or</li> <li>(e) such development is related to the development of a port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies.</li> </ul>	
Activity 54	<p>The expansion of facilities—</p> <ul style="list-style-type: none"> <li>(i) in the sea;</li> <li>(ii) in an estuary;</li> <li>(iii) within the littoral active zone;</li> <li>(iv) in front of a development setback; or</li> <li>(v) if no development setback exists, within a distance of 100 metres inland of the high-water mark of the sea or an estuary, whichever is the greater;</li> </ul> <p>in respect of—</p> <ul style="list-style-type: none"> <li>(a) fixed or floating jetties and slipways;</li> <li>(b) tidal pools;</li> <li>(c) embankments;</li> <li>(d) rock revetments or stabilising structures including stabilising walls; or</li> <li>(e) [buildings where the building is expanded by 50 square metres or more; or] [</li> <li>(f) infrastructure or structures where the development footprint is expanded by 50 square metres or more,</li> </ul> <p>but excluding—</p> <ul style="list-style-type: none"> <li>(aa) the expansion of infrastructure or structures within existing ports or harbours that will not increase the development footprint of the port or harbour; or</li> <li>(bb) where such expansion occurs within an urban area.</li> </ul>	<p>The works include the expansion of the existing main dwelling through the construction of an approximately 64 m<sup>2</sup> double garage and an 8 m<sup>2</sup> pump room. In addition, proposed additions to the existing main dwelling within Footprint 1 comprise a bedroom extension (approximately 72 m<sup>2</sup>), a roofed deck area (approximately 164 m<sup>2</sup>), and a carport (approximately 54 m<sup>2</sup>).</p> <p>All of these structures are located within 100 metres inland of the high-water mark of the Breede River Estuarine Functional Zone. The newly constructed garage and pump room, together with the proposed additions to the main dwelling, exceed the 50 m<sup>2</sup> threshold and therefore trigger the listed activity.</p>
GN No. R. 325 Activity No(s): <b>(Listing Notice 2 of 2014)</b>	Describe the relevant listed activity(ies) in writing as per GN No. R.325 of 2014 ("NEMA 2014 Scoping/EIA listed activity/ies")	Describe the portion of the development as per the project description that relates to the applicable listed activity.
<b>Not applicable</b>		
GN No. R. 324 Activity No(s): <b>(Listing Notice 3 of 2014)</b>	Describe the relevant listed activity(ies) in writing as per GN No. R.324 of 2014	Describe the portion of the development as per the project description that relates to the applicable listed activity.
Activity 12	The clearance of an area of 300 square metres or more of indigenous vegetation except where such clearance of indigenous vegetation is required for maintenance purposes undertaken	<p>The development activities undertaken onsite include the clearance of approximately 0.4 ha of indigenous vegetation from three footprints:</p> <ul style="list-style-type: none"> <li>• Footprint 1: Approximately 0.24 ha cleared around the</li> </ul>

	<p>in accordance with a maintenance management plan.</p> <p>i. Western Cape</p> <p>(i) Within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA or prior to the publication of such a list, within an area that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004;</p> <p>(ii) Within critical biodiversity areas identified in bioregional plans;</p> <p>(iii) Within the littoral active zone or 100 metres inland from high water mark of the sea or an estuarine functional zone, whichever distance is the greater, excluding where such removal will occur behind the development setback line or erven in urban areas;</p> <p>(iv) On land, where, at the time of the coming into effect of this Notice or thereafter such land was zoned open space, conservation or had an equivalent zoning; or</p> <p>(v) On land designated for protection or conservation purposes in an Environmental Management Framework adopted in the prescribed manner, or a Spatial Development Framework adopted by the MEC or Minister.</p>	<p>existing main dwelling in the north-eastern portion of the property</p> <ul style="list-style-type: none"> <li>• Footprint 2: Approximately 0.12 ha cleared within a floodplain saltmarsh located south-west of the main dwelling</li> <li>• Footprint 3: Approximately 0,02ha of clearing undertaken in the southern portion of the property adjacent to the access road.</li> </ul> <p>All three clearance footprints are located within a critically endangered ecosystem (Potberg Ferricrete Fynbos) classified as critical biodiversity areas. Footprint 1 is also located within 100m inland from the Breede River Estuarine functional zone.</p>
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**Please note:**

**Where approvals for the activity have been obtained in terms of any other legislation (e.g. National Water Act, Act 36 of 1998), certified copies of such approvals must be attached to this form.**

**2. ACTIVITY DESCRIPTION**

(Cross out the appropriate box "☒" and provide a description where required).

Is/are the activity(ies) complete or is/are the activity(ies) still to be completed?	Completed	<b>Incomplete X</b>
(a) Is/was the project a new development or an upgrade of an existing development? Also indicate the date (e.g. 2 August 2010) when the activity commenced <u>as well as</u> the original date of commencement if the application is an upgrade.	<b>New X</b>	<b>Upgrade X</b>

Prior to the unlawful clearing, the property contained an existing main dwelling, terraced structures and an associated access road network. The total disturbance footprint associated with this existing main dwelling was approximately 1443m<sup>2</sup>. Historic aerial imagery from confirms that the main road network was present onsite as early as 1981 while the existing dwelling and its associated disturbance footprint was present onsite by the year 2000. The clearing and excavation within Footprint 1 are therefore an upgrade of an existing development. The clearing and development within Footprint 2 and Footprint 3 are new. The current works commenced onsite in February 2024.

(b) Clearly describe the activity and associated infrastructure commenced with, indicating what has been completed and what still has to be completed.

Unlawful clearing of indigenous vegetation, excavation and development 100 m from the estuary has taken place on Portion 54 of Farm Potteberg Estates No. 516, Infanta, without the required Environmental Authorisation. In total, approximately 0.4 ha of vegetation has been removed across three disturbance footprints.

The following activities have already taken place on site and form part of this Section 24G application:

- Unlawful clearing and levelling of approximately 0.24 ha around the existing main dwelling in the north-eastern portion of the property (Footprint 1) – *to be retained*.
- Unlawful clearing and soil removal of approximately 0.12 ha within a floodplain saltmarsh located south-west of the main dwelling (Footprint 2) – *to be rehabilitated*.
- Unlawful clearing of approximately 0.02 ha ( $\pm 267 \text{ m}^2$ ) in the southern portion of the property adjacent to the access road (Footprint 3) –  $\pm 200 \text{ m}^2$  *to be retained*.
- Construction of an approximately  $64 \text{ m}^2$  double garage within Footprint 1 – *to be retained*.
- Construction of an approximately  $8 \text{ m}^2$  pumphouse within Footprint 1 – *to be retained*.
- Construction of an approximately  $36 \text{ m}^2$  caretaker's cottage within Footprint 3 – *to be retained*.

The following activities are linked to the unlawful works on site and form part of this Section 24G application:

- Proposed additions to the existing main dwelling within Footprint 1, comprising a bedroom extension (approximately  $72 \text{ m}^2$ ), a roofed deck area (approximately  $164 \text{ m}^2$ ), and a carport (approximately  $54 \text{ m}^2$ ).
- The applicant did not intend for Footprint 2 (floodplain saltmarsh) to be disturbed, and the clearance occurred solely at the discretion of the contractor. No development is planned for this footprint, and it will be rehabilitated to restore its ecological function.
- Landscaping with primarily indigenous vegetation within all undeveloped disturbed portions of Footprints 1 and 3.

(c) Please provide details of all components of the activity and attach diagrams (e.g. architectural drawings or perspectives, engineering drawings, process flow charts etc.).

Buildings	YES X	NO
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Provide brief description:

The work already completed onsite includes:

- A  $\pm 64 \text{ m}^2$  double garage within Footprint 1
- A  $\pm 8 \text{ m}^2$  pumphouse within Footprint 1
- A  $\pm 36 \text{ m}^2$  caretaker's cottage within Footprint 3

The work proposed onsite includes:

- Proposed additions to the existing main dwelling within Footprint 1, comprising a bedroom extension (approximately  $72 \text{ m}^2$ ), a roofed deck area (approximately  $164 \text{ m}^2$ ), and a carport (approximately  $54 \text{ m}^2$ ).

Infrastructure (e.g. roads, power and water supply/ storage)	YES X	NO
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Provide brief description:

**Roads:** No new roads were constructed as part of the development.

**Water Supply:** The main dwelling is served by an existing water supply system. Water is primarily obtained through the capture of rainwater, supplemented with treated river water when required. Rainwater is collected from the roof areas and conveyed via piping to on-site storage tanks. Additional storage tanks have been installed to improve water capture and storage capacity during rainfall events. The current onsite storage capacity is approximately 120000L. Rainwater supply is supplemented with water pumped from the Breede River. Water is pumped from the river to the storage tanks via an existing pump located on the jetty and an existing pipeline primarily during the winter months when the water is fresh and sufficient supply is available.

Water supply to the caretaker's cottage is provided through an above-ground pipeline located within the road reserve, which conveys water from the main dwelling's collection and storage tanks to the cottage.

**Power Supply:** The main dwelling is supplied with electricity through an existing Eskom connection, supplemented by solar panels on the roof. The caretaker's cottage is powered independently by a dedicated solar energy installation on the cottage roof.

Processing activities (e.g. manufacturing, storage, distribution)	YES	<b>NO X</b>
Provide brief description:		
n/a		
Storage facilities for raw materials and products (e.g. volume and substances to be stored)	YES	<b>NO X</b>
Provide brief description		
n/a		
Storage and treatment facilities for solid waste and effluent generated by the project	<b>Yes X</b>	No
Provide brief description		
<p><b>Sewage:</b> Sewage from the main dwelling is managed via an existing septic tank. A new septic tank has been installed within footprint 3 to service the caretaker's cottage.</p> <p><b>Domestic Solid Waste:</b> Sorted onsite and removed by the applicant to the Infanta transfer station</p>		

(d) Other activities (e.g. water abstraction activities, crop planting activities)	<b>Yes X</b>	No
Provide brief description		
<p>The primary source of water for the site is rainwater harvesting. In addition, water is abstracted from the Breede River on an as-needed basis (primarily during the winter months when the water in the river is fresh and excess supply is available) to supplement domestic water requirements. No agricultural activities or crop planting are proposed on the site. Landscaping will be limited to disturbed areas within Footprints 1 and 3 that are not occupied by buildings or access roads and will consist predominantly of locally indigenous, waterwise vegetation.</p>		

**3. PHYSICAL SIZE OF THE ACTIVITY**

<p>Indicate the physical spatial size of the activity as well as associated infrastructure (footprints):</p>	<p><b>Footprint 1:</b> ±2363m<sup>2</sup> (to be retained)</p> <ul style="list-style-type: none"> <li>- A ±64 m<sup>2</sup> double garage and a ±8 m<sup>2</sup> pumphouse already developed within Footprint 1</li> <li>- Proposed additions to the existing main dwelling, comprising a bedroom extension (approximately 72 m<sup>2</sup>), a roofed deck area (approximately 164 m<sup>2</sup>), and a carport (approximately 54 m<sup>2</sup>).</li> <li>- Remaining area to be landscaped with locally indigenous vegetation.</li> </ul> <p><b>Footprint 2:</b> ±1206m<sup>2</sup> (to be rehabilitated)</p> <p><b>Footprint 3:</b> ±267m<sup>2</sup> (±200m<sup>2</sup> to be retained)</p> <ul style="list-style-type: none"> <li>- A ±36 m<sup>2</sup> caretaker's cottage already developed within Footprint 3</li> <li>- Remaining area to be landscaped with locally indigenous vegetation.</li> </ul>
Indicate the area that has been transformed / cleared to allow for the activity as well as associated infrastructure	±0,4ha
Total area:	±0,4ha

**4. SITE ACCESS**

Was there an existing access road?	<b>YES X</b>	NO
If NO, what was the distance over which the new access road was built? Please indicate the length and width of the new road.	(Length)	m
	(width)	m
Describe the type of access road constructed:		
n/a		

**Please Note:**

Indicate the position of the access road on the site plan (See Section 5 below)

**5. SITE PHOTOGRAPHS**

Colour photographs of the site and its surroundings (taken of the site and from the site), both before (if available) and after the activity commenced, with a description of each photograph, must be attached to this application. The vantage points from which the photographs were taken must be indicated on the site plan, or locality plan as applicable. If available, please also provide past and recent aerial photographs. It should be supplemented with additional photographs of relevant features on the site. Date and source of photographs must be included. Photographs must be attached as an **appendix** to this form.

**Please refer to Appendix D****Please note:**

Should the relevant photographs not be included in the application, the application may be deemed insufficient and further information in this regard will be requested.

**6. APPLICABLE LEGISLATION, POLICIES AND/OR GUIDELINES**

Please list all legislation, policies and/or guidelines that were or are relevant to this activity.

LEGISLATION	ADMINISTERING AUTHORITY	TYPE Permit/ license/ authorisation/comment	DATE (if already obtained):
Regulations relating to the procedure to be followed and criteria to be considered when determining an appropriate fine in terms of S24G (GN 40994 dated 20 July 2017)	DEA&DP	For Consideration	Pending this process
National Environmental Management Act 107 of 1998, as amended (NEMA)	DEA&DP	Environmental Authorisation	Pending this process
National Environmental Management Act, Environmental Impact Assessment Regulations	DEA&DP	Environmental Authorisation	Pending this process
National Environmental Management: Biodiversity Act (Act 10 of 2004)	DEA&DP	No authorisation is required. The applicant must ensure suitable management of alien invasive species onsite.	n/a
National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004) Alien and Invasive Species regulations	DEA&DP	No authorisation is required. The applicant must ensure suitable management of alien invasive species onsite.	n/a
National Water Act 36 of 1998 (NWA)	BOCMA	Given the proximity of the development activities to known watercourses, the NWA will be triggered in terms of S21(c) and (i)	Pending

		water uses. The risk assessment matrix completed for the proposed development found a low-risk rating. A GA will therefore be required in terms of S21 (c) and (j) of the NWA.	
The National Environmental Management: Integrated Coastal Management Act, 2008 (Act No. 24 of 2008) ("ICMA").	DEA&DP	No authorisation required. Development must take provisions of ICMA into consideration.	n/a
Conservation of Agricultural Resources Act (CARA)	Department of Agriculture	None	n/a
National Building Regulations and Building Standards Act No. 103 Of 1977	Local Municipality	Building Plan Approval	Pending

POLICY/ GUIDELINES	ADMINISTERING AUTHORITY
Guidelines for EMP's (June 2015)	DEA&DP
Guidelines on Alternatives (March 2013)	DEA&DP
Guideline for involving Biodiversity Specialists in the EIA process (2005)	DEA&DP
Guideline for the review of Specialist Input in the EIA process (June 2005)	DEA&DP
Circular EADP 0028/2014: One Environmental Management System	DEA&DP
Western Cape Provincial Spatial Development Framework (PSDF) (2014)	DEA&DP
Guideline on Public Participation (2017)	DEA&DP
Guideline on Need and Desirability (2017)	DEA&DP
Guideline on Environmental Management Plans	DEA&DP
BGIS	SANBI
Swellendam Spatial Development Framework (2020)	Swellendam Municipality
Swellendam Integrated Development Plan (2024-2025)	Swellendam Municipality
Breede River Estuarine Management Plan (June 2016)	DEA&DP

## 7. APPLICATIONS IN TERMS OF NEMA AND SPECIFIC ENVIRONMENTAL MANAGEMENT ACTS ("SEMAS")

If not specifically applied for in terms of this application, does the development require an application for a waste management licence in terms of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008)?	YES	<b>NO X</b>
If yes, has an application been submitted to the licensing authority?	YES	NO
Does the proposed project require an application for a water use license in terms of the National Water Act, 1998 (Act No. 36 of 1998)? <b>(Due to proximity to watercourses a GA is required . The onsite abstraction and consumption is domestic and therefore a Schedule 1 use and does not require authorisation)</b>	<b>YES X</b>	NO
If yes, has an application been submitted to the licensing authority?	YES	<b>NO X</b>
If no, please provide evidence of existing water use rights (if applicable) with this application form. <b>Water abstraction and consumption onsite is schedule 1 and therefore do not require authorisation in terms of the NWA, however due to the proximity to watercourses, a General Authorisation will be registered in terms of the NWA.</b>		
Does the proposed project require an application for an atmospheric emissions license in terms of the National Environmental Management: Air Quality Act, 2004 (Act No. 39 of 2004)?	YES	<b>NO X</b>
If yes, has an application been submitted to the licensing authority?	YES	NO
Does the proposed project require an application in terms of the National Environmental Management: Integrated Coastal Management Act ("NEM: ICMA")?	YES	<b>NO X</b>
If yes, has an application been submitted to the relevant competent authority?	YES	NO
If yes, provide more details of the application submitted/to be submitted in terms of the NEM: ICMA		

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**TERMS OF OTHER LEGISLATION**

Is any permission, licence or other approval required in terms of any other legislation? (Please tick)	YES	<b>NO X</b>
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**All applicable legislation for development activities are outlined in point 6 above.**

If yes, please complete the table below:

Type of approval required (List the applicable legislation & approval required):	Name of the authority responsible for administering the applicable legislation	Application submitted (Yes / No)	Status of application (e.g. pending/ granted/ refused)

**SECTION C: DESCRIPTION OF RECEIVING ENVIRONMENT**

**Site/Area Description**

For linear activities (pipelines, etc.) as well as activities that cover very large sites, it may be necessary to complete copies of this section for each part of the site that has a significantly different environment. In such cases please complete copies of Section C and indicate the area which is covered by each copy No. on the site plan.

Section C Copy No. (e.g. 1, 2, or 3):

**1. THE GEOLOGICAL FORMATIONS UNDERLYING THE SITE (Tick the appropriate box)**

GRANITE		QUARTZITE	
<b>SHALE</b>	<b>X</b>	DOLOMITE	
SANDSTONE		DOLERITE	
OTHER (specify)	<b>Mudrock, Siltstone, feldspathic arenite and wacke</b>		

**2. GRADIENT OF THE SITE**

Indicate the general gradient of the site(s) (cross out the appropriate box).

Flat	<b>Flatter than 1:10 X</b>	1:10 – 1:5	Steeper than 1:5
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**3. LOCATION IN LANDSCAPE**

Indicate the landform(s) that best describes the site (cross out ("X") the appropriate boxes).

Ridgeline	Plateau	Side slope of hill/mountain	Closed valley	Open valley	Plain	<b>Undulating plain/low hills X</b>	Dune	Sea-front	Other
<p><b>If other, please describe:</b></p> <p>The site and associated development footprints are located adjacent to the southern banks of the Breede River. The surrounding terrain comprises gentle to moderately undulating slopes that rise from the river and associated estuarine areas towards the Potberg Mountains to the south. Cleared Footprint 1 is situated on a small, elevated plateau immediately upslope of the Breede River Estuarine Functional Zone, above the low-lying estuarine environment. Cleared Footprint 2 is located within a low-lying floodplain saltmarsh associated with the estuary. Cleared Footprint 3 is positioned further south on higher ground, more than 500 m inland from the estuarine high-water mark.</p>									

**4. GROUNDWATER, SOIL AND GEOLOGICAL STABILITY OF THE SITE**

**4.1 GROUNDWATER, SOIL AND GEOLOGICAL STABILITY OF THE SITE (PRE-COMMENCEMENT)**

Is the site(s) located on or near any of the following (cross out ("X") the appropriate boxes)?

Shallow water table (less than 1.5m deep)	YES	<b>NO X</b>	UNSURE
Seasonally wet soils (often close to water bodies)	<b>YES X</b>	NO	UNSURE
Unstable rocky slopes or steep slopes with loose soil	YES	<b>NO X</b>	UNSURE
Dispersive soils (soils that dissolve in water)	YES	<b>NO X</b>	UNSURE
Soils with high clay content	YES	<b>NO X</b>	UNSURE
Any other unstable soil or geological feature	YES	<b>NO X</b>	UNSURE
An area sensitive to erosion	<b>YES X</b>	NO	UNSURE

**4.2 GROUNDWATER, SOIL AND GEOLOGICAL STABILITY OF THE SITE (POST-COMMENCEMENT)**

Shallow water table (less than 1.5m deep)	YES	<b>NO X</b>	UNSURE
Seasonally wet soils (often close to water bodies)	<b>YES X</b>	NO	UNSURE
Unstable rocky slopes or steep slopes with loose soil	YES	<b>NO X</b>	UNSURE
Dispersive soils (soils that dissolve in water)	YES	<b>NO X</b>	UNSURE
Soils with high clay content	YES	<b>NO X</b>	UNSURE
Any other unstable soil or geological feature ( <b>Cleared slopes that form part of Clearance Footprint 1. The applicant has already stated revegetating these slopes. The area currently shows good vegetation cover.</b> )	<b>YES X</b>	NO	UNSURE

An area sensitive to erosion	YES X	NO	UNSURE
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If any of the answers to the above are "YES" or "unsure", specialist input may be requested by the Department. (Information in respect of the above will often be available at the planning sections of local authorities. Where it does not exist, the 1:50 000 scale Regional Geotechnical Maps prepared by Geological Survey may also be used).

**5. SURFACE WATER**

**5.1 SURFACE WATER (PRE-COMMENCEMENT)**

Indicate the surface water present on and or adjacent to the site and alternative sites (cross out ("☒") the appropriate boxes)?

Perennial River	YES X	NO	UNSURE
Non-Perennial River	YES X	NO	UNSURE
Permanent Wetland	YES	NO X	UNSURE
Seasonal Wetland	YES X	NO	UNSURE
Artificial Wetland	YES	NO X	UNSURE
Estuarine / Lagoonal wetland	YES X	NO	UNSURE

**5.2 SURFACE WATER (POST-COMMENCEMENT)**

Indicate the surface water present on and or adjacent to the site and alternative sites (cross out ("☒") the appropriate boxes)?

Perennial River	YES X	NO	UNSURE
Non-Perennial River	YES X	NO	UNSURE
Permanent Wetland	YES	NO X	UNSURE
Seasonal Wetland	YES X	NO	UNSURE
Artificial Wetland	YES	NO X	UNSURE
Estuarine / Lagoonal wetland	YES X	NO	UNSURE

**6. VEGETATION AND/OR GROUNDCOVER**

**Please note:** The Department may request specialist input/studies depending on the nature of the biodiversity occurring on the site and potential impact(s) of the activity/ies. To assist with the identification of the biodiversity occurring on site and the ecosystem status consult <http://bgis.sanbi.org.za> or [BGIShelp@sanbi.org.za](mailto:BGIShelp@sanbi.org.za). Information is also available on compact disc ("cd") from the Biodiversity-GIS Unit, Ph (021) 799 8738. This information may be updated from time to time and it is the applicant/ EAP's responsibility to ensure that the latest version is used. A map of the relevant biodiversity information (including an indication of the habitat conditions as per (b) below) and must be provided as an overlay map to the property/site plan as an **appendix** to this form.

**6.1 VEGETATION AND/OR GROUNDCOVER (PRE-COMMENCEMENT)**

Cross out ("☒") the block **and** describe (where applicable) the vegetation types / groundcover present on the site before commencement of the activity.

[Information below is as it related to Footprint 1, Footprint 2 and Footprint 3 – not the entirety of the property]

Indigenous Vegetation - good condition	Indigenous Vegetation with scattered aliens	X	Indigenous Vegetation with heavy alien infestation	X
Describe the vegetation type above:	Describe the vegetation type above: The site falls within two vegetation types: Potberg Ferricrete Fynbos, occurring		Describe the vegetation type above: The site falls within two vegetation types: Potberg Ferricrete Fynbos,	

	<p>within Footprints 1 and 3, and estuarine saltmarsh vegetation within Footprint 2. Potberg Ferricrete Fynbos is listed as Critically Endangered (Government of South Africa, 2022).</p> <p>Footprint 1 likely supported a drier variant of Potberg Ferricrete Fynbos prior to clearing, with an estimated 20% cover of woody invasive alien species, primarily Rooikrans (<i>Acacia cyclops</i>), particularly in the eastern portion of the footprint.</p> <p>Footprint 3 is situated within Potberg Ferricrete Fynbos in a good ecological condition. The area was affected by a wildfire approximately five years ago. Indigenous plant diversity in the vicinity of the cleared area is high. While some alien invasive Port Jackson (<i>Acacia saligna</i>) has been cleared, numerous live plants remain within 20 m of the footprint, with dense stands persisting to the north.</p>	<p>occurring within Footprints 1 and 3, and estuarine saltmarsh vegetation within Footprint 2. Potberg Ferricrete Fynbos is listed as Critically Endangered (Government of South Africa, 2022).</p> <p>Footprint 2 occurs within an estuarine floodplain saltmarsh. The surrounding area is densely invaded by alien species, mainly rooikrans (<i>Acacia cyclops</i>) and Port Jackson (<i>Acacia saligna</i>), some of which have been recently cleared. Indigenous plant diversity is low but consistent with this vegetation type</p>
Provide ecosystem status for above:	<p>Provide Ecosystem status for above:</p> <p>Potberg Ferricrete Fynbos is listed as Critically Endangered (Government of South Africa, 2022).</p>	<p>Provide Ecosystem status for above:</p> <p>Potberg Ferricrete Fynbos is listed as Critically Endangered (Government of South Africa, 2022).</p>
Indigenous Vegetation in an ecological corridor or along a soil boundary / interface	Veld dominated by alien species	Distinctive soil conditions (e.g. Sand over shale, quartz patches, limestone, alluvial deposits, termitaria etc.) – describe
<b>Bare soil X</b>	<b>Building or other structure X</b>	Sport field
Other (describe below)	Cultivated land	Paved surface

(a) Highlight the applicable pre-commencement biodiversity planning categories of all areas on site and indicate the reason(s) provided in the biodiversity plan for the selection of the specific area as part of the specific category.

Systematic Biodiversity Planning Category				If CBA or ESA, indicate the reason(s) for its selection in biodiversity plan
<b>Critical Biodiversity Area (CBA) X</b>	Ecological Support Area (ESA)	Other Natural Area (ONA)	No Natural Area Remaining (NNR)	The CapeNature Spatial Biodiversity Plan (see Figure 2 below) shows that most natural vegetation areas on the property are mapped as terrestrial CBA1. Footprint 1 is mapped as a Wetland CBA however is this incorrect as this area is terrestrial (confirmed by both Terrestrial and Freshwater Ecologists who were onsite – refer Appendix H1 & H2). Footprint 2 is within an Estuary CBA and Footprint 3 is within a terrestrial CBA, this is supported by field observations.

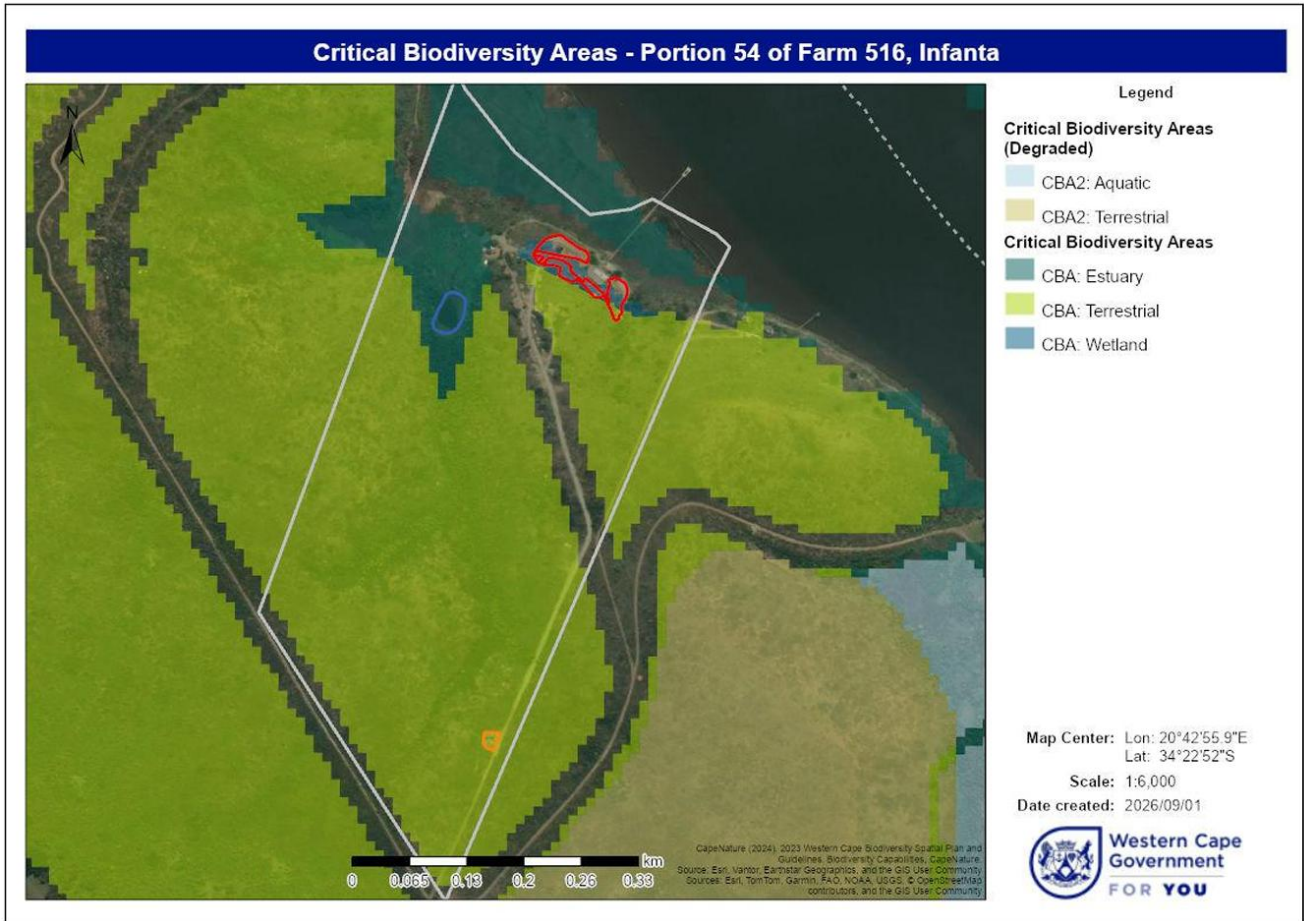


Figure 2: Extract from the 2023 Western Cape Biodiversity Spatial Plan (CapeNature 2024).

(b) Highlight and describe the habitat condition on site.

[Information below is as it related to Footprint 1, Footprint 2 and Footprint 3 – not the entirety of the property]

Habitat Condition	Percentage of habitat condition class (adding up to 100%)	Description and additional Comments and Observations (including additional insight into condition, e.g. poor land management practises, presence of quarries, grazing/harvesting regimes etc).
Natural	0%	n/a
Near Natural (includes areas with low to moderate level of alien invasive plants)	65%	Prior to the unlawful clearing the undeveloped portion of Footprint 1 likely supported a drier variant of Potberg Ferricrete Fynbos prior to clearing, with an estimated 20% cover of woody invasive alien species. Footprint 3 would have supported Potberg Ferricrete Fynbos in a good ecological condition with some alien invasive plants.
Degraded (includes areas heavily invaded by alien plants)	30%	Prior to unlawful clearing Footprint 2 would have comprised estuarine saltmarsh vegetation, likely with dense patches alien invasive species, mainly rooikrans ( <i>Acacia cyclops</i> ) and Port Jackson ( <i>Acacia saligna</i> ).
Transformed (includes cultivation, dams, urban, plantation, roads, etc)	5%	Prior to the unlawful clearing, the property contained an existing main dwelling, terraced structures and an associated access road network.

(c) Complete the table to indicate:

- (i) the type of vegetation, including its ecosystem status, that was previously present on the site; and
- (ii) whether an aquatic ecosystem was previously present on site.

Terrestrial Ecosystems		Aquatic Ecosystems		
Ecosystem threat status as per the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004)	Critical X	Wetland (including rivers, depressions, channelled and un-channelled wetlands, flats, seeps pans, and	Estuary	Coastline
	Endangered			
	Vulnerable			

	Least Threatened	artificial wetlands)						
		YES X	NO	UNSURE	YES X	NO	YES	NO X

(d) Please provide a description of the vegetation type and/or aquatic ecosystem present on site, including any important biodiversity features/information identified on site (e.g. threatened species and special habitats)

Terrestrial

The vegetation within the study area is classified as Potberg Ferricrete Fynbos, with the exception of Footprint 2, which comprises an estuarine saltmarsh vegetation type due to its location within the 1:100-year floodplain of the Breede River (Helme, 2025). Potberg Ferricrete Fynbos is listed as Critically Endangered (Government of South Africa 2022), due to its limited total extent (only around the Potberg and De Hoop area) and threatening processes (mainly alien invasive plants). Less than 60% of this vegetation type remains, only 5% is conserved (mainly in De Hoop Nature Reserve) and the national conservation target is 30% (Rouget et al 2004) (Helme, 2025).

Prior to unlawful clearance, Footprint 1 would have supported a dry form of Potberg Ferricrete Fynbos, with approximately 20% woody alien cover (Rooikrans) in the eastern part (Helme, 2025). During the botanical assessment at least 1 plant Species of Conservation Concern (SoCC), *Agathosma foetidissima*, was recorded from within this area and is likely to have been impacted by the footprint. *Agathosma foetidissima* is a species of buchu Redlisted as Near Threatened and is fairly common in loamy soils from Bredasdorp to Riversdale. The botanical assessment estimates that approximately 15-20 plants would have been lost in this area and that this loss is not considered regionally significant as the species remains common in the property outside the footprint (Helme, 2025). According to the botanical assessment there is a moderate possibility of there being one other cryptic SoCC in the area.

Footprint 2 would have supported an estuarine salt marsh vegetation. According to the botanical assessment indigenous plant diversity in this area would have been naturally low as is typical of the vegetation unit. The botanical assessment further notes that no plant SoCC were recorded from this vegetation unit, and none are likely to have occurred (Helme, 2025).

Footprint 3 would have supported Potberg Ferricrete Fynbos in good condition, likely with some alien invasive plants present (Helme, 2025). This area was burnt in a wildfire approximately 5 years ago. The botanical assessment notes that indigenous plant diversity in the vicinity of this disturbance footprint is high and that at least 3 (possibly 4) plant SoCC were recorded in the area and are likely to have been impacted by the footprint (Helme, 2025):

- *Agathosma foetidissima* is a species of buchu Redlisted as Near Threatened, and is fairly common in loamy soils from Bredasdorp to Riversdale. The subpopulation lost in this area (10-15 plants) is not considered regionally significant.
- *Freesia caryophyllacea* is a bulb, also Redlisted as Near Threatened, and with a similar range. The subpopulation lost in this area is also not considered regionally significant (5-10 plants), with large numbers still present elsewhere on the property.
- *Aspalathus steudeliana* is a shrub Redlisted as Vulnerable, and is fairly common in loamy soils from Ashton to Mossel Bay. The population lost in this area (3-7 plants) is also not considered regionally significant.

Furthermore, several plants provisionally identified as *Cliffortia perpendicularis* were found near Footprint 3. *Cliffortia perpendicularis* is a shrub Redlisted as Data Deficient, and is only known from Potberg and Elim, and is undoubtedly rare. The subpopulation in this area is considered regionally significant (5-10 plants) (Helme, 2025).

The botanist notes that there is a moderate possibility of there being one or two other SoCC in the area.

The botanical assessment concludes that the likely botanical conservation value (botanical sensitivity) in Footprint 1 and Footprint 3 is Medium to High, whilst in the saltmarsh area it is deemed Medium as no SoCC were noted in this area (Helme, 2025).

Aquatic

Several freshwater features were identified in and adjacent to the cleared areas onsite. These include estuarine wetlands associated with the Breede River Estuary below Footprint 1 and a Floodplain Saltmarsh within which Footprint 2 is located (refer Figure 3 below). Only the Floodplain Saltmarsh was directly impacted by the unauthorised activities (Snyman, 2025). Footprint 3 is located within 100m of an Unnamed stream, however the freshwater assessment notes that it is not located within the 1:100year

flood line, or associated riparian zone, and thus is not considered to fall within the regulated area of the stream (Snyman, 2025).



**Figure 3: Satellite image of the broader area showing surrounding freshwater features, including the Floodplain Saltmarsh (green polygon), the estuarine wetland (turquoise polygon) with the Breede River to the north-east, the Unnamed stream and the three cleared areas (Google Earth, 2025) (Snyman 2025).**

According to the National Freshwater Ecological Priority Areas (NFEPA) and the National Wetlands Map (NWM5), the larger catchment encompassing the project area is classified as a FISH-FEPA. These sub-quaternary catchments are designated to meet specific fish population targets. Fish sanctuaries in good ecological condition (Category A or B) were selected as FEPAs, while the remaining sanctuaries were designated as Fish Support Areas.

Desktop resources indicate that Footprint 1 falls within a FEPA wetland classified as Southwest Ferricrete Fynbos – Channelled Valley-Bottom Wetland (Condition C; FEPA Rank 2) while Footprint 2 is shown to be located within an estuarine wetland (Snyman, 2025). According to the National Wetlands Map, both Footprint 1 and Footprint 2 fall within the estuarine functional zone, which is considered vulnerable and poorly protected and a floodplain wetland (critically endangered) (Figure 4). However, during the field visit, the freshwater specialist confirmed that Footprint 1 does not fall within any wetland areas (Snyman, 2025).



**Figure 4: NFEPA and NWM5 map for the area (CFM, 2025) (Snyman, 2025)**

The Breede River and the Breede River Estuarine Functional Zone are located within 500m from Footprint 1 and Footprint 2 (Figure 3). The Breede River, approximately 322 km in length from its source near Ceres to its mouth at Sebastian Bay, drains a catchment of about 12,600 km<sup>2</sup>. Its estuary extends roughly 52 km from the mouth at Witsand to the upstream limit of tidal influence near Malgas, encompassing a total surface area of approximately 1,367.8 ha (Snyman, 2025). While the estuary lies within a winter/bimodal rainfall transition zone, most of the catchment falls within the winter rainfall region, resulting in strongly seasonal flows with peak discharges and flooding during the winter months. The estuary enters the Indian Ocean through a permanently open mouth, approximately 12 km from the study area (Snyman, 2025).

According to the latest Breede River Estuarine Management Plan (2025), and considering its size, habitat diversity, and associated biota, the Breede River Estuary has been classified as a “Highly Important” estuary and ranked as the 19th most important estuary in South Africa. The present ecological condition (PES) of the estuary is described as “good,” corresponding to a PES Category of B/C—largely natural with some modification. The Recommended Ecological Category (REC) for the estuary is Category B. The current ecological condition and importance, as reflected in the Breede River Estuarine Management Plan (2025), are adopted as the Present Ecological State (PES) and Ecological Importance and Sensitivity (EIS) for the section of the river adjoining the property (Snyman, 2025). The Freshwater Assessment notes that the Breede River and its Estuarine Functional Zone were not directly affected by the clearing activities.

The Freshwater assessment found that Footprint 2 is located within a Floodplain Saltmarsh, at the confluence of two small ephemeral streams, just upstream of their entry into the Breede River Estuary. The freshwater Assessment notes that this wetland represents a typical brackish marsh, likely influenced by both seasonal groundwater inputs and estuarine connectivity, as it is generally inundated only when the river is in flood (Snyman, 2025).

According to the freshwater assessment this wetland system has experienced progressive vegetation removal over many years, prior to the Clearing of Footprint 1. This has resulted in significant degradation and the loss of substantial portions of its original extent. The assessment notes that the broader area remains heavily infested with *Acacia cyclops* (Rooikrans) and *Acacia saligna* (Port Jackson) (Snyman, 2025). A small dam is located upstream of the wetland area within the one drainage line, altering some of the surface flow that might have contributed to a small degree to the health and function of the wetland (Snyman, 2025). The freshwater assessment notes that these habitats are considered critical for the maintenance of bait organism populations.

**6.2 VEGETATION AND/OR GROUND COVER (POST-COMMENCEMENT)**

Cross out ("X") the block **and** describe (where required) the vegetation types / groundcover present on the site after commencement of the activity.

[Information below is as it related to Footprint 1, Footprint 2 and Footprint 3 – not the entirety of the property]

Indigenous Vegetation - good condition		Indigenous Vegetation with scattered aliens		Indigenous Vegetation with heavy alien infestation	
Describe the vegetation type above:	Describe the vegetation type above:		Describe the vegetation type above:		
Provide ecosystem status for above:	Provide ecosystem status for above:		Provide Ecosystem status for above:		
Indigenous Vegetation in an ecological corridor or along a soil boundary / interface	Veld dominated by alien species		Distinctive soil conditions (e.g. Sand over shale, quartz patches, limestone, alluvial deposits, termitaria etc.) – describe		
<b>Bare soil X</b>	<b>Building or other structure X</b>		Sport field		
<b>Other (describe below)</b> Part of the current development proposal includes rehabilitation of Footprint 2 and landscaping with primarily indigenous vegetation within all undeveloped disturbed portions of Footprints 1 and 3.	Cultivated land		Paved surface		

(a) Highlight and describe the post-construction habitat condition on site.

[Information below is as it related to Footprint 1, Footprint 2 and Footprint 3 – not the entirety of the property]

Habitat Condition	Percentage of habitat condition class (adding up to 100%)	Description and additional Comments and Observations (including additional insight into condition, e.g. poor land management practises, presence of quarries, grazing/harvesting regimes etc).
Natural	0%	
Near Natural (includes areas with low to moderate level of alien invasive plants)	25%	Part of the development proposal includes natural rehabilitation of Footprint 2. Active management of alien invasive vegetation will be undertaken.
Degraded (includes areas heavily invaded by alien plants)	50%	The undeveloped portions of Footprint 1 and Footprint 2 will be landscaped using predominantly indigenous vegetation thereby restoring some level of ecological value and functioning.
Transformed (includes cultivation, dams, urban, plantation, roads, etc)	25%	Within Footprint 1 a ±64 m² double garage and a ±8 m² pumphouse have already been developed. Furthermore, additions to the existing main dwelling are proposed, comprising a bedroom extension (approximately 72 m²), a roofed deck area (approximately 164 m²), and a carport (approximately 54 m²). A ±36 m² caretaker's cottage has also been developed within Footprint 3.

(b) How have the vegetation and/or aquatic ecosystem(s) present on site (including any important biodiversity features identified on site (e.g. threatened species and special habitats)) been affected by the commencement of the listed activity(ies)?

The commencement of the listed activities was in terms of clearing of indigenous vegetation, excavation and development within 100 m from the estuary.

**Botanical and faunal specialist Nick Helme visited the site on 16 September 2025**

**Findings of the specialist:**

The primary botanical impacts associated with the construction phase include the temporary degradation and clearing of approximately 1 200 m<sup>2</sup> of Potberg Ferricrete Fynbos within Footprints 2 and 3, and the permanent loss of approximately 2 000m<sup>2</sup> of Potberg Ferricrete Fynbos within Footprints 1 and 3. Potberg Ferricrete Fynbos is listed as Critically Endangered at a national scale (Government of South Africa, 2022). The majority of vegetation clearing (>90%) occurred within areas mapped as CBA1 (terrestrial and wetland/estuarine).

Between three and four plant Species of Conservation Concern (SoCC)—including two Near Threatened species, one Vulnerable species, and one Data Deficient species—are likely to have been affected across the three footprints. The impact on these species is considered Low at a regional scale, as the estimated number of individuals lost (<40 per species) is relatively small in a regional context, and all species have large populations both on the greater property and within the surrounding region.

Natural rehabilitation of the temporarily disturbed areas within Footprint 2 and 3 is expected to be good, provided that ongoing alien invasive plant control is implemented.

Overall, the construction-phase botanical impacts are assessed as Low to Medium negative, both before and after mitigation. Adequate and appropriate mitigation is most feasible during the operational phase, primarily through natural rehabilitation of disturbed areas and extensive alien invasive plant removal across the greater property.

The primary botanical impacts during the operational phase include habitat fragmentation and the further spread of alien invasive plant species, facilitated by partial soil disturbance at all three sites. Habitat fragmentation is relevant only at Footprint 1 and Footprint 3 and is assessed as Low negative before mitigation. This impact can be largely mitigated through effective alien invasive plant management within the remaining natural areas (see Martins et al., 2021 for recommended methodology), resulting in an expected Low positive significance after mitigation.

Soil disturbance at all three sites is likely to promote increased germination of alien invasive species, such as rooikrans (*Acacia cyclops*) and Port Jackson (*Acacia saligna*), which have substantial seed banks in the area. These impacts are assessed as Low negative before mitigation and Low positive after mitigation.

#### **Freshwater specialist Jeanne Snyman visited the site on 25 October 2025**

##### **Findings of the specialist:**

The clearance of vegetation within the Floodplain Saltmarsh (Footprint 2) has resulted in a notable loss of biodiversity, encompassing both the vegetation itself and the temporary loss of invertebrate species dependent on this habitat. Some vegetation has begun to re-establish naturally; however, the cleared area remains largely barren, corresponding to an estimated reduction of approximately 7% in the ecological function of the larger wetland. This impact has local, long-term, Low to Medium negative significance on biodiversity within the broader wetland area.

In contrast, clearing and levelling within the broader Breede River Buffer Zone (Footprint 1) occurred on a sloped area well above the wetland and was effectively buffered by an existing dirt road. No evidence of biodiversity loss, disturbance, or sedimentation was observed within the Breede River Estuarine Functional Zone or the downstream wetland north of the road. Impacts on wetland biodiversity, water quality, and sedimentation in this area are therefore considered negligible to none.

The client proposes additional infrastructure around the existing dwelling and intends to revegetate the remainder of the cleared area with primarily indigenous species. Although the small pumphouse and roofed deck area located to the north-east of the main dwelling will be located inside the 30 m buffer zone, it will fall outside of the 1:100-year flood line, within an already cleared platform area. Thus, these activities are expected to have a general, low to negligible negative impact on the biodiversity of the Estuarine Functional Zone. The proposed revegetation will function as rehabilitation, improving habitat condition within the buffer zone and providing a local, long-term, Low positive benefit to the adjacent estuarine wetland.

Similarly, the construction of the small pumphouse and roofed deck area will be located within the already cleared section of the 30 m buffer zone, and is expected to have only a short-term, local, low to negligible impact on water quality and sedimentation in the downstream wetland.

The applicant has already commenced revegetation of the cleared slopes adjacent to the existing main dwelling. Together with the proposed revegetation of the remaining cleared areas, this has reduced the potential risk of erosion and sedimentation. At the time of the site visit, the cleared and revegetated slopes exhibited good vegetation cover. Accordingly,

any remaining erosion-related impacts are expected to be low in significance and short-term in nature.

**6.3 VEGETATION / GROUNDCOVER MANAGEMENT**

(a) Describe any mitigation/management measures that were adopted and the adequacy of these:

- The development activities already undertaken on site commenced in February 2024, a month typically associated with lower rainfall, which would have reduced the potential for erosion and sedimentation impacts arising from the activities.
- Cleared slope areas within Footprint 1 have already been replanted to stabilise soils and reduce the risk of erosion and sedimentation and were observed to support generally good vegetation cover at the time of the site visit.
- Natural regeneration has commenced in some previously cleared areas, indicating good recovery potential of indigenous vegetation.
- The client intends to rehabilitate Cleared Footprint 2 and revegetate the remainder of Cleared Footprint 1 and 3 with locally indigenous plant species as part of the final development, which will serve as active rehabilitation and improve groundcover stability.
- Botanical and aquatic specialist studies were undertaken for the site, and their recommended mitigation measures will be implemented.
- A comprehensive Environmental Management Plan (EMPr) has been prepared as part of the current application, incorporating specialist recommendations and additional management measures to ensure impacts are appropriately mitigated and future impacts are avoided or effectively managed.
- Detailed, site-specific rehabilitation measures for cleared footprint 2 has been included in the EMPr

**7. LAND USE OF THE SITE (PRE-COMMENCEMENT)**

**Please note:** The Department may request specialist input/studies depending on the nature of the land use character of the area and potential impact(s) of the activity/ies.

Untransformed area X (Notable alien invasives present)	Low density residential X	Medium density residential	High density residential	Informal residential
Retail	Commercial & warehousing	Light industrial	Medium industrial	Heavy industrial
Power station	Office/consulting room	Military or police base/station/compound	Casino/entertainment complex	Tourism & Hospitality facility
Open cast mine	Underground mine	Spoil heap or slimes dam	Quarry, sand or borrow pit	Dam or reservoir
Hospital/medical centre	School	Tertiary education facility	Church	Old age home
Sewage treatment plant	Train station or shunting yard	Railway line	Major road (4 lanes or more)	Airport
Harbour	Sport facilities	Golf course	Polo fields	Filling station
Landfill or waste treatment site	Plantation	Agriculture	<b>River, stream or wetland X</b>	Nature conservation area
<b>Mountain, koppie or ridge X</b>	Museum	Historical building	Graveyard	Archaeological site
Other land uses (describe):				

(a) Please provide a description.

The property comprises a residential dwelling and an old labourers' cottage. It has historically only been used for residential purposes. The land on the property is predominantly natural.

### 8. LAND USE CHARACTER OF SURROUNDING AREA (PRE-COMMENCEMENT)

Cross out ("X") the block that reflects the past land uses and/or prominent features that occur/red within +/- 500m radius of the site and neighbouring properties if these are located beyond 500m of the site. **Please note:** The Department may request specialist input/studies depending on the nature of the land use character of the area and impact(s) of the activity/ies.

Untransformed area X (Notable alien invasives present)	Low density residential X	Medium density residential	High density residential	Informal residential
Retail	Commercial & warehousing	Light industrial	Medium industrial	Heavy industrial
Power station	Office/consulting room	Military or police base/station/compound	Casino/entertainment complex	Tourism & Hospitality facility
Open cast mine	Underground mine	Spoil heap or slimes dam	Quarry, sand or borrow pit	Dam or reservoir
Hospital/medical centre	School	Tertiary education facility	Church	Old age home
Sewage treatment plant	Train station or shunting yard	Railway line	Major road (4 lanes or more)	Airport
Harbour	Sport facilities	Golf course	Polo fields	Filling station
Landfill or waste treatment site	Plantation	Agriculture	River, stream or wetland X	Nature conservation area
Mountain, koppie or ridge X	Museum	Historical building	Graveyard	Archaeological site
Other land uses (describe):				

### 9. LAND USE CHARACTER OF SURROUNDING AREA (POST-COMMENCEMENT)

Cross out ("X") the block that reflects the current land uses and/or prominent features that occur(s) within +/- 500m radius of the site and neighbouring properties if these are located beyond 500m of the site. **Please note:** The Department may request specialist input/studies depending on the nature of the land use character of the area and impact(s) of the activity/ies.

Untransformed area X (Notable alien invasives present)	Low density residential X	Medium density residential	High density residential	Informal residential
Retail	Commercial & warehousing	Light industrial	Medium industrial	Heavy industrial
Power station	Office/consulting room	Military or police base/station/compound	Casino/entertainment complex	Tourism & Hospitality facility
Open cast mine	Underground mine	Spoil heap or slimes dam	Quarry, sand or borrow pit	Dam or reservoir
Hospital/medical centre	School	Tertiary education facility	Church	Old age home
Sewage treatment plant	Train station or shunting yard	Railway line	Major road (4 lanes or more)	Airport
Harbour	Sport facilities	Golf course	Polo fields	Filling station
Landfill or waste treatment site	Plantation	Agriculture	River, stream or wetland X	Nature conservation area
Mountain, koppie or ridge X	Museum	Historical building	Graveyard	Archaeological site
Other land uses (describe):				

### 10. SOCIO-ECONOMIC CONTEXT

#### 10.1 SOCIO-ECONOMIC CONTEXT (PRE-COMMENCEMENT)

Describe the pre-commencement social and economic characteristics of the community in order to provide baseline information.

The information in this section was largely sourced from the Swellendam Municipality's IDP 2022-2027 (2023-2024 review).

The development site is located along the southern bank of the Breede River, approximately 13 km west of Infanta and 13 km east of Malgas, within the Swellendam Local Municipality in the Overberg District Municipality. The Swellendam Local Municipality comprises a mix of small urban centres and rural settlements, including Swellendam, Barrydale, Suurbrak, Buffeljagsrivier, Infanta, Malgas, Stormsvlei, Rheenendal, Rietkuil, and Ouplaas. The area surrounding the site is predominantly rural in character, with settlement patterns closely linked to the Breede River and a strong reliance on natural resources and tourism. Aerial imagery of the property indicates that the land use around the property has remained largely natural. The property itself has historically been used only for residential purposes, and one nearby property supports self-catering accommodation.

Infanta and Malgas are small, low-density settlements with economies largely centred on tourism and nature-based activities. Infanta functions primarily as a coastal holiday village, with tourism linked to the Breede River estuary, fishing, and ecotourism. Development in the area has historically been limited, with most growth occurring prior to 1967 and later concentrated in discrete clusters at Infanta, Kontiki, and Infanta Park. The settlement is constrained by its remote location, sensitive coastal and estuarine environment, limited infrastructure capacity, and high-energy coastline.

Malgas is an historic river crossing and settlement that currently serves as a low-order service centre for the surrounding farming community. Its economy is based on small-scale tourism, agriculture, and limited local retail, with key attractions including the Malgas Ferry, historic buildings, and access to the Breede River for recreational activities. Development opportunities in this area are constrained by topography, the river corridor, remoteness, and limited road infrastructure.

At a municipal scale, Swellendam had an estimated population of approximately 39 474 people in 2022, making it the second least populated municipality in the Overberg District. Population growth is relatively modest ( $\pm 0.9\%$  per annum), with projections indicating stronger growth among children aged 0–14 years, slower growth in the working-age population, and a slight decline in the population aged 65 years and older. These trends are expected to increase the dependency ratio over time.

Socio-economic challenges remain evident within the municipality. Income inequality increased between 2015 and 2021, and in 2021 approximately 54.41% of the population lived below the Upper-Bound Poverty Line, the highest proportion within the Overberg District. While education outcomes are relatively strong, with a high matric pass rate, learner retention and school dropouts remain ongoing challenges.

Employment in Swellendam is characterised by a predominance of formal-sector work, although overall employment growth has been modest. Unemployment, while declining over the long term, remained relatively high in 2021. The formal workforce is largely semi-skilled and low-skilled, although demand for skilled labour has increased, reflecting broader economic trends.

The local economy is small in relation to the size of the municipal area and is strongly driven by tourism, alongside finance, insurance, real estate, business services, wholesale & retail trade, catering & accommodation services. Tourism plays a particularly important role in settlements such as Infanta and Malgas, although the sector has not yet fully recovered to pre-COVID-19 levels and remains largely dependent on domestic visitors.

## 10.2 SOCIO-ECONOMIC CONTEXT (POST-COMMENCEMENT)

Describe the post commencement social and economic characteristics of the community in order to determine any change. Where differences between pre- and post-commencement exist, state which are as a result of the activity(ies) for which rectification is being applied for.

Post-commencement, the socio-economic context of the area between Infanta and Malgas remains largely unchanged from pre-commencement conditions. The surrounding area continues to be characterised by a low-density rural settlement pattern. The unauthorised activities did not alter land use beyond the existing residential use of the property. Employment generated during construction is/was short-term and localised. The caretaker's cottage will provide minor on-site operational employment. Planned landscaping within Footprints 1 and 3 will improve site aesthetics and visual integration, while rehabilitation of Footprint 2 will enhance the environmental condition of the site. The landowner's intention to undertake ongoing alien invasive vegetation management onsite is expected to result in positive environmental outcomes and limited positive socio-economic benefits through employment associated with ongoing site management. Overall, no discernible differences between pre- and post-commencement socio-economic conditions can be directly attributed to the unauthorised activities.

## 11. HISTORICAL AND CULTURAL ASPECTS

- (a) Please be advised that every application for Environmental Authorisation including an application for a Waste Management Licence, must include, where applicable the investigation, assessment and evaluation of the impact of any proposed listed or specified activity on any national estate referred to in section 3(2) of the National Heritage Resources Act, 1999 (Act No. 25 of 1999), excluding the national estate contemplated in section 3(2)(i)(vi) and (vii) of that Act.

Please be further advised that if section 38 of the National Heritage Resources Act, 1999 (Act No. 25 of 1999), is applicable to your application, then you are requested to furnish this Department with written comment from Heritage Western Cape as part of your public participation process. Section 38 of the Act states as follows: "38. (1) Subject to the provisions of subsections (7), (8) and (9), any person who intends to undertake a development categorised as-

- (a) the construction of a road, wall, power line, pipeline, canal or other similar form of linear development or barrier exceeding 300m in length;
  - (b) the construction of a bridge or similar structure exceeding 50m in length;
  - (c) any development or other activity which will change the character of a site-
    - (i) exceeding 5 000 m<sup>2</sup> in extent; or
    - (ii) involving three or more existing erven or subdivisions thereof; or
    - (iii) involving three or more erven or divisions thereof which have been consolidated within the past five years; or
    - (iv) the costs of which will exceed a sum set in terms of regulations by SAHRA or a provincial heritage resources authority;
  - (d) the re-zoning of a site exceeding 10 000 m<sup>2</sup> in extent; or
  - (e) any other category of development provided for in regulations by SAHRA or a provincial heritage resources authority, must at the very earliest stages of initiating such a development, notify the responsible heritage resources authority and furnish it with details regarding the location, nature and extent of the proposed development."
- (b) The impact on any national estate referred to in section 3(2), excluding the national estate contemplated in section 3(2)(i)(vi) and (vii), of the National Heritage Resources Act, 1999 (Act No. 25 of 1999), must also be investigated, assessed and evaluated. Section 3(2) states as follows: "3(2) Without limiting the generality of subsection (1), the national estate may include—
- (a) places, buildings, structures and equipment of cultural significance;
  - (b) places to which oral traditions are attached or which are associated with living heritage;
  - (c) historical settlements and townscapes;
  - (d) landscapes and natural features of cultural significance;
  - (e) geological sites of scientific or cultural importance;
  - (f) archaeological and palaeontological sites;
  - (g) graves and burial grounds, including—
    - (i) ancestral graves;
    - (ii) royal graves and graves of traditional leaders;
    - (iii) graves of victims of conflict;
    - (iv) graves of individuals designated by the Minister by notice in the Gazette;
    - (v) historical graves and cemeteries; and
    - (vi) other human remains which are not covered in terms of the Human Tissue Act, 1983 (Act No. 65 of 1983);
  - (h) sites of significance relating to the history of slavery in South Africa;
    - (i) movable objects, including—
      - (i) objects recovered from the soil or waters of South Africa, including archaeological and palaeontological objects and material, meteorites and rare geological specimens;
      - (ii) objects to which oral traditions are attached or which are associated with living heritage;
      - (iii) ethnographic art and objects;
      - (iv) military objects;
      - (v) objects of decorative or fine art;
      - (vi) objects of scientific or technological interest; and
      - (vii) books, records, documents, photographic positives and negatives, graphic, film or video material or sound recordings, excluding those that are public records as defined in section 1(xiv) of the National Archives of South Africa Act, 1996 (Act No. 43 of 1996)."

Is section 38 of the National Heritage Resources Act, 1999, applicable to the development?

YES

**NO X**

		UNCERTAIN	
If YES, explain:			
Did/does the development impact on any national estate referred to in section 3(2) of the National Heritage Resources Act, 1999?		YES	<b>NO X</b>
		UNCERTAIN	
If YES, explain:			
Was any building or structure older than 60 years affected in any way?		YES	<b>NO X</b>
		UNCERTAIN	
If YES, explain:			

**Please Note:**

If uncertain, the Department may request that specialist input be provided. If, yes, a copy of the Notice of Intent submitted to Heritage Western Cape must be submitted with this form.

**12. COASTAL ASPECTS (SEAFRONT/SEA ENVIRONMENT)**

- (a) Is the site(s) located within any of the following areas? (highlight the appropriate boxes).  
If the site or alternative site is closer than 100m to such an area, please provide the approximate distance in (m).

AREA	YES	NO	UNSURE	If "YES": Distance to nearest area (m)
An area within 100m of the high water mark of the sea	YES	<b>NO X</b>	UNSURE	
An area within 100m of the high water mark of an estuary/lagoon	<b>YES X</b>	NO	UNSURE	±10m
An area within the littoral active zone	YES	<b>NO X</b>	UNSURE	
An area in the coastal public property	YES	<b>NO X</b>	UNSURE	
Major anthropogenic structures	YES	<b>NO X</b>	UNSURE	
An area within a Coastal Protection Zone	<b>YES X</b>	NO	UNSURE	Footprint 1 & Footprint 2
An area seaward of the coastal management line	<b>YES X</b>	NO	UNSURE	Footprint 2
An area within the high risk zone (20 years)	YES	<b>NO X</b>	UNSURE	
An area within the medium risk zone (50 years)	YES	<b>NO X</b>	UNSURE	
An area within the low risk zone (100 years)	YES	<b>NO X</b>	UNSURE	
An area below the 5m contour	<b>YES X</b>	NO	UNSURE	Footprint 2
An area within 1km from the high water mark of the sea	YES	<b>NO X</b>	UNSURE	
A rocky beach	YES	<b>NO X</b>	UNSURE	
A sandy beach	YES	<b>NO X</b>	UNSURE	

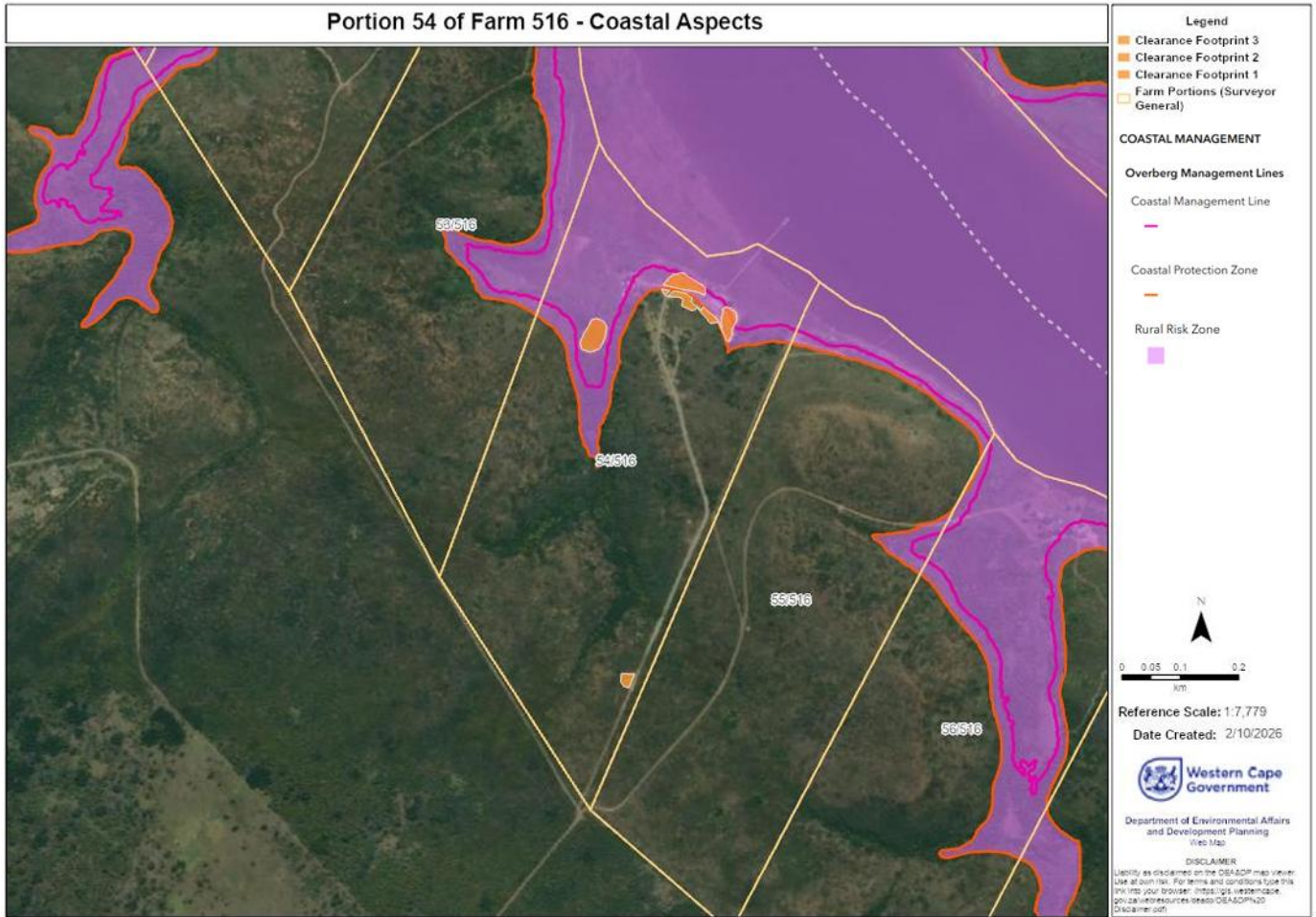


Figure 5: Coastal Management Lines associated with the development site.

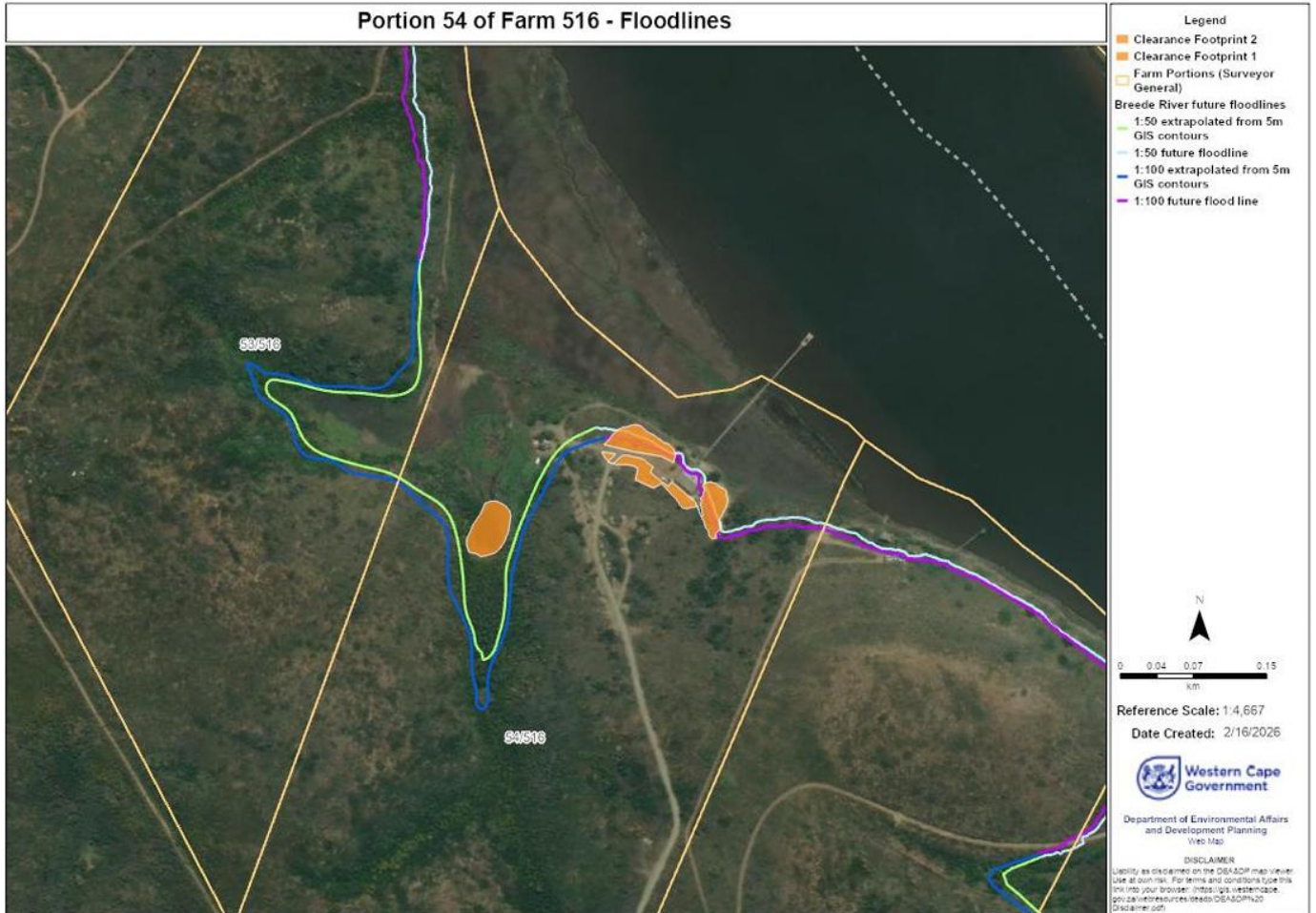


Figure 6: Satellite image showing the flood lines associated with the development site (DEADP Coastal Viewer, 2025)

(b) If any of the answers to the above is "YES" or "UNSURE", specialist input may be requested by the Department. (The 1:50 000 scale Regional Geotechnical Maps prepared by Geological Survey may also be used).

**13. REGIONAL PLANNING CONTEXT**

Is the activity permitted in terms of the property's existing land use rights?	<b>YES X</b>	NO	Please explain
The property is zoned Agriculture in terms of the Swellendam Municipality Integrated Zoning Scheme, which permits, among other uses, a dwelling house and employee accommodation as primary land use rights. The development activities undertaken and proposed include the expansion of the existing main dwelling, which lawfully existed prior to the unauthorised activities, and the development of a caretaker's cottage to accommodate an employee on site for ongoing land management and site oversight. These activities are permitted in terms of the property's existing land use rights.			
Will the activity be in line with the following?			
Provincial Spatial Development Framework (PSDF)	<b>YES X</b>	NO	Please explain
The property is located along the Breede River, adjacent to the Breede River Estuarine Functional Zone. Most of the site is mapped as a terrestrial CBA, with the northern portion identified as an aquatic (estuarine) CBA. It supports Critically Endangered Potberg Ferricrete Fynbos and lies approximately 3.6 km north of De Hoop Nature Reserve, placing it within an ecologically important landscape. The Western Cape Provincial Spatial Development Framework (PSDF) prioritises the protection of CBAs, estuarine functional zones, and environmentally sensitive areas, while promoting responsible land management and maintaining ecological connectivity.			
The proposed development is limited to low-intensity residential use, including the expansion of the existing dwelling and the addition of a caretaker's cottage to support ongoing land management. Although biodiversity impacts have resulted from the commencement of activities, terrestrial and aquatic biodiversity specialists indicate that, with the implementation of recommended mitigation and remediation measures, these impacts can be reduced to acceptable levels. Key measures			

include the removal of alien invasive vegetation and the establishment of a Biodiversity Stewardship Agreement with CapeNature. Implementation of these measures is expected to mitigate impacts related to vegetation loss and disturbance, improving the outcome from a low-medium negative impact prior to mitigation to a low positive outcome post-mitigation. The proposed use and associated management interventions will therefore support improved environmental stewardship and contribute to broader provincial conservation priorities.

The proposed development is directly linked to ongoing site management. Regular occupation will support continued environmental stewardship and the management of alien invasive vegetation, facilitated by the provision of a caretaker's cottage. In line with the PSDF, which discourages urban expansion and agricultural intensification within CBAs, the property will be managed as a lifestyle farm with a conservation focus, and no agriculture is proposed. A detailed Environmental Management Programme (EMPr) has been prepared to ensure that existing impacts are appropriately addressed, prevent further environmental degradation, and facilitate suitable management of environmentally sensitive areas on site.

The Western Cape PSDF requires that development along rivers and estuaries safeguards ecological integrity and landscape character. The proposed development near the Breede River Estuarine Functional Zone will be limited to a defined footprint around the existing dwelling, with ecological buffers and setbacks largely maintained. No infrastructure is proposed seaward of the Coastal Management Line, and the development is located on elevated ground above the estuarine zone, thereby minimising potential impacts on estuarine and coastal processes.

The PSDF also emphasises economic growth, job creation, and poverty alleviation. The project has created and will continue to provide limited employment opportunities during the construction phase and will provide limited long-term employment during the operation phase through ongoing land management and alien invasive vegetation clearing operations.

Overall, the proposal supports the objectives of the Western Cape Provincial Spatial Development Framework (PSDF) by promoting environmental stewardship, invasive species management, and biodiversity protection within a CBA, while avoiding urban expansion or agricultural intensification and providing small-scale employment opportunities during the construction and operational phases.

Urban edge / Edge of Built environment for the area	YES	NO	Please explain
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Not Applicable – The site is outside the urban edge

Integrated Development Plan of the Local Municipality	<b>YES X</b>	NO	Please explain
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The proposed development is limited to residential use, comprising the expansion of the existing dwelling and a caretaker's cottage, together with ongoing land management activities such as the removal of alien invasive vegetation. The Swellendam Municipality's 2023–2024 Integrated Development Plan (IDP) provides a framework for sustainable development across the municipal area, including rural settlements such as Infanta and Malgas, between which the development site is located. The IDP highlights the importance of protecting natural resources, biodiversity, and environmentally sensitive areas, while supporting inclusive economic growth and local employment opportunities.

While biodiversity impacts have resulted from the commencement of activities, terrestrial and aquatic biodiversity specialists are of the opinion that, through implementation of the recommended mitigation and remediation measures, the environmental impacts can be reduced to acceptable levels. Post-mitigation, the overall impact related to vegetation loss and disturbance is expected to improve to a low positive outcome (as opposed to a low-medium negative impacts prior to mitigation) due to alien invasive plant control and a proposed Biodiversity Stewardship Agreement with CapeNature. A detailed Environmental Management Programme (EMPr) has also been prepared to ensure that existing impacts are appropriately addressed, prevent further environmental degradation, and promote suitable management of environmentally sensitive areas on site.

The development is small in scale, consistent with the rural character of the area, and supports environmental management objectives. The property is already serviced with access, electrical connections supplemented by solar power, on-site water and sanitation systems, and domestic waste will continue to be managed through the Infanta landfill site. As such, the development will not place additional demand on municipal services.

The proposed development aligns with municipal objectives for invasive alien vegetation control, environmental conservation and sustainable resource use through, rain water tanks to service domestic water supply, alien plant clearing,

and the implementation of ecological buffers and setbacks.

The IDP also encourages local economic development with a focus on increased employment opportunities. The proposed project will create direct and indirect job opportunities during the construction phase, from which local and specialised labour will benefit. Employment opportunities will also be created during the operation phase aligned with ongoing management of alien invasive vegetation onsite.

With respect to the Breede River Estuary, the IDP emphasises coordinated management in line with the Integrated Coastal Management Act (ICMA), the National Estuarine Management Programme, the National and Western Cape Coastal Management Programme and the Breede River Estuary Management Plan. The development site was established prior to the promulgation of the ICMA in 2008. No infrastructure is proposed seaward of the Coastal Management Line, and the development is situated on elevated ground outside the Estuarine Functional Zone, thereby limiting potential risks to estuarine processes and supporting the IDP's biodiversity conservation objectives. No new infrastructure is proposed within the 1:100-year future floodline (refer to Appendix B1 and Appendix B3). As these floodlines represent default risk lines, the location of the proposed development is not expected to result in significant social or environmental risk.

Spatial Development Framework of the Local Municipality	<b>YES X</b>	NO	Please explain
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The Swellendam Spatial Development Framework (SDF) is aligned with the PSDF and prioritises the protection of CBAs, protection of river systems, waterbodies and estuarine functional zones, and requires that further loss or disturbance of natural habitat in these areas be avoided. It promotes responsible land management, including alien invasive vegetation control, alongside strengthening conservation management in areas adjacent to formally protected sites.

While biodiversity impacts have occurred as a result of the commencement of unauthorised activities on site, terrestrial and aquatic biodiversity specialists confirm that, with the implementation of the recommended mitigation and remediation measures, these impacts can be reduced to acceptable levels. The proposed development aligns with the SDF by promoting responsible land management as regular occupation of the site will facilitate continued environmental stewardship and alien invasive vegetation management supported by the provision of a caretaker's cottage. The small-scale nature of the development and the continued management of the property will also contribute to maintaining fynbos linkage corridors, thereby supporting conservation objectives as well as faunal movement and seed dispersal. The proposal will not negatively affect agriculture, sense of place, or socio-economic conditions, and no indigenous vegetation will be cleared for agricultural production. Furthermore, in line with the SDF's emphasis on sustainable water management, rainwater tanks will serve as the primary domestic water supply.

The applicant did not intend for Footprint 2 (floodplain saltmarsh) to be disturbed, and the clearance occurred solely at the discretion of the contractor. No development is planned for this footprint, and it will be fully rehabilitated to restore its ecological function.

The SDF outlines that development along the Breede River Estuary is required to comply with the Integrated Coastal Management Act (ICMA), the Breede River Estuary Management Plan and applicable municipal by-laws. The development site was established prior to the promulgation of the ICMA in 2008. No infrastructure is proposed seaward of the Coastal Management Line, and the development is situated on elevated ground outside the Estuarine Functional Zone, thereby limiting potential risks to estuarine processes and supporting the IDP's biodiversity conservation objectives. No new infrastructure is proposed within the 1:100-year future floodline (refer to Appendix B1 and Appendix B3). As these floodlines represent default risk lines, the location of the proposed development is not expected to result in significant social or environmental risk.

The project will generate limited direct and indirect employment opportunities during construction and will provide ongoing employment through land management and alien invasive vegetation clearing during the operational phase. The development will not place additional demand on municipal infrastructure or financial resources and is consistent with the SDF's objectives for environmental protection, sustainable land use and local economic support.

Approved Structure Plan of the Municipality	YES	NO	Please explain
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The proposed project does not link to the infrastructure plan for the municipality in terms of water and sanitation, as these services are provided on-site. Waste is sorted on site and taken to the local transfer station in Infanta for collection and disposal by the municipality.

An Environmental Management Framework (EMF) adopted by the Department	YES X	NO	Please explain
<p>The Environmental Management Framework (EMF) is integrated into the Swellendam Local Municipality SDF. The municipal area is divided into Spatial Planning Categories (SPCs), which provide a conceptual framework for land use planning and management. SPCs guide the management of rural land uses but do not create or take away land-use rights. The majority of the property under consideration is mapped as CBA1 (with the expiation of existing access roads and disturbed areas associated with the existing house footprint). According to the Municipal SDP, areas mapped as CBA1 are designated as <i>Core 1 Protected Areas</i>. While primarily mapped as CBA1, the site is not formally conserved and is therefore classified as <i>Core 1b: CBAs outside formally protected areas</i>. SANBI has identified numerous CBAs containing important vegetation fragments that require protection, though formal protection of these areas is challenging.</p> <p>Within Core 1 SPCs, conventional urban development is not permitted, and conservation of terrestrial and aquatic CBAs takes priority. Small scale, low-key development, such as the expansion of the existing dwelling and development of the caretaker's cottage, is consistent with this objective and supports sustainable rural land use. The project maintains the rural character of the area, promotes biodiversity conservation through ongoing alien invasive vegetation management. The Applicant is also committed to conserving the undeveloped portions of the property and is open to a stewardship-based approach.</p>			
Any other Plans	YES X	NO	Please explain
<p><b><u>Breede River Estuarine Management Plan:</u></b></p> <p>The property is located adjacent to the Breede River Estuarine Functional Zone and is therefore subject to the management intent of the Breede River Estuarine Management Plan (EMP). The EMP's Vision focuses on conserving estuarine functioning and biodiversity in order to sustain the ecosystem goods and services provided by the Breede River estuary. This Vision is supported by key management objectives, which are spatially implemented through an estuary zonation plan that serves as the blueprint against which all activities that impact on the estuary, should be tested against for compliance. The zonation plan defines three broad zonation types: Conservation/protection zones, Development buffer zones and Recreation-based zones.</p> <p><u>Conservation / Protection Zones:</u></p> <p>Cleared Area 1 is located south of an area mapped in the EMP zonation plan as a Conservation / Protection Zone (reeds and sedges). Aquatic biodiversity assessments confirmed that no loss of biodiversity occurred within the Breede River Estuarine Functional Zone as a result of activities in this area, with impacts on surrounding wetlands, water quality, and sedimentation assessed as negligible to none. These outcomes align with the EMP's vision and objectives in terms of water quality and conservation of biodiversity.</p> <p>Cleared Area 2 is indicated to be located within the Conservation / Protection Zone (reeds and sedges). Freshwater specialist investigations identified the affected area as a floodplain salt marsh wetland. This area was directly impacted by development activities, resulting in partial vegetation loss and an estimated 7% reduction in ecological function of the larger wetland. The impact is assessed as localised, long-term, and of Low to Medium negative significance. Clearance in this area was not intentional, and rehabilitation will be undertaken to restore ecological function and align the site with the EMP's conservation objectives.</p> <p><u>Development Buffer Zones:</u></p> <p>The development activities occurred within 100 m of the high-water mark of the Breede River estuary and within the Coastal Protection Zone and Rural Risk Zone (refer Figure 5). Although vegetation clearance took place seaward of the Coastal Management Line (CML), no infrastructure was constructed or is proposed seaward of the CML, which is consistent with the objectives of the Integrated Coastal Management Act and the Estuary Management Plan.</p> <p>Infrastructure developed and proposed within the Coastal Protection and Rural Risk Zones is limited to a small pumproom (already constructed) and a minor portion of the proposed expansion of the existing residential dwelling. The majority of the dwelling expansion is located outside these zones and all development (both existing and proposed) is located on elevated ground above the Estuarine Functional Zone, thereby reducing potential risks to estuarine processes and coastal dynamics.</p>			

The purpose of the Coastal Protection Zone is to protect ecological integrity, maintain natural coastal processes, and avoid increased risk from natural hazards. In this regard, the freshwater specialist assessment confirmed that the development resulted in no loss of biodiversity within the Breede River Estuarine Functional Zone, with impacts on surrounding wetlands, water quality, and sedimentation assessed as negligible to none.

Furthermore, although portions of the development fall within the Rural Risk Zone, the development is situated on an elevated part of the landscape and no new infrastructure is proposed within the 1:100-year future floodline (refer to Appendix B1 and Appendix B3). As these floodlines represent default risk lines, the location of the proposed development is not expected to result in increase risk to human life or public liability, nor does it compromise shoreline ecological integrity.

Recreation-based Zones:

No applicable to development activities.

Overall, the scale, location, and nature of the development activities, together with commitments to rehabilitation, ongoing alien invasive vegetation management, and the proposed biodiversity stewardship agreement with CapeNature, indicate that the development is largely aligned with the vision, management objectives, and spatial intent of the Breede River Estuarine Management Plan. Provided that rehabilitation and ongoing environmental management measures are implemented, the activities are not expected to compromise estuarine functioning or long-term ecological integrity.

## SECTION D: NEED AND DESIRABILITY

**Please Note:** Before completing this section, first consult this Department's *Guideline on Need and Desirability* (March 2013) available on the Department's website (<http://www.capegateway.gov.za/eadp>).

1. Was the activity permitted in terms of the property's land use rights at the time of commencement?	YES X	NO	Please explain
<p>The property is zoned Agriculture in terms of the Swellendam Municipality Integrated Zoning Scheme, which permits, among other uses, a dwelling house and employee accommodation as primary land use rights. The development activities undertaken and proposed include the expansion of the existing main dwelling, which lawfully existed prior to the unauthorised activities, and the development of a caretaker's cottage to accommodate an employee on site for ongoing land management and site oversight. These activities are permitted in terms of the property's existing land use rights.</p>			

2. Was the activity in line with the following?	YES X	NO	Please explain
(a) Provincial Spatial Development Framework (PSDF)	YES X	NO	Please explain
<p>The property is located along the Breede River, adjacent to the Breede River Estuarine Functional Zone. Most of the site is mapped as a terrestrial CBA, with the northern portion identified as an aquatic (estuarine) CBA. It supports Critically Endangered Potberg Ferricrete Fynbos and lies approximately 3.6 km north of De Hoop Nature Reserve, placing it within an ecologically important landscape. The Western Cape Provincial Spatial Development Framework (PSDF) prioritises the protection of CBAs, estuarine functional zones, and environmentally sensitive areas, while promoting responsible land management and maintaining ecological connectivity.</p> <p>The proposed development is limited to low-intensity residential use, including the expansion of the existing dwelling and the addition of a caretaker's cottage to support ongoing land management. Although biodiversity impacts have resulted from the commencement of activities, terrestrial and aquatic biodiversity specialists indicate that, with the implementation of recommended mitigation and remediation measures, these impacts can be reduced to acceptable levels. Key measures include the removal of alien invasive vegetation and the proposed establishment of a Biodiversity Stewardship Agreement with CapeNature. Implementation of these measures is expected to mitigate impacts related to vegetation loss and disturbance, improving the outcome from a low-medium negative impact prior to mitigation to a low positive outcome post-mitigation. The proposed use and associated management interventions will therefore support improved environmental stewardship and contribute to broader provincial conservation priorities.</p> <p>The proposed development is directly linked to ongoing site management. Regular occupation will support continued environmental stewardship and the management of alien invasive vegetation, facilitated by the provision of a caretaker's</p>			

cottage. In line with the PSDF, which discourages urban expansion and agricultural intensification within CBAs, the property will be managed as a lifestyle farm with a conservation focus, and no agriculture is proposed. A detailed Environmental Management Programme (EMPr) has been prepared to ensure that existing impacts are appropriately addressed, prevent further environmental degradation, and facilitate suitable management of environmentally sensitive areas on site.

The Western Cape PSDF requires that development along rivers and estuaries safeguards ecological integrity and landscape character. The proposed development near the Breede River Estuarine Functional Zone will be limited to a defined footprint around the existing dwelling, with ecological buffers and setbacks largely maintained. No infrastructure is proposed seaward of the Coastal Management Line, and the development is located on elevated ground above the estuarine zone, thereby minimising potential impacts on estuarine and coastal processes.

The PSDF also emphasises economic growth, job creation, and poverty alleviation. The project has created and will continue to provide limited employment opportunities during the construction phase and will provide limited long-term employment during the operation phase through ongoing land management and alien invasive vegetation clearing operations.

Overall, the proposal supports the objectives of the Western Cape Provincial Spatial Development Framework (PSDF) by promoting environmental stewardship, invasive species management, and biodiversity protection within a CBA, while avoiding urban expansion or agricultural intensification and providing small-scale employment opportunities during the construction and operational phases.

(b) Urban edge / Edge of Built environment for the area	YES	NO	Please explain
Not Applicable – The site is outside the urban edge			
(c) Integrated Development Plan and Spatial Development Framework of the Local Municipality (e.g. would the approval of this application have compromised the integrity of the existing approved and credible municipal IDP and SDF?).	YES X	NO	Please explain

The proposed development, consisting of the expansion of an existing dwelling and the construction of a caretaker's cottage with associated land management activities, is aligned with the Swellendam Municipality's IDP and SDF.

The Swellendam Municipality's 2023–2024 IDP promotes sustainable development within rural areas such as Infanta and Malgas. The development is small in scale, consistent with the rural character of the area, and supports environmental management objectives through ongoing alien invasive vegetation removal. The property is already serviced with access, electricity supplemented by solar power, on-site water and sanitation systems, and domestic waste disposal via the Infanta landfill site. Accordingly, the development will not place additional demand on municipal services or finances.

Although biodiversity impacts have resulted from the commencement of unauthorised activities, terrestrial and aquatic biodiversity specialists are of the opinion that, through implementation of the recommended mitigation and remediation measures, environmental impacts can be reduced to acceptable levels. Post-mitigation, the overall impact associated with vegetation loss and disturbance is expected to improve to a low positive outcome due to alien invasive plant control and the proposed Biodiversity Stewardship Agreement with CapeNature. A detailed Environmental Management Programme (EMPr) has been prepared to address existing impacts, prevent further environmental degradation, and suitable management of environmentally sensitive areas.

The Swellendam Spatial Development Framework (SDF) prioritises the protection of CBAs, rivers, waterbodies, and estuarine zones, emphasising conservation of sensitive environments and responsible land management, including alien invasive vegetation control. The proposed development aligns with the SDF by promoting responsible land management as regular occupation of the site will facilitate continued environmental stewardship and alien invasive vegetation management supported by the provision of a caretaker's cottage. The small-scale nature of the development and the continued management of the property will also contribute to maintaining fynbos linkage corridors, thereby supporting conservation objectives as well as faunal movement and seed dispersal. The proposal will not negatively affect agriculture, sense of place, or socio-economic conditions, and no indigenous vegetation will be cleared for agricultural production. Furthermore, in line with the SDF's emphasis on sustainable water management, rainwater tanks will serve as the primary domestic water supply.

No infrastructure is proposed seaward of the Coastal Management Line, and the development is situated on elevated ground outside the Estuarine Functional Zone, thereby limiting potential risks to estuarine processes and supporting the IDP's biodiversity conservation objectives. No new infrastructure is proposed within the 1:100-year future floodline (refer to Appendix

<p>B1 and Appendix B3). As these floodlines represent default risk lines, the location of the proposed development is not expected to result in significant social or environmental risk.</p> <p>The project further supports the IDP's objective of local economic development by creating direct and indirect employment opportunities during the construction phase and providing ongoing employment linked to alien invasive vegetation management during the operational phase.</p>			
(d) Approved Structure Plan of the Municipality	YES	NO	Please explain
<p>The proposed project does not link to the infrastructure plan for the municipality in terms of water and sanitation, as these services are provided on-site. Waste is sorted on site and taken to the local transfer station in Infanta for collection and disposal by the municipality.</p>			

(e) An Environmental Management Framework (EMF) adopted by the Department (e.g. Would the approval of this application have compromised the integrity of the existing environmental management priorities for the area and if so, can it be justified in terms of sustainability considerations?)	YES X	NO	Please explain
<p>The Environmental Management Framework (EMF) is integrated into the Swellendam Local Municipality SDF. The municipal area is divided into Spatial Planning Categories (SPCs), which provide a conceptual framework for land use planning and management. SPCs guide the management of rural land uses but do not create or take away land-use rights. The property under consideration is located within an area designated as <i>Core 1 Protected Areas and CBA1</i>. While primarily mapped as CBA1, the site is not formally conserved and is therefore classified as <i>Core 1b: CBAs outside formally protected areas</i>. SANBI has identified numerous CBAs containing important vegetation fragments that require protection, though formal protection of these areas is challenging.</p> <p>Within Core 1 SPCs, conventional urban development is not permitted, and conservation of terrestrial and aquatic CBAs takes priority. Small scale, low-key development, such as the expansion of the existing dwelling and development of the caretaker's cottage, is consistent with this objective and supports sustainable rural land use. The project maintains the rural character of the area, promotes biodiversity conservation through ongoing alien invasive vegetation management. The Applicant is committed to conserving the undeveloped portions of the property and is open to a potential stewardship-based approach.</p>			

(f) Any other Plans (e.g. Guide Plan)	YES X	NO	Please explain
<p><b><u>Breede River Estuarine Management Plan:</u></b></p> <p>The property is located adjacent to the Breede River Estuarine Functional Zone and is therefore subject to the management intent of the Breede River Estuarine Management Plan (EMP). The EMP's Vision focuses on conserving estuarine functioning and biodiversity in order to sustain the ecosystem goods and services provided by the Breede River estuary. This Vision is supported by key management objectives, which are spatially implemented through an estuary zonation plan that serves as the blueprint against which all activities that impact on the estuary, should be tested against for compliance. The zonation plan defines three broad zonation types: Conservation/protection zones, Development buffer zones and Recreation-based zones.</p> <p><u>Conservation / Protection Zones:</u></p> <p>Cleared Area 1 is located south of an area mapped in the EMP zonation plan as a Conservation / Protection Zone (reeds and sedges). The aquatic biodiversity assessment confirmed that no loss of biodiversity occurred within the Breede River Estuarine Functional Zone as a result of activities in Footprint 1, with impacts on surrounding wetlands, water quality, and sedimentation assessed as negligible to none. These outcomes align with the EMP's vision and objectives in terms of water quality and conservation of biodiversity.</p> <p>Cleared Area 2 is indicated to be located within the Conservation / Protection Zone (reeds and sedges). Freshwater specialist investigations identified the affected area as a floodplain salt marsh. This area was directly impacted by development activities, resulting in partial vegetation loss and an estimated 7% reduction in ecological function of the larger wetland. The impact is assessed as localised, long-term, and of Low to Medium negative significance. Clearance in this area was not intentional, and rehabilitation will be undertaken to restore ecological function and align the site with the EMP's conservation objectives.</p>			

Development Buffer Zones:

The development activities occurred within 100 m of the high-water mark of the Breede River estuary and within the Coastal Protection Zone and Rural Risk Zone (refer Figure 5). Although vegetation clearance took place seaward of the Coastal Management Line (CML), no infrastructure was constructed or is proposed seaward of the CML, which is consistent with the objectives of the Integrated Coastal Management Act and the Estuary Management Plan.

Infrastructure developed and proposed within the Coastal Protection and Rural Risk Zones is limited to a small pumproom (already constructed) and a minor portion of the proposed expansion of the existing residential dwelling. The majority of the dwelling expansion is located outside these zones and all development (both existing and proposed) is located on elevated ground above the Estuarine Functional Zone, thereby reducing potential risks to estuarine processes and coastal dynamics.

The purpose of the Coastal Protection Zone is to protect ecological integrity, maintain natural coastal processes, and avoid increased risk from natural hazards. In this regard, the freshwater specialist assessment confirmed that the development resulted in no loss of biodiversity within the Breede River Estuarine Functional Zone, with impacts on surrounding wetlands, water quality, and sedimentation assessed as negligible to none.

Furthermore, although portions of the development fall within the Rural Risk Zone, the development is situated on an elevated part of the landscape and no new infrastructure is proposed within the 1:100-year future floodline (refer to Appendix B1 and Appendix B3). As these floodlines represent default risk lines, the location of the proposed development is not expected to result in increase risk to human life or public liability, nor does it compromise shoreline ecological integrity.

Recreation-based Zones:

No applicable to development activities.

Overall, the scale, location, and nature of the development activities, together with commitments to rehabilitation, ongoing alien invasive vegetation management, and the intention to enter into a biodiversity stewardship agreement with CapeNature, indicate that the development is largely aligned with the vision, management objectives, and spatial intent of the Breede River Estuarine Management Plan. Provided that rehabilitation and ongoing environmental management measures are implemented, the activities are not expected to compromise estuarine functioning or long-term ecological integrity.

<p>3. Was the land use (associated with the activity for which rectification is sought) considered within the timeframe intended by the existing approved Spatial Development Framework (SDF) agreed to by the relevant environmental authority (i.e. was the development in line with the projects and programmes identified as priorities within the relevant IDP)?</p>	<p><b>YES X</b></p>	<p>NO</p>	<p>Please explain</p>
<p>The development activities commenced in February 2024. The Swellendam IDP and SDF in place at the time (SDF – May 2020 and SDP 2023-2024 revision) emphasise the protection of environmentally sensitive areas and natural resources, encourage responsible land management including alien invasive vegetation control and support inclusive economic growth and local employment. The land use activities currently under consideration are thus largely in support of the IDP and SDF of the local municipality with the exception of applying sustainable environmental management principles to avoid negative environmental impacts. Suitable mitigation measures have however been outlined in Section F of this report to address this shortfall. A detailed EMPr has also been developed that incorporates specialists' recommendations together with additional relevant mitigation and management measures which will ensure that existing impacts are rectified, prevent further environmental degradation, and promote suitable management of environmentally sensitive areas.</p>			

<p>4. Should development, or if applicable, expansion of the town/area concerned in terms of this land use (associated with the activity being applied for) have occurred here when activities commenced?</p>	<p><b>YES X</b></p>	<p><b>NO X</b></p>	<p>Please explain</p>
<p>The site on which the development activities commenced is zoned Agriculture 1 and is classified as CBA. The development activities undertaken and proposed comprise the expansion of the existing main dwelling, which lawfully existed prior to the unauthorised activities, and the construction of a caretaker's cottage to accommodate an employee responsible for ongoing land management and site oversight. These activities are directly related to the management of the property and are</p>			

therefore consistent with the existing land use rights and aligned with the relevant IDP and SDF objectives. The development will generate temporary employment during construction and permanent employment during the operational phase.

While the overall location of the property is suitable for the nature of the development, the selected development footprints were not fully aligned with environmental best practice. A more environmentally appropriate layout and minimized disturbance areas would have avoided a portion of the impacts that incurred. While the overall intended land use appropriate for the zoning and ecological context of the site, the extent and location of disturbance were not the best practicable environmental option. In mitigation the applicant stated that the earthmoving operator acted outside of the brief and cleared a much larger area. The implementation of recommended mitigation and rectification measures will, however, reduce environmental impacts to acceptable levels and ensure that the ongoing use and management of the property aligns with sound environmental practice

5. Did the community/area need the activity and the associated land use concerned (was it a societal priority)? (This refers to the strategic as well as local level (e.g. development is a national priority, but within a specific local context it could be inappropriate.)	YES	NO X	Please explain
<p>The activity was not driven by a direct community or societal need, but rather by the private requirements of the landowner to expand the existing dwelling and to provide accommodation for a caretaker to manage the property. As such, the development does not constitute a strategic or local development priority for the broader community or municipal area. However, the associated land use does support an indirect public benefit through the ongoing management and removal of alien invasive vegetation, which contributes positively to local biodiversity conservation and employment.</p>			

6. Were the necessary services with adequate capacity available (at the time of commencement), or was additional capacity created to cater for the development? (Confirmation by the relevant Municipality in this regard must be attached to the Application Form / additional information as an <b>appendix</b> , where applicable.)	YES X	NO X	Please explain
<p>The necessary services for the existing main dwelling were largely already in place and adequate at the time the activities commenced. Additional service capacity was privately created to accommodate the caretaker's cottage, without placing any demand on municipal infrastructure.</p> <p><u>Water supply:</u> The main dwelling is supplied through an existing on-site system consisting primarily of rainwater harvesting, supplemented by treated river water when required. Rainwater is collected from roof areas and stored in on-site tanks. Additional storage tanks have been installed, increasing total storage capacity to approximately 120 000 L. Supplementary water is pumped from the river via an existing jetty pump and pipeline. Water to the caretaker's cottage is conveyed from the main dwelling's storage tanks via an above-ground pipeline within the road reserve.</p> <p><u>Electricity:</u> The main dwelling is supplied through an existing Eskom connection supplemented by solar panels. The caretaker's cottage is powered independently by a dedicated solar energy system installed on the roof.</p> <p><u>Sewage:</u> The main dwelling is serviced by an existing septic tank system. A separate septic tank has been installed to service the caretaker's cottage.</p> <p><u>General waste:</u> Domestic waste is sorted onsite and removed by the applicant to the Infanta transfer station</p>			

7. Is/was this development provided for in the infrastructure planning of the municipality, and if not what was/will the implication be on the infrastructure planning of the municipality (priority and placement of services and opportunity costs)? (Comment by the relevant Municipality in this regard must be attached to the Application Form / additional information as an <b>appendix</b> , where applicable.)	YES	NO X	Please explain
<p>The proposed development does not form part of the Swellendam Municipality's infrastructure planning, as it is located in a rural area between Infanta and Malgas. Overall, the development does not require reallocation of municipal resources or adjustments to existing infrastructure programmes and therefore does not negatively affect municipal infrastructure planning.</p>			

8. Was this project part of a national programme to address an issue of national	YES	NO X	Please explain
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concern or importance?			
<p>The proposed development is not part of a national programme addressing issues of national concern. However, it is well positioned to contribute to conservation priorities through the active management of alien invasive vegetation within a Critical Biodiversity Area. Furthermore, the Applicant is committed to conserving the undeveloped portions of the property and is open to a stewardship-based approach.</p>			

9. Did location factors favour this land use (associated with the activity applied for) at this place? (This relates to the contextualisation of the land use on this site within its broader context.)	<b>YES X</b>	NO	Please explain
<p>The location of the property is suitable for the proposed residential and land management activities. The site is rural, situated between Infanta and Malgas, and already accommodates an existing main dwelling with access, water, power, and sanitation infrastructure. Its remoteness and low-density context mean the limited development proposed—expansion of the existing dwelling and a caretaker's cottage—aligns with the rural character of the area and does not place additional demand on municipal services. Furthermore, the property's location within a Critical Biodiversity Area and along the Breede River positions it to contribute to conservation objectives through ongoing alien invasive vegetation management, supported by the caretaker's presence.</p>			

10. How did/does the activity or the land use associated with the activity applied for, impact on sensitive natural and cultural areas (built and rural/natural environment)?	<b>YES X</b>	NO	Please explain
<p><u>Botanical:</u></p> <p>The development activities undertaken resulted in the permanent loss of existing natural vegetation within Cleared Footprint 1 and Cleared Footprint 3 and the temporary loss of existing natural vegetation within Cleared Footprint 2 and a portion of Cleared Footprint 3. The natural vegetation type confirmed to coincide with the development area is Potberg Ferricrete Fynbos which is listed as Critically Endangered on a national scale. The likely botanical sensitivity in Footprint 1 and Footprint 3 is Medium to High, whilst in Footprint 2 it is deemed Medium. The overall construction phase botanical impacts would be Low to Medium negative, before and after mitigation. Adequate and appropriate mitigation is only likely to be viable at the operational phase, primarily in the form of natural rehabilitation of disturbed areas and extensive alien vegetation removal on the greater property. The primary operational phase botanical impacts are habitat fragmentation, and further invasion of alien plant species. The expected significance of these impacts is Low negative before mitigation, and Low positive after mitigation. Soil disturbance at all three sites is likely to allow for increased germination of alien invasive plant species such as Rooikrans and Port Jackson, which have large seedbanks in much of the area. The impacts are likely to be of Low negative significance, before mitigation, and Low positive after mitigation.</p> <p><u>Faunal:</u></p> <p>Faunal sensitivity in the focus areas is likely to be Medium. No animals are likely to be permanently and negatively impacted by the construction activities, and no faunal SCC are likely to be permanently impacted by the activities. In general, the construction phase faunal impacts are likely to be of Low negative significance, before and after mitigation. Adequate and appropriate mitigation is only likely to be viable at the operational phase, primarily in the form of natural rehabilitation of disturbed areas and extensive alien vegetation removal on the greater property. The operational phase faunal impacts are likely to be of Low negative significance, before mitigation, and Low positive after mitigation.</p> <p><u>Aquatic:</u></p> <p>The development activities resulted in the temporary loss of vegetation within the floodplain marsh (Cleared Footprint 2) and clearing and levelling activities were also undertaken within the larger Breede River Estuarine Functional Zone buffer zone resulting in indirect impacts (Cleared Footprint 1). The clearance of vegetation within the Floodplain Saltmarsh resulted in a notable loss of biodiversity, encompassing both the vegetation itself and the temporary loss of invertebrate species dependent on this habitat. Some vegetation has begun to re-establish naturally; however, the cleared area remains largely barren, corresponding to an estimated reduction of approximately 7% in the ecological function of the larger wetland. This impact is assessed as having a local, long-term, Low to Medium negative significance on biodiversity within the broader wetland area.</p>			

Furthermore, the clearing and levelling activities that took place within the larger Breede River Buffer Zone, had the potential to cause a loss of biodiversity within the adjacent wetland area. Excavation of soils on a slope could have led to sedimentation in the downstream wetland, potentially resulting in some loss of wetland habitat and water quality impacts. However, this activity was confined to a sloped area, significantly elevated above the wetland, was buffered by the existing dirt road running along the site and no signs of disturbance or sedimentation were observed north of the road. As a result, impacts on surrounding wetland biodiversity, water quality, and sedimentation are considered negligible.

11. How did/does the development impact on people's health and wellbeing (e.g. in terms of noise, odours, visual character and sense of place, etc.)?	YES	NO X	Please explain
<p>The site is located within a rural setting and located some distance from the villages of Malgas and Infanta. There are only scattered residences located along the Breede River onto which the site borders, but they are suitably far away so that noise, dust or other nuisance factors would not have a significant affect them.</p> <p>The development is small in scale and limited to residential use and ongoing alien invasive vegetation management. As such, long-term impacts on people's health and wellbeing are expected to be minimal. The development is consistent with the rural character of the area and does not activities that would negatively affect the visual character or sense of place.</p> <p>Over the longer term, the continued management of the property, including alien invasive vegetation removal is expected to enhance the natural landscape and sense of place.</p>			

12. Did/does the proposed activity or the land use associated with the activity applied for, result in unacceptable opportunity costs?	YES	NO X	Please explain
<p>The property is an existing farm within a rural landscape that is largely characterised by natural vegetation and has historically been used for residential purposes only. The proposed development enables the owners to continue and optimise this residential use through the expansion of the existing dwelling and the establishment of a caretaker's cottage to support permanent on-site management, including ongoing alien invasive vegetation control. Although vegetation clearing and soil disturbance occurred beyond what was necessary for the proposed development, these impacts can be rehabilitated, and the recommended mitigation measures will minimise long-term environmental opportunity costs. The development activities already undertaken and the current proposal do not preclude future conservation use of the property.</p>			

13. What were the cumulative impacts (positive and negative) of the land use associated with the activity applied for?	YES	NO	Please explain
<p><u>Positive Impacts:</u></p> <ul style="list-style-type: none"> <li>- Direct and indirect, temporary and permanent employment creation during both the construction and operational phases</li> <li>- Stimulation of the local economy and supply chain through the procurement of goods and services during construction.</li> <li>- Ongoing alien invasive vegetation control</li> </ul> <p><u>Negative Impacts:</u></p> <ul style="list-style-type: none"> <li>- Loss of Critically Endangered indigenous vegetation</li> <li>- Encroachment and degradation of aquatic habitats resulting in biodiversity loss and water quality impacts</li> <li>- Incremental habitat fragmentation resulting from addition and increased size of development footprints.</li> <li>- Increased risk of alien invasive plant establishment due to soil disturbance and vegetation clearing.</li> <li>- Nuisance factors (noise, dust) during construction and potentially operation (Limited given the location of the development activities).</li> </ul> <p>The cumulative botanical impacts are understood to be equivalent to the regional botanical and faunal impacts, in that the vegetation type and fauna impacted by the proposed development has been, and will continue to be, impacted by numerous developments (mainly agricultural and alien invasive vegetation) and other factors (the cumulative impacts) within the region. Given the relatively small scale of the impacts thus far the overall cumulative botanical and faunal impacts at a regional level are thus both likely to be Low negative.</p> <p>A negligible negative cumulative impact is expected on the larger surrounding freshwater features.</p>			

14. Is/was the development the best practicable environmental option for this land/site?	YES X	NO X	Please explain
<p>The current development proposal represents the best practicable environmental option for the site in terms of its intended long-term use, as it supports ongoing management of alien invasive vegetation. However, the development activities that were undertaken unlawfully did not adequately consider the presence of environmentally sensitive features. Vegetation clearance within Footprint 1 should have been confined to the actual development footprint, and clearing within Footprint 2 should not have occurred. A more environmentally appropriate layout and minimized disturbance areas would have avoided a portion of the impacts that incurred. While the overall intended land use appropriate for the zoning and ecological context of the site, the extent and location of disturbance were not the best practicable environmental option. In mitigation the applicant stated that the earthmoving operator acted outside of the brief and cleared a much larger area. The implementation of recommended mitigation and rectification measures will, however, reduce environmental impacts to acceptable levels and ensure that the ongoing use and management of the property aligns with sound environmental practice</p>			

15. What are/were the benefits to society in general and to the local communities?	Please explain
<ul style="list-style-type: none"> <li>- Direct and indirect, temporary and permanent employment creation during both the construction and operational phases</li> <li>- Stimulation of the local economy and supply chain through the procurement of goods and services during construction.</li> </ul>	

16. Any other need and desirability considerations related to the activity?	Please explain
<p>The property is located within a Critical Biodiversity Area and supports Critically Endangered vegetation. The proposed caretaker's cottage facilitates ongoing management of alien invasive vegetation, which is both a legal obligation and essential for protecting sensitive habitats and maintaining ecological connectivity within the landscape.</p>	

17. Please describe how the general objectives of Integrated Environmental Management as set out in section 23 of NEMA were taken into account:
<p>The purpose of Section 23 of NEMA is to promote the application of appropriate environmental management tools in order to ensure the integrated environmental management of activities. The listed activities currently under investigation have already taken place. As such the general objectives of Integrated Environmental Management were taken into account retrospectively by doing the following:</p> <ul style="list-style-type: none"> <li>- A Terrestrial Ecologist was appointed to assess the significance of the botanical and faunal aspects that would have been present within the cleared areas and to determine the impacts that have resulted from the development activities undertaken. Suitable mitigation measures to address and reduce the identified botanical and faunal impacts to within acceptable limits were outlined within the botanical and faunal impact assessment.</li> <li>- An Aquatic Specialist was also appointed to assess the significance of the onsite aquatic features and to determine the aquatic impacts that have resulted from the development activities undertaken. Suitable mitigation measures to address and reduce the identified aquatic impacts to within acceptable limits were outlined within the aquatic report.</li> <li>- The specialist reports along with the current application identifies, predicts, assesses, and communicates the actual and potential impacts associated with the development activities that have already been undertaken and the proposed development still to be undertaken. Suitable mitigation measures have been identified and outlined and will be implemented onsite to address these impacts.</li> <li>- An Environmental Management Programme has been compiled that includes all specialist and general required mitigation and management activities. Implementation of the EMPr will be carried out onsite and will ensure ongoing site management in line with suitable environmental practices.</li> <li>- The aquatic ecologist has recommended that the disturbed portion of the saltmarsh floodplain wetland is</li> </ul>

rehabilitated. Detailed rehabilitation measures have been outlined within the EMPr.

- Both the terrestrial and aquatic ecologist have recommended that alien invasive vegetation is removed from the site. Detailed alien invasive vegetation management measures have been outlined within the EMPr. These measures incorporate the best practice methodology as outlined in Martins et al (2021).
- The public participation processes will be implemented as per the EIA Regulations 2014 and DEA&DP's guidelines on PPP which will allow sufficient opportunity for public consultation. An advertisement will be placed in a newspaper, informing members of the public of the application and available information. Details on how members of the public can register as interested and affected parties (I&APs) will be included. Other stakeholders (ward councillor, local authorities, adjacent landowners, organs of state, state departments, etc.) will be identified and notified of the process. A site notice will be placed on site.

18. Please describe how the **principles of environmental management** as set out in section 2 of NEMA were taken into account:

The aim of the principles of environmental management as set out in section 2 of NEMA is to guide stakeholders to undertake a holistic evaluation of the proposed development activities and to ensure that the precautionary principle is applied to encourage sustainable development. The impact assessment process undertaken takes all three spheres of sustainability, namely economic, social and environmental sustainability into account. Impacts related to each of these aspects are assessed and suitably addressed. This impact assessment will consider people and their needs through affording interested and affected parties the opportunity to comment during the public participation processes. The environmental impacts resulting from the development activities undertaken will be addressed through the implementation of suitable mitigation measures as outlined by specialists and the EAP. An EMPr has been developed which will guide suitable management of the facility throughout the remainder of the construction phase and the operational phase of the development to prevent and/or minimize any potential environmental impacts.

## SECTION E: ALTERNATIVES

**Please Note:** Before completing this section, first consult this Department's *Guideline on Alternatives* (March 2013) available on the Department's website (<http://www.capegateway.gov.za/eadp>).

"Alternatives", in relation to an activity, means different means of meeting the general purposes and requirements of the activity, which may include alternatives to –

- (a) the property on which, or location where, it is to undertake the activity/the activity was undertaken;
- (b) the type of activity to be undertaken;
- € the design or layout of the activity;
- (d) the technology to be used in the activity;
- € the operational aspects of the activity; and
- (f) the option of not implementing the activity.

The NEMA prescribes that the procedures for the investigation, assessment and communication of the (potential) consequences or impacts of activities on the environment must, *inter alia*, with respect to every application for environmental authorisation –

- ensure that the general objectives of integrated environmental management laid down in NEMA and the National Environmental Management Principles set out in NEMA are taken into account; and (where applicable)
- include an investigation of the potential consequences or impacts of the alternatives to the activity on the environment and assessment of the significance of those potential consequences or impacts, including the option of not implementing the activity.

The general objective of integrated environmental management is, *inter alia*, to "identify, predict and evaluate the actual and potential impact on the environment, socio-economic conditions and cultural heritage, the risks and consequences and alternatives and options for mitigation of activities, with a view to minimising negative impacts, maximising benefits, and promoting compliance with the principles of environmental management" set out in NEMA.

1. In the sections below, please provide a description of any considered alternatives and alternatives that were found to be feasible and reasonable.

**Please note:**

- Detailed written proof of the investigation of alternatives must be provided. If no reasonable or feasible alternative exists, a motivation must be provided.

- Alternatives considered for a Section 24G application are used to determine if the development was the best practicable alternative (environmentally, socially and economically) for the site or property.
- In respect of a section 24 application, the option of not implementing the activity ("no-go"), includes the option of ceasing the activity, not implementing continuation of the activity, refusal of the commenced activity and complete rehabilitation of the affected site.

(a) Property and location/site alternatives to avoid negative impacts, mitigate unavoidable negative impacts and maximise positive impacts, or detailed motivation if no reasonable or feasible alternatives exist:

The proposed development site is situated within a rural landscape, with surrounding land predominantly natural and subject to varying degrees of alien invasive vegetation. Historically, the property has been used solely for residential purposes. No alternative properties, locations, or sites were considered for this development due to the following factors:

1. Property ownership: The applicant owns the property, and the activities are specific to managing and developing this site.
2. Commencement of activities: The development and associated vegetation clearing have already been undertaken.

The existing main dwelling and associated building platform and terraces predates NEMA, and any expansion thereof would need to be adjacent to the existing footprint. Therefore, there is no area better suited for the main dwelling expansion. Ideally, vegetation clearance should have been limited strictly to the area required for the development; however, the appointed contractor exceeded the intended disturbance footprint. For practical and fire protection purposes, the applicant proposes to rehabilitate the undeveloped cleared areas using predominantly locally indigenous vegetation, thereby restoring ecological function while maintaining appropriate defensible space around the dwelling.

Regarding the caretaker's cottage, although a slightly more environmentally suitable location could theoretically have been identified (e.g., areas dominated by dense alien vegetation), practical constraints such as proximity to the access gate, the road to minimize additional vegetation clearance meant that no alternative onsite location would have significantly reduced environmental impacts. Consequently, no feasible alternatives exist that would have substantially avoided or reduced impacts while maintaining the functionality of the development.

The applicant did not intend for Footprint 2 (floodplain saltmarsh) to be disturbed, and the clearance occurred solely at the discretion of the contractor. No development is planned for this footprint, and it will be rehabilitated to restore its ecological function.

(b) Activity alternatives to avoid negative impacts, mitigate unavoidable negative impacts and maximise positive impacts, or detailed motivation if no reasonable or feasible alternatives exist:

No feasible activity alternatives exist. The site is situated in a rural landscape and has historically been used solely for residential purposes. The expansion of the existing dwelling is required to accommodate the owner's visits to the property and to support effective oversight and management of on-site land and environmental activities. The caretaker's cottage, which has already been developed, is directly linked to ongoing property management, including alien invasive vegetation removal. Given that the vegetation clearance and excavation has already been undertaken and the expansion activities have been initiated, changing the activity would not mitigate or avoid negative impacts.

(c) Design or layout alternatives to avoid negative impacts, mitigate unavoidable negative impacts and maximise positive impacts, or detailed motivation if no reasonable or feasible alternatives exist:

The caretaker's cottage has already been constructed, and no alternative design or layout is feasible at this point. Its size was minimised to reduce the disturbance footprint, which will be partially rehabilitated and landscaped with indigenous vegetation; full rehabilitation is not possible due to fire risk considerations.

Vegetation clearance around the existing dwelling has also been completed, and the new garage and pumphouse constructed. The majority of the remaining expansion of the dwelling is proposed behind the existing structure and adjacent to the already developed garage, outside the regulated Breede River Estuarine Functional Zone. This location represents the most environmentally appropriate alternative within the already cleared footprint, avoiding further impacts on sensitive areas.

(d) Technology alternatives (e.g. to reduce resource demand and resource use efficiency) to avoid negative impacts, mitigate unavoidable negative impacts and maximise positive impacts or detailed motivation if no reasonable or feasible alternatives exist:

The technology alternatives implemented on site include the use of solar panels to supplement the electricity supply to the main dwelling and to provide the primary power supply to the caretaker's cottage. This reduces reliance on grid electricity, limits additional service infrastructure requirements, and lowers overall resource demand. Furthermore, domestic water supply is primarily provided through rainwater harvesting, with roof runoff collected and stored in water tanks. This further reduces reliance on external water resources and supports sustainable water use on the property.

(e) Operational alternatives to avoid negative impacts, mitigate unavoidable negative impacts and maximise positive impacts, or detailed motivation if no reasonable or feasible alternatives exist:

There are no feasible operational alternatives that would avoid impacts beyond those associated with the current proposal, as the project is limited to the expansion of an existing dwelling and the development of a caretaker's cottage. Operational impacts will be managed and mitigated through the implementation of the Environmental Management Programme (EMPr), which is attached to the BAR as Appendix I.

(f) The option of ceasing the activity (the refusal of the activity(ies) and/or rehabilitation of the site):

The "No-Go" alternative was considered. However, the botanical and faunal impact assessment indicated that this option would likely result in continued and unmanaged invasion by alien plant species, leading to progressive habitat degradation and further loss of indigenous biodiversity, including within sensitive wetland areas. Over time, the No-Go option is therefore expected to have a Low to Medium negative ecological impact due to ongoing habitat loss, species decline, and wetland degradation associated with uncontrolled alien invasive vegetation. Consequently, the No-Go alternative is not regarded as the environmentally preferred option compared to the proposed development with active management, mitigation, and rehabilitation measures in place.

(g) Any other alternatives to avoid negative impacts, mitigate unavoidable negative impacts and maximise positive impacts, or detailed motivation if no reasonable or feasible alternatives exist:

None identified at this time.

(h) Please provide a summary of the alternatives investigated and the outcomes of such investigation:

**Please note:** If no feasible and reasonable alternatives exist, the description and proof of the investigation of alternatives, together with motivation of why no feasible or reasonable alternatives exist, must be provided.

At the time of application, the primary environmental impacts had already occurred. Although alternatives were considered for certain components of the development, only one feasible and reasonable option remains available for assessment, as the disturbance footprints had already been established and alternatives in terms of location are no longer practicable.

The option of ceasing all activities or removing completed structures is not considered feasible for the development components already constructed. Similarly, no layout alternative is possible for the development components already constructed. The additions to the main dwelling still proposed are already located most suitably behind the existing main dwelling, and adjacent to the garage, within the already disturbed footprint yet predominantly outside the Breede River Estuarine Buffer Zone. This will ensure minimal visual change or encroachment into sensitive environmental buffer areas. The applicant therefore proposes to retain Cleared Footprints 1 and 3 for residential use with undeveloped land areas landscaped with locally indigenous vegetation, while Cleared Footprint 2 will be fully rehabilitated.

The operational phase activities are small in scale and associated with low environmental impact. The preferred alternative (the current proposal) enables effective mitigation of existing impacts and ensures long-term, responsible management of the property, with the potential for a net positive environmental outcome through rehabilitation and ongoing alien invasive vegetation control.

Given the above, the only alternative investigated within the impact assessment is the no-go alternative whereby the development activities already undertaken are decommissioned and the cleared areas are rehabilitated.

**SECTION F: IMPACT ASSESSMENT, MANAGEMENT, MITIGATION AND MONITORING MEASURES**

**Please note, the impacts identified below refer to general impacts commonly associated with development activities. The list below is not exhaustive and may need to be supplemented. Where required, please append the information on any additional impacts to this application.**

**Please note: The information in this section must be duplicated for all the feasible and reasonable alternatives (where relevant).**

**1. PLEASE DESCRIBE THE MANNER IN WHICH THE DEVELOPMENT HAS IMPACTED ON THE FOLLOWING ASPECTS:**

(a) Geographical and physical aspects:

The development activities involved the transformation of natural land through vegetation removal, soil excavation and compaction, and the construction of built structures. Over 5 cubic metres of soil and rock were excavated to expand the existing platform for the garage, water tanks, and associated infrastructure. Vegetation was cleared along a sloped area in Cleared Footprint 1, which had potential for erosion; this area has since been replanted and now has good vegetation cover, stabilizing the slope. Cleared Footprint 2 is located within a delineated Floodplain Salt Marsh, where vegetation clearance, soil removal, and soil disturbance also occurred.

(b) Biological aspects:

Has the development impacted on critical biodiversity areas (CBAs) or ecological support areas (ESAs)?	YES X	NO
If yes, please describe:		

According to the botanical and faunal impact assessment, most of the natural vegetation on site is mapped as terrestrial CBA1., Cleared Footprint 1 is mapped as being located within a Valley-bottom Wetland CBA. However, during the field verification, the valley-bottom wetland indicated in Cleared Footprint 1 was found invalid as no wetland features were found at or around the site. The botanical and faunal assessment confirms that Cleared Footprint 1 is a terrestrial north-facing slope overlooking the Breede River. Cleared footprint 2 was confirmed to be in an estuary CBA. And cleared Footprint 3 was confirmed to be located within a terrestrial CBA1. Please refer to Figure 7 below.

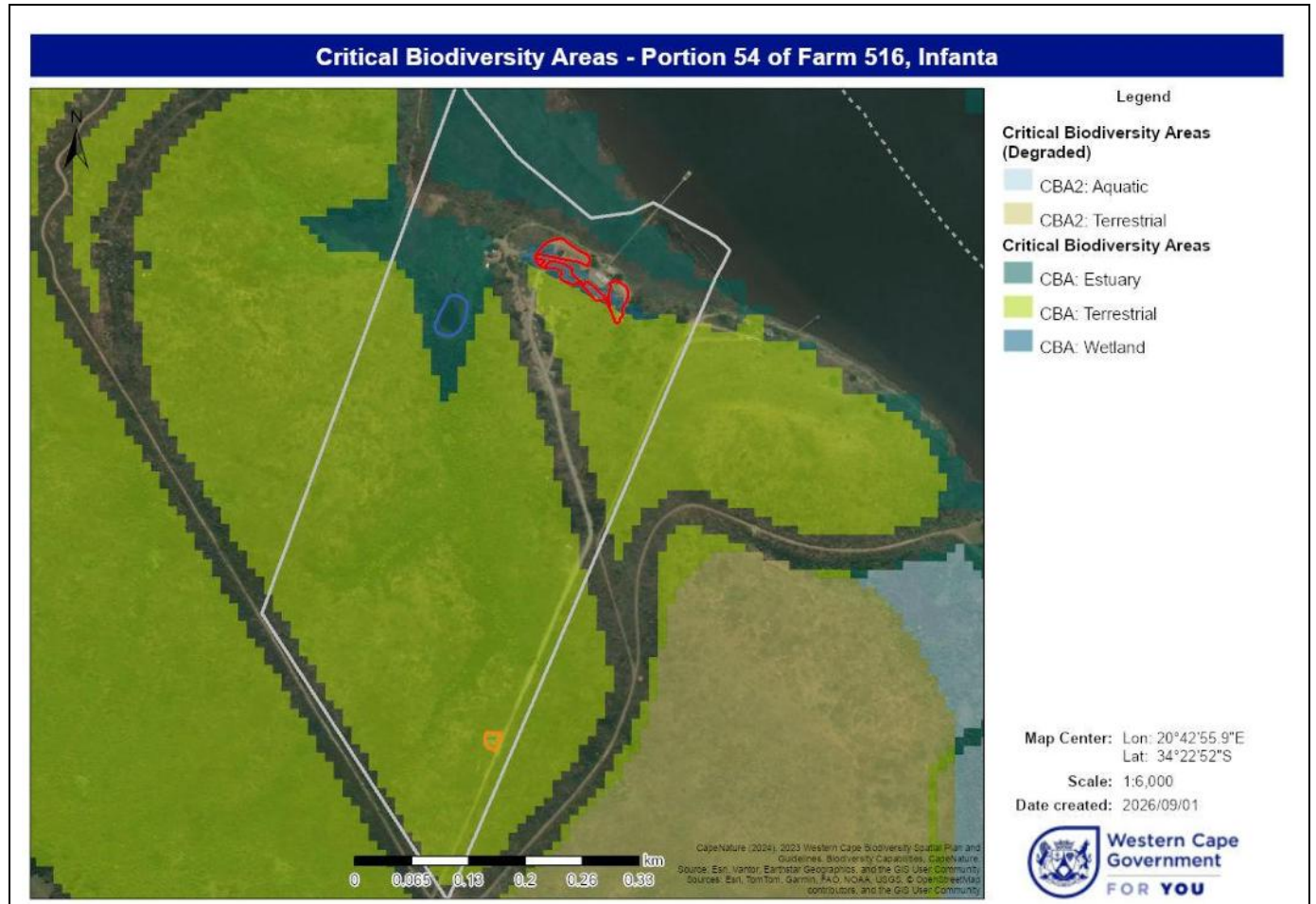


Figure 7: Extract from the Cape Nature Biodiversity Spatial Plan (Cape Nature 2023).

Has the development impacted on terrestrial vegetation, or aquatic ecosystems (wetlands, estuaries or the coastline)?	YES X	NO
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If yes, please describe:

The development activities already undertaken onsite included the removal of a total of approximately 0,4ha of indigenous vegetation. Approximately 0,12ha thereof was removed from within a wetland system.

**According to the Botanical and Faunal Impact Assessment:**

The vegetation on most of the property, is Potberg Ferricrete Fynbos. This vegetation type is listed as Critically Endangered (Government of South Africa 2022), due to its limited total extent (only around the Potberg and De Hoop area) and threatening processes (mainly alien invasive plants). Less than 60% of this vegetation type remains, only 5% is conserved.

**Construction Phase:**

The primary direct impacts to terrestrial vegetation was the clearing and disturbance of Potberg Ferricrete Fynbos within Cleared Footprints 1, 2 and 3. This includes the temporary disturbance of vegetation in Footprints 2 and 3, and the permanent loss of Potberg Ferricrete Fynbos in Footprints 1 and a portion of Footprint 3. Natural rehabilitation of the temporarily disturbed areas is expected to be good, provided that ongoing alien invasive vegetation removal is implemented. Overall, the botanical impacts during the construction phase are assessed as Low to Medium negative, both before and after mitigation. Effective mitigation is primarily

achievable during the operational phase through natural rehabilitation of disturbed areas and extensive alien invasive vegetation control across the broader property.

#### Operational Phase:

The main impacts to terrestrial vegetation during the operational phase of the proposed development will be habitat fragmentation and increased risk of alien invasive plant invasion, associated with soil disturbance at all three footprints. Habitat fragmentation impacts are limited to Footprint 1 and Footprint 3 (the two residential footprints) and are assessed as having a Low negative significance before mitigation. This impact can be largely mitigated through effective alien invasive plant management in the remaining natural areas, using appropriate control methods (as outlined in Martins et al., 2021). After mitigation, the impact is expected to improve to a Low positive outcome.

Soil disturbance across all three footprints is likely to promote the germination of alien invasive species such as Rooikrans and Port Jackson, which have large seed banks in the area. This impact is assessed as Low negative before mitigation and is expected to become Low positive after mitigation with the implementation of ongoing alien invasive plant control measures.

#### **According to the Freshwater Assessment:**

Direct impacts occurred through the clearance of vegetation within the floodplain salt marsh, resulting in disturbance to the wetland habitat. Indirect impacts also occurred through clearing and levelling activities within the broader Breede River Estuarine Functional Zone buffer area.

As these are existing impacts, they are assessed as part of the operational phase and include:

- Loss of biodiversity within the Floodplain Saltmarsh and the Breede River Estuarine Functional Zone; and
- Potential impacts on water quality within the Breede River Estuarine Functional Zone.

#### Loss of Biodiversity:

The clearance of vegetation within the Floodplain Saltmarsh (Cleared Footprint 2) resulted in a notable loss of biodiversity, encompassing both the vegetation itself and the temporary loss of invertebrate species dependent on this habitat. Some vegetation has begun to re-establish naturally; however, the cleared area remains largely barren, corresponding to an estimated reduction of approximately 7% in the ecological function of the larger wetland. This impact is assessed as having a local, long-term, Low to Medium negative significance on biodiversity within the broader wetland area.

The other disturbance, which involved clearing and levelling activities within the larger Breede River Buffer Zone (Cleared Footprint 1) had the potential to cause a loss of biodiversity within the adjacent wetland area. However, this activity was confined to a sloped area, elevated above the wetland, and was buffered by the existing dirt road running along the site. As a result, no notable loss of biodiversity occurred within the Breede River Estuarine Functional Zone, and the impact on biodiversity within the surrounding wetland area is considered negligible to none.

The client also intends to add infrastructure around the existing dwelling and to revegetate the remainder of the cleared site with indigenous plants. Since most of the proposed new developments (apart from the small proposed pumphouse and a portion of the roofed deck area) will be located outside the 30 m buffer zone and the 1:100 year flood line, within an already cleared area, these activities are expected to have a general negligible negative impact on the biodiversity of the Estuarine Functional Zone. The revegetation of the remaining cleared area will also serve as rehabilitation, enhancing overall biodiversity within the buffer zone, providing a long-term, local, low positive benefit to the bordering estuarine wetland.

#### Water Quality and Sedimentation Impacts:

Given that the clearing and levelling activities took place within the Breede River's buffer zone, these activities could have had an impact on water quality in the area. Excavation of soils on a slope could have led to sedimentation in the downstream wetland, potentially resulting in some loss of wetland habitat. However, as noted above, this wetland was well buffered by the existing road running along its edge, and no signs of disturbance or sedimentation were observed north of the road. Therefore, this activity is considered to have had no to negligible impact on water quality or sedimentation in the downstream wetland.

Similarly, the construction of the small pumphouse and roofed deck area will be located within the already cleared section of the 30 m buffer zone, and is expected to have only a short-term, local, low to negligible impact on water quality and sedimentation in

<p>the downstream wetland.</p> <p>To mitigate potential future soil erosion and sedimentation, the client has already planted the slopes, which showed generally good vegetation cover at the time of the field visit. The client also intends to revegetate the remainder of the cleared area as part of the final development, further reducing this risk. Consequently, any negative impacts associated with erosion from this area are considered low and of short-term duration.</p>		
<p>Has the development impacted on any populations of threatened plant or animal species, and/or on any habitat that may contain a unique signature of plant or animal species?</p>	<p>YES X</p>	<p>NO</p>
<p>If yes, please describe:</p> <p>The development activities have likely affected at least three, possibly four plant Species of Conservation Concern namely, Agathosma foetidissima (Near Threatened), Freesia caryophyllacea (Near Threatened), Aspalathus steudeliana (Vulnerable) and possibly Cliffortia perpendicularis (Data Deficient). At a regional scale, the impact on these species is considered Low, as fewer than 40 individuals of each species were affected, and all occur in larger populations across the greater property and surrounding region.</p> <p>For fauna, eight bird Species of Conservation Concern are flagged for the area, with seven potentially occurring occasionally near the development footprints. Only two species—the Black Harrier (Circus maurus) and Southern Korhaan (Afrotis afra)—may occasionally breed within 200 m of the footprints. No significant or permanent impacts on these birds are expected, as any individuals present would have temporarily moved away during clearing. No vertebrate faunal SoCC are likely to have been permanently present, and none are expected to have been permanently impacted.</p>		
<p>Please describe the manner in which any other biological aspects were impacted:</p> <p>Onsite terrestrial and wetland habitats have been cleared. Earthworks associated with the vegetation clearing has resulted in the removal of topsoil, soil compaction and loss of habitat.</p>		
<p><b>Faunal Impacts:</b></p> <p>No animals are likely to have been permanently and negatively impacted by any of the activities. In general the Construction and Operational Phase faunal impacts are likely to have been of Low negative significance, before and after mitigation. Adequate and appropriate mitigation is only likely to be viable at the operational phase, primarily in the form of natural rehabilitation of disturbed areas and extensive alien vegetation removal on the greater property.</p>		

(c) Socio-Economic aspects:

<p>What was the capital value of the activity on completion?</p>	<p>Total cost of the property = R9m</p>
<p>What is the (expected) yearly income or contribution to the economy that is/will be generated by or as a result of the activity?</p>	<p>R0</p>
<p>Has/will the activity have contributed to service infrastructure?</p>	<p>YES    <b>NO X</b></p>
<p>How many new employment opportunities were/will be created in the construction phase of the activity?</p>	<p>Unsure – a contractor was employed.</p>
<p>What was the value of the employment opportunities during the construction phase?</p>	<p>Unsure – a contractor was employed.</p>
<p>What percentage of this accrued to previously disadvantaged individuals?</p>	<p>Unsure – a contractor was employed.</p>
<p>How was this ensured and monitored (please explain):</p> <p>Unsure – an overall contractor was employed.</p>	
<p>How many permanent new employment opportunities were/will be created during the operational phase of the activity?</p>	<p>2-3</p>
<p>What is the current/expected value of the employment opportunities during the first 10 years?</p>	<p>R1.7-R2.8m</p>
<p>What percentage of this accrued/will accrue to previously disadvantaged individuals?</p>	<p>100%</p>
<p>How was/will this be ensured and monitored (please explain):</p> <p>The Applicant must ensure that records are kept of employees to record appointment of previously disadvantaged individuals in terms of the Labour Law requirements. Monitoring should be done by the Department of Labour.</p>	
<p>Any other information related to the manner in which the socio-economic aspects was/will be impacted:</p>	

<p>Impacts on socio-economic aspects:</p> <p>Potentially negative impacts</p> <ul style="list-style-type: none"> <li>- Nuisance factors (noise, dust) during construction (Limited given the location of the development activities).</li> <li>- Infrastructure and resource requirements increased (sewage disposal, water usage)</li> </ul> <p>Potentially positive impacts</p> <ul style="list-style-type: none"> <li>- Direct and indirect employment opportunities</li> <li>- Stimulate local economy and supply chain during construction phase</li> </ul>
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(d) Cultural and historic aspects:

<p>No impact on any cultural and / or historic aspects are foreseen. The development activities do not trigger the need to submit a Notice of Intent to Develop to Heritage Western Cape. However, should any heritage resources, including evidence of graves and human burials, archaeological material and paleontological material be discovered during the execution of the activities above, all works must be stopped immediately, and Heritage Western Cape will be notified.</p>
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**2. WASTE AND EMISSIONS**

(a) Waste (including effluent) management

Did the activity produce waste (including rubble) during the construction phase?	<b>YES X</b>	NO
If yes, indicate the types of waste (actual type of waste, e.g. oil, and whether hazardous or not) and estimated quantity per type?	UNKNOWN m <sup>3</sup>	
The vegetation removed during construction has already been cleared from the site. Rubble and excavated rock generated during construction have been, and will continue to be, removed by the contractor.		

Does the activity produce waste during its operational phase?	<b>YES X</b>	NO
If yes, indicate the types of waste (actual type of waste, e.g. oil, and whether hazardous or not) and estimated quantity per type?	UNKNOWNm <sup>3</sup>	
Domestic/general waste: Produced by the main dwelling and caretaker's cottage; non-hazardous.		
Organic/green waste: Generated from the clearing of alien invasive vegetation.		
Sewage: Produced by the main dwelling and caretaker's cottage.		

Where and how was/will the waste be treated / disposed of (describe)?		
<p>Domestic/general waste: Separated at source and transported to the Infanta transfer station.</p> <p>Organic/green waste: All cleared plant material will be removed from the site and disposed of at an approved facility in a manner that prevents re-rooting or the dispersal of seeds. Alternatively, removed material may be chipped. Chipped material that does not contain viable seeds may be reused on site for landscaping purposes. Material that cannot be safely reused on site must be removed off site for appropriate disposal or further processing.</p> <p>Sewage: Septic tanks will be used at the main dwelling and the caretaker's cottage. The septic tank at the main dwelling was existing and a new septic tank was installed to service the caretaker's cottage.</p>		
Has the municipality or relevant authority confirmed that sufficient capacity exists for treating / disposing of the waste (to be) generated by this activity(ies)? If yes, provide written confirmation from Municipality or relevant authority	YES	<b>NO X</b>
Does/will the activity produce waste that is/will be treated and/or disposed of at another facility other than into a municipal waste stream?	YES	<b>NO X</b>

If yes, has this facility confirmed that sufficient capacity exists for treating / disposing of the waste (to be) generated by this activity(ies)? Provide written confirmation from the facility and provide the following particulars of the facility:		YES	NO
Does the facility have an operating license? (If yes, please attach a copy of the license.)		YES	NO
Facility name:			
Contact person:			
Postal address:			
		Postal code:	
Telephone:		Cell:	
E-mail:		Fax:	

Describe the measures that were/will be taken to reduce, reuse or recycle waste:

Domestic waste will be separated at source into general waste and recyclables. Both General waste and Recyclables will be sent to the closest transfer station (Infanta) for collection by the local municipality.

All cleared plant material will be removed from the site and disposed of at an approved facility in a manner that prevents re-rooting or the dispersal of seeds. Alternatively, removed material may be chipped. Chipped material that does not contain viable seeds may be reused on site for landscaping purposes. Material that cannot be safely reused on site will be sold or removed off site for appropriate disposal or further processing.

(b) Emissions into the atmosphere

Does/will the activity produce emissions that will be disposed of into the atmosphere?	YES	<b>NO X</b>
If yes, does it require approval in terms of relevant legislation?	YES	NO
Describe the emissions in terms of type and concentration and how it is/will be treated/mitigated:		

**3. WATER USE**

Please indicate the source(s) of water for the activity by ticking the appropriate boxes)

Municipal	Water board	Groundwater	<b>River, Stream, Dam or Lake X</b>	<b>Other X (rainwater)</b>	The activity did/does/will not use water
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If water was extracted from a groundwater source, river, stream, dam, lake or any other natural feature, please indicate the volume that was extracted per month:

The primary water source is rainwater, with river water abstracted as a supplementary supply. River abstraction occurs only during the winter months, when water quality is fresh. No abstraction takes place during summer due to increased salinity. This seasonal approach ensures that abstraction occurs during periods of water abundance and does not place stress on the resource. Water use is domestic in nature and qualifies as a Schedule 1 water use in terms of the National Water Act. Average abstraction volumes range between 5,000 m³ and 10,000 m³ per month, calculated as a 12-month average.

Please provide proof of assurance of water supply (e.g. Letter of confirmation from municipality / water user associations, yield of borehole)

Did/does the activity require a water use permit / license from DWA?

**Yes, due to the proximity to watercourses, the development will need to register a General Authorisation under Section 21(c) and (i) of the NWA, as confirmed by the Risk Assessment Methodology (RAM), which found that the activities pose a low risk to nearby wetlands.**

**Water used onsite is for domestic purposes and qualifies as a Schedule 1 use under the NWA, which does not require authorisation. Domestic water is mainly sourced from rainfall collected and stored onsite, supplemented with river water only when necessary.**

<b>YES X</b>	NO
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If yes, please submit a certified copy of the water use permit/license or submit the necessary application to Department of Water Affairs and attach proof thereof to this application, whichever is applicable.

Describe the measures that were/ will be taken to reduce water demand, and measures to reuse or recycle water:

Rainwater is captured from roof areas and stored in onsite tanks to meet domestic and operational needs, reducing reliance on alternative water sources. Additional storage tanks have been installed to improve capture and storage during rainfall events. The current total storage capacity is ±120,000L. Treated river water is used only as a supplementary source when rainwater is insufficient. Landscaping around the existing dwelling and caretaker's cottage will be indigenous and will make use of drip irrigation where needed which is considered more water wise.

**4. POWER SUPPLY**

Please indicate the source of power supply e.g. Municipality / Eskom / Renewable energy source

The existing residential dwelling is supplied with electricity via an existing Eskom connection supplemented with solar panels. The caretaker's cottage is supplied with solar energy.

If power supply is not available, where will power be sourced from?

The existing residential dwelling is supplied with electricity via an existing Eskom connection supplemented with solar panels. The caretaker's cottage is supplied with solar energy.

**5. ENERGY EFFICIENCY**

Describe the design measures, if any, that have been taken to ensure that the activity is energy efficient:

The main dwelling is supplemented with solar panels, reducing reliance on grid electricity. The caretaker's cottage is fully powered by an independent solar system.

Describe how alternative energy sources have been taken into account or been built into the design of the activity, if any:

The main dwelling is supplemented with solar panels, reducing reliance on grid electricity. The caretaker's cottage is fully powered by an independent solar system.

**6. DESCRIPTION AND ASSESSMENT OF THE SIGNIFICANCE OF IMPACTS prior to and after MITIGATION**

Please note:

- While sections are provided for impacts on certain aspects of the environment and certain impacts, the sections should also be copied and completed for all other impacts.
- Mitigation measures that were implemented and mitigation measures that are to be implemented should be clearly distinguished.

(a) **Impacts that resulted from the planning, design and construction phases (briefly describe and compare the impacts (as appropriate), significance rating of impacts, proposed mitigation and significance rating of impacts after mitigation that occurred as a result of the planning, design and construction phases.**

Impacts on geographical and physical aspects:	
Nature of impact:	Excavation to expand the existing house platform resulting in localized soil and landform disturbance
Extent and duration of impact:	Local and long term
Probability of occurrence:	Definite
Degree to which the impact can be reversed:	Possible
Degree to which the impact may cause irreplaceable loss of resources:	Possible
Cumulative impact prior to mitigation:	Low to medium negative
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	<b>LOW – MEDIUM NEGATIVE</b>
Degree to which the impact can be mitigated:	<b>Possible (Retrospective)</b>
Proposed mitigation:	<ul style="list-style-type: none"> <li>- No further excavation or soil disturbance should be allowed anywhere onsite, unless authorised via a formal environmental application process.</li> <li>- Reuse excavated material onsite where feasible or dispose of it at an approved off-site facility. Do not store or dispose of excavated material onsite. No excavated material may be stockpiled or temporarily stored within 32 m of any delineated watercourse.</li> </ul>

	<ul style="list-style-type: none"> <li>- Stabilise any of the remaining exposed soils using geotextiles, mulch, and/or vegetative cover.</li> <li>- Rehabilitate all undeveloped, disturbed areas surrounding the main dwelling through planned landscaping with locally indigenous vegetation, with particular emphasis on the revegetation and stabilisation of cleared slopes.</li> <li>- Install temporary silt fences or sediment traps if and where necessary during rehabilitation of the slopes within the cleared area around the main dwelling.</li> <li>- Monitor rehabilitated areas and undertake follow-up maintenance to ensure successful vegetation establishment and erosion control as per the EMPr</li> <li>- Maintain active erosion monitoring throughout the development's lifecycle. If erosion has occurred, it must immediately be rehabilitated through stabilisation of embankments and revegetation, where applicable.</li> <li>- Incorporate suitable stormwater management measures into the overall development design to avoid the generation of concentrated runoff and associated erosion. Effective stormwater management must include measures to slow, spread and deplete the energy of concentrated flows through effective stabilisation and the re-vegetation of any disturbed areas.</li> <li>- During the construction of the new pumphouse and roofed deck area, care should be taken that no sediment and/or other pollutants wash down from the platform into the wetland area. This can be prevented through the installation of silt fences on the edge of the platform.</li> </ul>
Cumulative impact post mitigation:	<b>Low negative</b>
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	<b>LOW NEGATIVE</b>

Impacts on geographical and physical aspects:	
<b>Nature of impact:</b>	Soil removal altering the geomorphology within the Floodplain Saltmarsh Wetland.
Extent and duration of impact:	Local and long term
Probability of occurrence:	Definite
Degree to which the impact can be reversed:	Possible
Degree to which the impact may cause irreplaceable loss of resources:	Medium
Cumulative impact prior to mitigation:	Low to medium negative
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	<b>LOW – MEDIUM NEGATIVE</b>
Degree to which the impact can be mitigated:	<b>Possible (retrospective)</b>
Proposed mitigation:	<ul style="list-style-type: none"> <li>- No further excavation or soil disturbance should be allowed anywhere onsite, unless authorised via a formal environmental application process</li> <li>- Disturbed areas should be rehabilitated using locally indigenous wetland and riparian plant species, including <i>Salicornia perennis</i>, <i>Atriplex semibaccata</i>, and <i>Disphyma crassifolium</i> within the floodplain marsh. Please refer to section 7 of the EMPr for detailed rehabilitation actions.</li> <li>- Invasive plant species within and adjacent to the wetland and riparian areas should be identified and removed, with a focus on <i>Acacia saligna</i> as per Section 8 of the EMPr. This would include mostly <i>Acacia saligna</i>.</li> <li>- Follow-up monitoring and control should be implemented at least annually to prevent re establishment of invasive species.</li> <li>- A 20 m buffer zone should be maintained around the floodplain salt marsh, with all future activities restricted to areas outside this buffer.</li> <li>- Maintain active erosion monitoring throughout the development's lifecycle. If erosion has occurred, it must immediately be rehabilitated through stabilisation of embankments and revegetation, where applicable.</li> <li>- Use existing farm roads and tracks for all onsite vehicle and machinery movement. Avoid traversing natural areas except where necessary for alien invasive vegetation clearing, in accordance with the EMPr.</li> </ul>
Cumulative impact post mitigation:	<b>Low Negative</b>
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	<b>LOW NEGATIVE</b>

Impacts on geographical and physical aspects:	
Nature of impact:	Hardening and compaction of soil within a largely natural landscape
Extent and duration of impact:	Local and long term
Probability of occurrence:	Possible
Degree to which the impact can be reversed:	Possible
Degree to which the impact may cause irreplaceable loss of resources:	Possible
Cumulative impact prior to mitigation:	Low to medium negative
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	LOW – MEDIUM NEGATIVE
Degree to which the impact can be mitigated:	Possible (retrospective)
Proposed mitigation:	<ul style="list-style-type: none"> <li>- Restrict vehicle and machinery movement to existing roads</li> <li>- No further soil disturbance should be allowed anywhere on the property without suitable environmental authorisation.</li> <li>- During the construction of the new pumphouse and roofed deck area, all activities should be confined to the existing cleared platform, with no construction vehicles or materials permitted outside of the established footprint.</li> <li>- Rehabilitate undeveloped, disturbed areas around the main dwelling and caretakers cottage by means of intentional landscaping using locally indigenous vegetation.</li> <li>- Stabilise any of the remaining exposed soils using geotextiles, mulch, and/or vegetative cover.</li> <li>- Install temporary silt fences or sediment traps if and where necessary during rehabilitation of the slopes.</li> <li>- Monitor rehabilitated areas and undertake follow-up maintenance to ensure successful vegetation establishment.</li> <li>- Maintain active erosion monitoring throughout the development's lifecycle. If erosion has occurred, it must immediately be rehabilitated through stabilisation of embankments and revegetation, where applicable</li> </ul>
Cumulative impact post mitigation:	Low negative
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	LOW NEGATIVE

Impact on biological aspects:	
Nature of impact:	Removal of indigenous vegetation – Permanent loss of approximately 0,24ha around the main dwelling and approximately 0,02ha for the development of the caretaker's cottage in the southern portion of the property.
Extent and duration of impact:	Local and long term
Probability of occurrence:	Definite
Degree to which the impact can be reversed:	Possible
Degree to which the impact may cause irreplaceable loss of resources:	Possible
Cumulative impact prior to mitigation:	Low to medium negative
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	LOW – MEDIUM NEGATIVE
Degree to which the impact can be mitigated:	Possible (retrospective)
Proposed mitigation:	<ul style="list-style-type: none"> <li>- All woody invasive alien vegetation (notably <i>Acacia cyclops</i> and <i>A. saligna</i>) within 100m of all footprints noted in this report (i.e. new houses, levelled areas, new garage, depression area, and prefab house) must be felled, using appropriate methodology (following best practise as outlined in Martens et al 2021). No heavy machinery may be used, and stems should be cut at close to ground level and immediately painted (not sprayed) with a suitable herbicide such as Garlon (but this not necessary for Rooikrans). This must be completed within one year of Environmental Authorisation and should be externally audited. Please refer to Section 8 of the EMPr.</li> <li>- A team trained in invasive alien invasive plant management (see Martens et al 2021) should be appointed to remove all woody alien invasive species on the on the applicant property (section of Portion 54 of Potteberg Estate 516) over the next three years, as well as all seedlings of invasive alien <i>Acacia</i> species, such that there is less than 1% overall woody alien vegetation cover on the property. The least densely invaded areas should be cleared first, as this is the most cost and ecologically effective strategy. This must be completed within three years of the date of Environmental Authorisation (thus at a rate of about 8ha/yr), and should be externally audited. If not adequately</li> </ul>

	<p>completed within three years the DEA&amp;DP or similar authority should be tasked with enforcing this. The only alien trees that could be kept are a few of the larger Rooikrans (<i>Acacia cyclops</i>) in the vicinity of the main house and outbuildings, which may be needed for screening or shade. Please refer to Section 8 of the EMPr.</p> <ul style="list-style-type: none"> <li>- No spraying of herbicide should be allowed anywhere where there is any natural vegetation.</li> <li>- No further soil disturbance should be allowed anywhere on the property (hence no scraping by machinery), as this encourages alien plant invasion.</li> <li>- All natural vegetation in moderate to good condition on the applicant property (about 23.4ha in total, excluding just the built and developed footprints) should be signed up with CapeNature's Stewardship program within one year of any authorisation, with the applicant being responsible for all costs associated with this registration, and all Stewardship site management costs going forward.</li> <li>- No alien invasive kikuyu grass (<i>Cenchrus clandestinus</i>) should be planted anywhere on site.</li> <li>- A buffer zone of 20m should be applied around the floodplain saltmarsh, with all future activities kept outside of this area.</li> <li>- A buffer zone of 30m should be applied around the Breede River Estuarine Functional Zone, with all future activities kept outside of this area.</li> <li>- Stabilise any of the remaining exposed soils using geotextiles, mulch, or vegetative cover.</li> <li>- Install temporary silt fences or sediment traps if and where necessary during rehabilitation of the slopes within cleared footprint 1</li> <li>- Monitor vegetation establishment and slope stability over the life of the infrastructure, addressing any erosion or vegetation issues as necessary.</li> </ul>
Cumulative impact post mitigation:	Low to medium negative
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	<b>LOW – MEDIUM NEGATIVE</b>

Impact on biological aspects:	
<b>Nature of impact:</b>	<b>Removal of indigenous vegetation</b> – Temporary loss of approximately 0,12ha within the floodplain saltmarsh wetland.
Extent and duration of impact:	<b>Local and medium term</b>
Probability of occurrence:	<b>Definite</b>
Degree to which the impact can be reversed:	<b>Possible</b>
Degree to which the impact may cause irreplaceable loss of resources:	<b>Possible</b>
Cumulative impact prior to mitigation:	<b>Low to medium negative</b>
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	<b>LOW-MEDIUM NEGATIVE</b>
Degree to which the impact can be mitigated:	<b>Possible (retrospective)</b>
Proposed mitigation:	<ul style="list-style-type: none"> <li>- Disturbed areas should be rehabilitated using locally indigenous wetland and riparian plant species, including <i>Salicornia perennis</i>, <i>Atriplex semibaccata</i>, and <i>Disphyma crassifolium</i> within the floodplain marsh. . Please refer to section 7 of the EMPr for detailed rehabilitation actions.</li> <li>- All woody invasive alien vegetation (notably <i>Acacia cyclops</i> and <i>A. saligna</i>) within 100m of all footprints noted in this report (i.e. new houses, levelled areas, new garage, depression area, and prefab house) must be felled, using appropriate methodology (following best practise as outlined in Martens et al 2021). No heavy machinery may be used, and stems should be cut at close to ground level and immediately painted (not sprayed) with a suitable herbicide such as Garlon (but this not necessary for Rooikrans). This must be completed within one year of the date of Environmental Authorisation and should be externally audited. Please refer to Section 8 of the EMPr.</li> <li>- A team trained in invasive alien invasive plant management (see Martens et al 2021) should be appointed to remove all woody alien invasive species on the on the applicant property (section of Portion 54 of Potteberg Estate 516) over the next three years, as well as all seedlings of invasive alien <i>Acacia</i> species, such that there is less than 1% overall woody alien vegetation cover on the property. The least densely invaded areas should be cleared first, as this is the most cost and ecologically effective strategy. This must be completed within three years of</li> </ul>

	<p>the date of Environmental Authorisation (thus at a rate of about 8ha/yr), and should be externally audited. If not adequately completed within three years the DEA&amp;DP or similar authority should be tasked with enforcing this. The only alien trees that could be kept are a few of the larger Rooikrans (<i>Acacia cyclops</i>) in the vicinity of the main house and outbuildings, which may be needed for screening or shade. Please refer to Section 8 of the EMPr.</p> <ul style="list-style-type: none"> <li>- No spraying of herbicide should be allowed anywhere where there is any natural vegetation.</li> <li>- No further soil disturbance should be allowed anywhere on the property (hence no scraping by machinery), as this encourages alien plant invasion.</li> <li>- All natural vegetation in moderate to good condition on the applicant property (about 23.4ha in total, excluding just the built and developed footprints) should be signed up with CapeNature's Stewardship program within one year of any authorisation, with the applicant being responsible for all costs associated with this registration, and all Stewardship site management costs going forward.</li> <li>- No alien invasive kikuyu grass (<i>Cenchrus clandestinus</i>) should be planted anywhere on site.</li> <li>- A buffer zone of 20m should be applied around the Floodplain saltmarsh, with all future activities kept outside of this area.</li> </ul>
Cumulative impact post mitigation:	<b>Low negative</b>
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	<b>LOW NEGATIVE</b>

<b>Impact on biological aspects:</b>	
<b>Nature of impact:</b>	<b>Plant SoCC</b> – Loss of footprint subpopulations of 3 or 4 plant species of conservation concern
Extent and duration of impact:	<b>Local and medium term</b>
Probability of occurrence:	<b>Definite</b>
Degree to which the impact can be reversed:	<b>Possible</b>
Degree to which the impact may cause irreplaceable loss of resources:	<b>Possible</b>
Cumulative impact prior to mitigation:	<b>Low to medium negative</b>
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	<b>LOW – MEDIUM NEGATIVE</b>
Degree to which the impact can be mitigated:	<b>Possible (retrospective)</b>
Proposed mitigation:	<ul style="list-style-type: none"> <li>- All woody invasive alien vegetation (notably <i>Acacia cyclops</i> and <i>A. saligna</i>) within 100m of all footprints noted in this report (i.e. new houses, levelled areas, new garage, depression area, and prefab house) must be felled, using appropriate methodology (following best practise as outlined in Martens et al 2021). No heavy machinery may be used, and stems should be cut at close to ground level and immediately painted (not sprayed) with a suitable herbicide such as Garlon (but this not necessary for Rooikrans). This must be completed within one year of the date of Environmental Authorisation, and should be externally audited. Please refer to Section 8 of the EMPr.</li> <li>- A team trained in invasive alien invasive plant management (see Martens et al 2021) should be appointed to remove all woody alien invasive species on the on the applicant property (section of Portion 54 of Potteberg Estate 516) over the next three years, as well as all seedlings of invasive alien <i>Acacia</i> species, such that there is less than 1% overall woody alien vegetation cover on the property. The least densely invaded areas should be cleared first, as this is the most cost and ecologically effective strategy. This must be completed within three years of the date of Environmental Authorisation (thus at a rate of about 8ha/yr), and should be externally audited. If not adequately completed within three years the DEA&amp;DP or similar authority should be tasked with enforcing this. The only alien trees that could be kept are a few of the larger Rooikrans (<i>Acacia cyclops</i>) in the vicinity of the main house and outbuildings, which may be needed for screening or shade. Please refer to Section 8 of the EMPr.</li> <li>- No spraying of herbicide should be allowed anywhere where there is any natural vegetation.</li> <li>- No further soil disturbance should be allowed anywhere on the property (hence no scraping by machinery), as this encourages alien plant invasion.</li> <li>- All natural vegetation in moderate to good condition on the</li> </ul>

	<p>applicant property (about 23.4ha in total, excluding just the built and developed footprints) should be signed up with CapeNature's Stewardship program within one year of any authorisation, with the applicant being responsible for all costs associated with this registration, and all Stewardship site management costs going forward.</p> <ul style="list-style-type: none"> <li>- No alien invasive kikuyu grass (<i>Cenchrus clandestinus</i>) should be planted anywhere on site.</li> </ul>
Cumulative impact post mitigation:	<b>Low to medium negative</b>
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	<b>LOW – MEDIUM NEGATIVE</b>

<b>Impact on biological aspects:</b>	
<b>Nature of impact:</b>	<b>Faunal Impact</b> – Permanent habitat loss of approximately 0,26ha around the main dwelling and caretaker's cottage and temporary habitat loss of approximately 0,12ha within the floodplain salt marsh wetland.
Extent and duration of impact:	<b>Local and short/ long term</b>
Probability of occurrence:	<b>Definite</b>
Degree to which the impact can be reversed:	<b>Possible</b>
Degree to which the impact may cause irreplaceable loss of resources:	<b>Possible</b>
Cumulative impact prior to mitigation:	<b>Low negative</b>
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	<b>LOW NEGATIVE</b>
Degree to which the impact can be mitigated:	<b>Possible (retrospective)</b>
Proposed mitigation:	<ul style="list-style-type: none"> <li>- All woody invasive alien vegetation (notably <i>Acacia cyclops</i> and <i>A. saligna</i>) within 100m of all footprints noted in this report (i.e. new houses, levelled areas, new garage, depression area, and prefab house) must be felled, using appropriate methodology (following best practise as outlined in Martens et al 2021). No heavy machinery may be used, and stems should be cut at close to ground level and immediately painted (not sprayed) with a suitable herbicide such as Garlon (but this not necessary for Rooikrans). This must be completed within one year of the date of Environmental Authorisation and should be externally audited. Please refer to Section 8 of the EMPr.</li> <li>- A team trained in invasive alien plant management (see Martens et al 2021) should be appointed to remove all woody alien invasive species on the on the applicant property (section of Portion 54 of Potteberg Estate 516) over the next three years, as well as all seedlings of invasive alien <i>Acacia</i> species, such that there is less than 1% overall woody alien vegetation cover on the property. The least densely invaded areas should be cleared first, as this is the most cost and ecologically effective strategy. This must be completed within three years of the date of Environmental Authorisation (thus at a rate of about 8ha/yr), and should be externally audited. If not adequately completed within three years the DEA&amp;DP or similar authority should be tasked with enforcing this. The only alien trees that could be kept are a few of the larger Rooikrans (<i>Acacia cyclops</i>) in the vicinity of the main house and outbuildings, which may be needed for screening or shade. Please refer to Section 8 of the EMPr.</li> <li>- No spraying of herbicide should be allowed anywhere where there is any natural vegetation.</li> <li>- No further soil disturbance should be allowed anywhere on the property (hence no scraping by machinery), as this encourages alien plant invasion.</li> <li>- All natural vegetation in moderate to good condition on the applicant property (about 23.4ha in total, excluding just the built and developed footprints) should be signed up with CapeNature's Stewardship program within one year of any authorisation, with the applicant being responsible for all costs associated with this registration, and all Stewardship site management costs going forward.</li> <li>- No alien invasive kikuyu grass (<i>Cenchrus clandestinus</i>) should be planted anywhere on site.</li> </ul>
Cumulative impact post mitigation:	<b>Low negative</b>
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	<b>LOW NEGATIVE</b>

**Impact on biological aspects:**

<b>Nature of impact:</b>	<b>Loss of biodiversity</b> - The vegetation clearance within the Floodplain Saltmarsh caused a loss of habitat and associated biodiversity, including temporary loss of invertebrates, resulting in an estimated 7% reduction in the ecological function of the wetland
Extent and duration of impact:	<b>Local and medium term</b>
Probability of occurrence:	<b>Possible</b>
Degree to which the impact can be reversed:	<b>Possible</b>
Degree to which the impact may cause irreplaceable loss of resources:	<b>Medium</b>
Cumulative impact prior to mitigation:	<b>Low to medium negative</b>
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	<b>LOW-MEDIUM NEGATIVE</b>
Degree to which the impact can be mitigated:	<b>Possible (retrospective)</b>
Proposed mitigation:	<ul style="list-style-type: none"> <li>- Disturbed areas should be rehabilitated using locally indigenous wetland and riparian plant species, including <i>Salicornia perennis</i>, <i>Atriplex semibaccata</i>, and <i>Disphyma crassifolium</i> within the floodplain marsh. Please refer to Section 7 of the EMPr for detailed rehabilitation actions.</li> <li>- Invasive plant species within and adjacent to the wetland and riparian areas should be identified and removed, with a focus on <i>Acacia saligna</i> as per Section 8 of the EMPr.</li> <li>- Follow-up monitoring and control should be implemented at least annually to prevent re establishment of invasive species.</li> <li>- A 20 m buffer zone should be maintained around the floodplain salt marsh, with all future activities restricted to areas outside this buffer.</li> <li>- A 30 m buffer zone should be maintained around the Breede River Estuarine Functional Zone, with all future activities restricted to areas outside this buffer.</li> </ul>
Cumulative impact post mitigation:	<b>Low Negative</b>
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	<b>LOW NEGATIVE</b>

<b>Impact on biological aspects:</b>	
<b>Nature of impact:</b>	<b>Potential sedimentation and water quality impacts on the Breede River Estuarine Functional Zone (linked to vegetation clearance, excavation and construction activities)</b>
Extent and duration of impact:	<b>Local and short term</b>
Probability of occurrence:	<b>Low</b>
Degree to which the impact can be reversed:	<b>Possible</b>
Degree to which the impact may cause irreplaceable loss of resources:	<b>Medium</b>
Cumulative impact prior to mitigation:	<b>Low negative</b>
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	<b>LOW NEGATIVE</b>
Degree to which the impact can be mitigated:	<b>Possible (retrospective)</b>
Proposed mitigation:	<p><b>Mitigation measures still to be implemented:</b></p> <ul style="list-style-type: none"> <li>- During the construction of the new pumphouse and roofed deck area, all activities should be confined to the existing cleared platform, with no construction vehicles or materials permitted outside of the established footprint.</li> <li>- During the construction of the new pumphouse and roofed deck area, care should be taken that no sediment and/or other pollutants wash down from the platform into the wetland area. This can be prevented through the installation of silt fences on the edge of the platform.</li> <li>- Stabilise any of the remaining exposed soils within the cleared area around the main dwelling using geotextiles, mulch, or vegetative cover.</li> <li>- Install temporary silt fences or sediment traps if and where necessary during rehabilitation of the slopes adjacent to the main dwelling.</li> <li>- Monitor the success of rehabilitated and landscaped areas to ensure vegetation establishment, health, and long-term survival. Implement corrective action or additional planting if needed.</li> <li>- Conduct regular erosion monitoring within and around all disturbance footprints to detect and address any signs of erosion promptly. If erosion has occurred, it must immediately be rehabilitated through stabilisation of embankments and revegetation, where applicable.</li> <li>- During the construction of the new pumphouse and roofed deck area, all activities should be confined to the existing cleared</li> </ul>

	<p>platform, with no construction vehicles or materials permitted outside of the established footprint.</p> <p>Mitigation measures already implemented:</p> <ul style="list-style-type: none"> <li>- The Breede River Estuarine Functional Zone was well buffered by the existing road running along its edge</li> <li>- The client has already planted the cleared slopes, which showed generally good vegetation cover at the time of the field visit</li> </ul>
Cumulative impact post mitigation:	Low to negligible negative
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	<b>LOW – NEGLIGIBLE NEGATIVE</b>

<b>Impacts on socio-economic aspects:</b>	
<b>Nature of impact:</b>	<b>Employment (direct and indirect) during construction</b>
Extent and duration of impact:	<b>Local and short term</b>
Probability of occurrence:	<b>Likely</b>
Degree to which the impact can be reversed:	<b>Not needed</b>
Degree to which the impact may cause irreplaceable loss of resources:	<b>Not Likely</b>
Cumulative impact prior to mitigation:	<b>Low positive</b>
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	<b>LOW POSITIVE</b>
Degree to which the impact can be mitigated:	<b>Not needed</b>
Proposed mitigation:	<b>Not needed</b>
Cumulative impact post mitigation:	<b>Low positive</b>
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	<b>LOW POSITIVE</b>

<b>Impacts on socio-economic aspects:</b>	
<b>Nature of impact:</b>	<b>Stimulation of the local economy and supply chain through the procurement of goods and services during construction.</b>
Extent and duration of impact:	<b>Local and short term</b>
Probability of occurrence:	<b>Likely</b>
Degree to which the impact can be reversed:	<b>Not needed</b>
Degree to which the impact may cause irreplaceable loss of resources:	<b>Not Likely</b>
Cumulative impact prior to mitigation:	<b>Low positive</b>
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	<b>LOW POSITIVE</b>
Degree to which the impact can be mitigated:	<b>Not needed</b>
Proposed mitigation:	<b>Not needed</b>
Cumulative impact post mitigation:	<b>Low positive</b>
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	<b>LOW POSITIVE</b>

<b>Impacts on cultural-historical aspects:</b>	
Nature of impact:	<b>No impact anticipated</b>
Extent and duration of impact:	
Probability of occurrence:	
Degree to which the impact can be reversed:	
Degree to which the impact may cause irreplaceable loss of resources:	
Cumulative impact prior to mitigation:	
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	
Degree to which the impact can be mitigated:	
Proposed mitigation:	
Cumulative impact post mitigation:	
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	

<b>Noise impacts:</b>	
<b>Nature of impact:</b>	<b>Noise created during construction</b>
Extent and duration of impact:	<b>Local and short term</b>

Probability of occurrence:	<b>Definite</b>
Degree to which the impact can be reversed:	<b>Medium</b>
Degree to which the impact may cause irreplaceable loss of resources:	<b>No Loss</b>
Cumulative impact prior to mitigation:	<b>Low negative</b>
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	<b>LOW NEGATIVE</b>
Degree to which the impact can be mitigated:	<b>Medium</b>
Proposed mitigation:	<ul style="list-style-type: none"> <li>- Keep working hours 7am to 6pm during weekdays, work half day on Saturdays and no work on Sundays or public holidays.</li> <li>- All vehicles and machinery/equipment used onsite must be well maintained and kept in good working order to prevent excessive noise</li> <li>- Development on remote farm limited to no direct receptors.</li> </ul>
Cumulative impact post mitigation:	<b>Very Low Negative</b>
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	<b>VERY LOW NEGATIVE</b>

<b>Dust impacts:</b>	
Nature of impact:	<b>Dust created during construction</b>
Extent and duration of impact:	<b>Local and short term</b>
Probability of occurrence:	<b>Definite</b>
Degree to which the impact can be reversed:	<b>Medium</b>
Degree to which the impact may cause irreplaceable loss of resources:	<b>No Loss</b>
Cumulative impact prior to mitigation:	<b>Low negative</b>
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	<b>LOW NEGATIVE</b>
Degree to which the impact can be mitigated:	<b>Medium</b>
Proposed mitigation:	<ul style="list-style-type: none"> <li>- A suitable speed limit of 20-40km/h must be enforced on all private access roads.</li> <li>- Development on remote farm limited to no direct receptors.</li> <li>- Revegetated cleared areas around development as soon as possible after clearing (already partially implemented around main dwelling).</li> </ul>
Cumulative impact post mitigation:	<b>Very Low Negative</b>
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	<b>VERY LOW NEGATIVE</b>

<b>Waste impacts:</b>	
Nature of impact:	<b>Waste generation from construction activities – general construction waste.</b>
Extent and duration of impact:	<b>Local and short term</b>
Probability of occurrence:	<b>Definite</b>
Degree to which the impact can be reversed:	<b>Probable</b>
Degree to which the impact may cause irreplaceable loss of resources:	<b>Low</b>
Cumulative impact prior to mitigation:	<b>Low negative</b>
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	<b>LOW NEGATIVE</b>
Degree to which the impact can be mitigated:	<b>Medium</b>
Proposed mitigation:	<ul style="list-style-type: none"> <li>- Minimise new materials brought on site.</li> <li>- Reuse existing materials where possible.</li> <li>- No burning of waste on site</li> <li>- Maximise recycling of waste from construction activities.</li> <li>- Provide portable toilets where work is being undertaken (1 toilet per 10 workers). These toilets must be located on level ground within the already disturbed footprint of the main dwelling and more than 30m from the edge of the Breede River Estuarine Functional Zone. Portable toilets must be regularly serviced and maintained.</li> <li>- Provide an adequate number of bins on site and encourage construction personnel to dispose of their waste responsibly.</li> <li>- Waste should be stored in closed containers to prevent dispersal by wind.</li> <li>- Waste generated by construction personnel must be removed from the development area and disposed of at a registered waste disposal facility on a weekly basis.</li> <li>- No material (incl. excavated material, building materials or</li> </ul>

	<p>removed vegetation) may be stockpiled, temporarily stored, or dumped within 32m of the delineated onsite wetlands or Breede River Estuarine Functional Zone</p> <ul style="list-style-type: none"> <li>- Spoil material must be appropriately disposed of at a registered waste disposal facility.</li> <li>- The Contractor must ensure that no building rubble or waste is left behind onsite.</li> <li>- All construction waste must be disposed of at an appropriate registered facility.</li> </ul>
Cumulative impact post mitigation:	<b>Very Low Negative</b>
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	<b>LOW NEGATIVE</b>

<b>Visual impacts / Sense of Place:</b>	
Nature of impact:	<b>Visual Impact during construction activities</b>
Extent and duration of impact:	<b>Local and short term</b>
Probability of occurrence:	<b>Possible</b>
Degree to which the impact can be reversed:	<b>Likely</b>
Degree to which the impact may cause irreplaceable loss of resources:	<b>No loss</b>
Cumulative impact prior to mitigation:	<b>Low negative</b>
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	<b>LOW NEGATIVE</b>
Degree to which the impact can be mitigated:	<b>Possible</b>
Proposed mitigation:	- <b>Development on remote farm limited to no direct receptors.</b>
Cumulative impact post mitigation:	<b>Negligible</b>
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	<b>LOW NEGATIVE</b>

(b) **Impacts that result from the operational phase (briefly describe and compare impacts (as appropriate), significance rating of impacts, proposed mitigation and significance rating of impacts after mitigation that are likely to occur as a result of the operational phase.**

<b>Impacts on geographical and physical aspects:</b>	
<b>Nature of impact:</b>	<b>Increased hardened surfaces within a largely natural landscape.</b>
Extent and duration of impact:	<b>Local and long term</b>
Probability of occurrence:	<b>Possible</b>
Degree to which the impact can be reversed:	<b>Possible</b>
Degree to which the impact may cause irreplaceable loss of resources:	<b>Unlikely</b>
Cumulative impact prior to mitigation:	<b>Low negative</b>
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	<b>LOW NEGATIVE</b>
Degree to which the impact can be mitigated:	<b>Possible</b>
Proposed mitigation:	<p><b>Mitigation measures still to be implemented:</b></p> <ul style="list-style-type: none"> <li>- Stabilise any of the remaining exposed soils using geotextiles, mulch, or vegetative cover.</li> <li>- Landscape undeveloped, disturbed areas around the main dwelling and caretaker's cottage with locally indigenous vegetation with particular emphasis on the revegetation and stabilisation of cleared slopes</li> <li>- Install temporary silt fences or sediment traps if and where necessary during rehabilitation of the slopes.</li> <li>- Monitor the success of rehabilitated and landscaped areas to ensure vegetation establishment, health, and long-term survival. Implement corrective action or additional planting if needed</li> <li>- Conduct regular erosion monitoring within and around all disturbance footprints to detect and address any signs of erosion promptly. If erosion has occurred, it must immediately be rehabilitated through stabilisation of embankments and revegetation, where applicable.</li> <li>- Incorporate suitable stormwater management measures into the overall development design to avoid the generation of concentrated runoff and associated erosion. Effective stormwater management must include measures to slow, spread and deplete the energy of concentrated flows thorough effective stabilisation and the re-vegetation of any disturbed areas.</li> </ul>

	<p><b>Mitigation measures already implemented:</b></p> <ul style="list-style-type: none"> <li>- Rainwater is captured and stored from the roofs of both existing and newly developed structures for onsite domestic use. This reduces the volume of stormwater runoff generated by the new buildings and promotes more efficient water use.</li> </ul>
Cumulative impact post mitigation:	<b>Very low negative</b>
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	<b>VERY LOW NEGATIVE</b>

<b>Impact on biological aspects:</b>	
Nature of impact:	<b>Habitat fragmentation</b> - 0,24ha of vegetation clearance around existing dwelling and 0,02ha from the caretaker's cottage footprint
Extent and duration of impact:	<b>Local and long term</b>
Probability of occurrence:	<b>Likely</b>
Degree to which the impact can be reversed:	<b>Possible</b>
Degree to which the impact may cause irreplaceable loss of resources:	<b>Possible</b>
Cumulative impact prior to mitigation:	<b>Low negative</b>
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	<b>LOW NEGATIVE</b>
Degree to which the impact can be mitigated:	<b>High</b>
Proposed mitigation:	<ul style="list-style-type: none"> <li>- All woody invasive alien vegetation (notably <i>Acacia cyclops</i> and <i>A. saligna</i>) within 100m of all footprints noted in this report (i.e. new houses, levelled areas, new garage, depression area, and prefab house) must be felled, using appropriate methodology (following best practise as outlined in Martens et al 2021). No heavy machinery may be used, and stems should be cut at close to ground level and immediately painted (not sprayed) with a suitable herbicide such as Garlon (but this not necessary for Rooikrans). This must be completed within one year of the date of Environmental Authorisation, and should be externally audited. Refer to Section 8 of the EMPr.</li> <li>- A team trained in invasive alien invasive plant management (see Martens et al 2021) should be appointed to remove all woody alien invasive species on the on the applicant property (section of Portion 54 of Potteberg Estate 516) over the next three years, as well as all seedlings of invasive alien <i>Acacia</i> species, such that there is less than 1% overall woody alien vegetation cover on the property. The least densely invaded areas should be cleared first, as this is the most cost and ecologically effective strategy. This must be completed within three years of the date of Environmental Authorisation (thus at a rate of about 8ha/yr), and should be externally audited. If not adequately completed within three years the DEA&amp;DP or similar authority should be tasked with enforcing this. The only alien trees that could be kept are a few of the larger Rooikrans (<i>Acacia cyclops</i>) in the vicinity of the main house and outbuildings, which may be needed for screening or shade. Refer to Section 8 of the EMPr</li> <li>- No spraying of herbicide should be allowed anywhere where there is any natural vegetation.</li> <li>- No further soil disturbance should be allowed anywhere on the property (hence no scraping by machinery), as this encourages alien plant invasion.</li> <li>- All natural vegetation in moderate to good condition on the applicant property (about 23.4ha in total, excluding just the built and developed footprints) should be signed up with CapeNature's Stewardship program within one year of any authorisation, with the applicant being responsible for all costs associated with this registration, and all Stewardship site management costs going forward.</li> <li>- No alien invasive kikuyu grass (<i>Cenchrus clandestinus</i>) should be planted anywhere on site.</li> </ul>
Cumulative impact post mitigation:	<b>Low positive</b>
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	<b>LOW POSITIVE</b>

<b>Impact on biological aspects:</b>	
Nature of impact:	Local increase in alien invasive vegetation caused by soil disturbance - 0,24ha of vegetation clearance around existing dwelling, 0,02ha around caretaker's cottage and 0,12ha within the floodplain saltmarsh wetland.
Extent and duration of impact:	<b>Local and temporary to long term</b>

Probability of occurrence:	<b>Likely</b>
Degree to which the impact can be reversed:	<b>Possible</b>
Degree to which the impact may cause irreplaceable loss of resources:	<b>Possible</b>
Cumulative impact prior to mitigation:	<b>Low negative</b>
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	<b>LOW NEGATIVE</b>
Degree to which the impact can be mitigated:	<b>High</b>
Proposed mitigation:	<ul style="list-style-type: none"> <li>- All woody invasive alien vegetation (notably <i>Acacia cyclops</i> and <i>A. saligna</i>) within 100m of all footprints noted in this report (i.e. new houses, levelled areas, new garage, depression area, and prefab house) must be felled, using appropriate methodology (following best practise as outlined in Martens et al 2021). No heavy machinery may be used, and stems should be cut at close to ground level and immediately painted (not sprayed) with a suitable herbicide such as Garlon (but this not necessary for Rooikrans). This must be completed within one year of the date of Environmental Authorisation and should be externally audited. Refer to Section 8 of the EMPr</li> <li>- A team trained in invasive alien invasive plant management (see Martens et al 2021) should be appointed to remove all woody alien invasive species on the on the applicant property (section of Portion 54 of Potteberg Estate 516) over the next three years, as well as all seedlings of invasive alien <i>Acacia</i> species, such that there is less than 1% overall woody alien vegetation cover on the property. The least densely invaded areas should be cleared first, as this is the most cost and ecologically effective strategy. This must be completed within three years of the date of Environmental Authorisation (thus at a rate of about 8ha/yr), and should be externally audited. If not adequately completed within three years the DEA&amp;DP or similar authority should be tasked with enforcing this. The only alien trees that could be kept are a few of the larger Rooikrans (<i>Acacia cyclops</i>) in the vicinity of the main house and outbuildings, which may be needed for screening or shade. Refer to Section 8 of the EMPr</li> <li>- No spraying of herbicide should be allowed anywhere where there is any natural vegetation.</li> <li>- No further soil disturbance should be allowed anywhere on the property (hence no scraping by machinery), as this encourages alien plant invasion.</li> <li>- All natural vegetation in moderate to good condition on the applicant property (about 23.4ha in total, excluding just the built and developed footprints) should be signed up with CapeNature's Stewardship program within one year of any authorisation, with the applicant being responsible for all costs associated with this registration, and all Stewardship site management costs going forward.</li> <li>- No alien invasive kikuyu grass (<i>Cenchrus clandestinus</i>) should be planted anywhere on site.</li> </ul>
Cumulative impact post mitigation:	<b>Low positive</b>
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	<b>LOW POSITIVE</b>

<b>Impact on biological aspects:</b>	
Nature of impact:	Proposed rehabilitation activities within the floodplain saltmarsh wetland to improve lost biodiversity potentially altering the geomorphology in and around the wetland
Extent and duration of impact:	<b>Local and long term</b>
Probability of occurrence:	<b>Possible</b>
Degree to which the impact can be reversed:	<b>Possible</b>
Degree to which the impact may cause irreplaceable loss of resources:	<b>Possible</b>
Cumulative impact prior to mitigation:	<b>Low Negative</b>
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	<b>LOW NEGATIVE</b>
Degree to which the impact can be mitigated:	<b>Medium</b>
Proposed mitigation:	<ul style="list-style-type: none"> <li>- As far as possible carry out wetland rehabilitation activities manually without the use of heavy vehicles or machinery.</li> <li>- Monitor rehabilitated areas and undertake follow-up maintenance to ensure successful vegetation establishment and erosion control as outlined in the EMPr</li> <li>- Maintain active erosion monitoring throughout the development's lifecycle as outlined in the EMPr. If erosion has occurred, it must immediately be rehabilitated through stabilisation and revegetation, where applicable.</li> </ul>

	<ul style="list-style-type: none"> <li>- Limit work areas to cleared areas only. No disturbance should occur within the adjacent (uncleared) portions of this wetland system. The only disturbance permitted within these areas is that related to alien invasive vegetation clearance as outlined in the EMPr.</li> <li>- Identify and remove invasive plant species within and adjacent to the wetland and riparian areas as per Section 8 of the EMPr.</li> <li>- Within this sensitive area clearance should be undertaken manually.</li> <li>- Implement follow-up monitoring and control of alien invasive species at least annually to prevent re-establishment.</li> </ul>
Cumulative impact post mitigation:	<b>Low Negative</b>
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	<b>LOW POSITIVE</b>

<b>Impacts on the socio-economic aspects:</b>	
Nature of impact:	<b>Employment (direct and indirect) creation</b>
Extent and duration of impact:	<b>Local and long term</b>
Probability of occurrence:	<b>Likely</b>
Degree to which the impact can be reversed:	<b>Not needed</b>
Degree to which the impact may cause irreplaceable loss of resources:	<b>Not likely</b>
Cumulative impact prior to mitigation:	<b>Low positive</b>
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	<b>LOW POSITIVE</b>
Degree to which the impact can be mitigated:	<b>Not needed</b>
Proposed mitigation:	<b>Not needed</b>
Cumulative impact post mitigation:	<b>Low positive</b>
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	<b>LOW POSITIVE</b>

<b>Impacts on the cultural-historical aspects:</b>	
Nature of impact:	<b>No impacts anticipated</b>
Extent and duration of impact:	
Probability of occurrence:	
Degree to which the impact can be reversed:	
Degree to which the impact may cause irreplaceable loss of resources:	
Cumulative impact prior to mitigation:	
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	
Degree to which the impact can be mitigated:	
Proposed mitigation:	
Cumulative impact post mitigation:	
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	

<b>Noise impacts:</b>	
Nature of impact:	<b>No impacts anticipated</b>
Extent and duration of impact:	
Probability of occurrence:	
Degree to which the impact can be reversed:	
Degree to which the impact may cause irreplaceable loss of resources:	
Cumulative impact prior to mitigation:	
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	
Degree to which the impact can be mitigated:	
Proposed mitigation:	
Cumulative impact post mitigation:	
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	

<b>Waste impacts:</b>	
Nature of impact:	<b>Waste generation from operational activities – sewage, domestic waste, garden waste.</b>
Extent and duration of impact:	<b>Local and long term</b>
Probability of occurrence:	<b>Likely</b>
Degree to which the impact can be reversed:	<b>Probable</b>
Degree to which the impact may cause irreplaceable loss of resources:	<b>Low</b>
Cumulative impact prior to mitigation:	<b>Low negative</b>

Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	<b>LOW NEGATIVE</b>
Degree to which the impact can be mitigated:	<b>Medium</b>
Proposed mitigation:	<ul style="list-style-type: none"> <li>- Reduce waste generated onsite through responsible consumption</li> <li>- Educate users on recycling and resource saving initiatives</li> <li>- Separate waste at source and suitably dispose of all waste generated onsite at a registered landfill.</li> <li>- Domestic waste should be removed from the site to the Infanta transfer station at least once a month.</li> <li>- Removal must be undertaken or arrange by the applicant.</li> <li>- All domestic waste generated onsite must be stored in a secure refuse bin prior to removal.</li> <li>- No burning/burying of waste on the property.</li> <li>- No dumping on property verges</li> <li>- All garden waste/ organic waste to be chipped and responsibly reused or disposed of at a registered offsite facility</li> <li>- Regularly inspect and service septic tanks to ensure proper functioning.</li> <li>- Ensure all sewage systems are appropriately sized for the number of users and designed to prevent leaks, overflows, or groundwater contamination.</li> <li>- Any leaks/ spills should be cleaned and repaired immediately.</li> </ul>
Cumulative impact post mitigation:	<b>Very Low Negative</b>
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	<b>LOW NEGATIVE</b>

<b>Visual impacts / Sense of Place:</b>	
Nature of impact:	<b>Visual impact of expanded development footprint</b>
Extent and duration of impact:	<b>Local and long term</b>
Probability of occurrence:	<b>Possible</b>
Degree to which the impact can be reversed:	<b>Possible</b>
Degree to which the impact may cause irreplaceable loss of resources:	<b>No Loss</b>
Cumulative impact prior to mitigation:	<b>Low negative</b>
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	<b>LOW NEGATIVE</b>
Degree to which the impact can be mitigated:	<b>Possible</b>
Proposed mitigation:	<p><b>Mitigation still to be implemented:</b></p> <ul style="list-style-type: none"> <li>- Make use of natural colours for walls and roofing</li> <li>- Landscape undeveloped portions of the cleared areas around the main dwelling and caretaker's cottage with locally indigenous vegetation.</li> </ul> <p><b>Already implemented</b></p> <ul style="list-style-type: none"> <li>- The development was undertaken on a remote farm with limited to no direct receptors.</li> <li>- The main dwelling development footprint is bordered by a small hill which limits views from the surrounding landscape</li> <li>- The proposed expansion to the main dwelling is proposed largely behind the existing main dwelling which will reduce visual impacts from the Breede River.</li> </ul>
Cumulative impact post mitigation:	<b>Negligible</b>
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	<b>LOW NEGATIVE</b>

(c) Impacts that may result from the decommissioning and closure phase (no-go alternative) (briefly describe and compare the potential impacts (as appropriate), significance rating of impacts, proposed mitigation and significance rating of impacts after mitigation that are likely to occur as a result of the decommissioning and closure phase.

<b>Potential impacts on the geographical and physical aspects (no-go alternative):</b>	
Nature of impact:	<b>Removal of new infrastructure onsite. Existing infrastructure and land left derelict.</b>
Extent and duration of impact:	<b>Local and long term</b>
Probability of occurrence:	<b>Possible</b>
Degree to which the impact can be reversed:	<b>n/a</b>
Degree to which the impact may cause irreplaceable loss of resources:	<b>Not likely</b>
Cumulative impact prior to mitigation:	<b>Low negative</b>
Significance rating of impact prior to mitigation	<b>LOW NEGATIVE</b>

(Low, Medium, Medium-High, High, or Very-High)	
Degree to which the impact can be mitigated:	<b>Possible</b>
Proposed mitigation:	<b>Recycle/ reuse building material where possible to minimise disposal to landfill</b>
Cumulative impact post mitigation:	<b>Low negative</b>
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	<b>LOW NEGATIVE</b>

<b>Potential impact on biological aspects (no-go alternative):</b>	
Nature of impact:	<b>Extensive ongoing alien plant invasion</b>
Extent and duration of impact:	<b>Local and long term</b>
Probability of occurrence:	<b>Highly Probable</b>
Degree to which the impact can be reversed:	<b>Medium</b>
Degree to which the impact may cause irreplaceable loss of resources:	<b>Medium</b>
Cumulative impact prior to mitigation:	<b>Low to medium negative</b>
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	<b>LOW-MEDIUM NEGATIVE</b>
Degree to which the impact can be mitigated:	<b>Possible</b>
Proposed mitigation:	<b>n/a</b>
Cumulative impact post mitigation:	<b>Low to medium negative</b>
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	<b>LOW – MEDIUM NEGATIVE</b>

<b>Potential impacts on the socio-economic aspects (no-go alternative):</b>	
Nature of impact:	<b>Loss of operational phase long term employment</b>
Extent and duration of impact:	<b>Local and long term</b>
Probability of occurrence:	<b>Highly Probable</b>
Degree to which the impact can be reversed:	<b>Possible</b>
Degree to which the impact may cause irreplaceable loss of resources:	<b>Not likely</b>
Cumulative impact prior to mitigation:	<b>Low negative</b>
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	<b>LOW NEGATIVE</b>
Degree to which the impact can be mitigated:	<b>No onsite mitigation</b>
Proposed mitigation:	<b>No onsite mitigation</b>
Cumulative impact post mitigation:	<b>Low negative</b>
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	<b>LOW NEGATIVE</b>

<b>Potential impacts on the cultural-historical aspects:</b>	
Nature of impact:	<b>No impact anticipated</b>
Extent and duration of impact:	
Probability of occurrence:	
Degree to which the impact can be reversed:	
Degree to which the impact may cause irreplaceable loss of resources:	
Cumulative impact prior to mitigation:	
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	
Degree to which the impact can be mitigated:	
Proposed mitigation:	
Cumulative impact post mitigation:	
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	

<b>Potential noise impacts:</b>	
Nature of impact:	<b>No impact anticipated</b>
Extent and duration of impact:	
Probability of occurrence:	
Degree to which the impact can be reversed:	
Degree to which the impact may cause irreplaceable loss of resources:	
Cumulative impact prior to mitigation:	
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	
Degree to which the impact can be mitigated:	
Proposed mitigation:	
Cumulative impact post mitigation:	

Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	
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Potential visual impacts:	
Nature of impact:	<b>No impact anticipated</b>
Extent and duration of impact:	
Probability of occurrence:	
Degree to which the impact can be reversed:	
Degree to which the impact may cause irreplaceable loss of resources:	
Cumulative impact prior to mitigation:	
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	
Degree to which the impact can be mitigated:	
Proposed mitigation:	
Cumulative impact post mitigation:	
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	

**Please note:** If any of the above information is not available, specialist input may be requested.

## 7. SPECIALIST INPUTS/STUDIES AND RECOMMENDATIONS

**Please note:** Specialist inputs/studies that will be undertaken as part of this application. These specialist inputs/studies must take into account the Department's relevant Guidelines on the Involvement of Specialists in EIA Processes available on the Department's website (<http://www.capegateway.gov.za/eadp>). A summary of all the specialist inputs/studies must be provided with the additional information.

Specialist inputs/studies and recommendations:

The following specialist studies were undertaken and recommendations provided:
<p><b>Mitigation according to Botanical and Faunal Impact Assessment:</b></p> <ul style="list-style-type: none"> <li>- All woody invasive alien vegetation (notably <i>Acacia cyclops</i> and <i>A. saligna</i>) within 100m of all footprints noted in this report (i.e. new houses, levelled areas, new garage, depression area, and prefab house) must be felled, using appropriate methodology (following best practise as outlined in Martens et al 2021). No heavy machinery may be used, and stems should be cut at close to ground level and immediately painted (not sprayed) with a suitable herbicide such as Garlon (but this not necessary for rooikrans). This must be completed within one year of the date of this report, and should be audited by CapeNature. <b>[Please note for practical purposes this mitigation measure will be implemented within one year from the date of a valid Environmental Authorisation and will be externally audited with reports provided to DEADP and Cape Nature accordingly]</b></li> <li>- A team trained in invasive alien invasive plant management (see Martens et al 2021) should be appointed to remove all woody alien invasive species on the on the applicant property (section of Ptn 54 of Potteberg Estate 516) over the next three years, as well as all seedlings of invasive alien <i>Acacia</i> species, such that there is less than 1% overall woody alien vegetation cover on the property. The least densely invaded areas should be cleared first, as this is the most cost and ecologically effective strategy. This must be completed within three years of the date of this report (thus at a rate of about 8ha/yr), and should be audited by CapeNature. If not adequately completed within three years the DEA&amp;DP or similar authority should be tasked with enforcing this. The only alien trees that could be kept are a few of the larger rooikrans (<i>Acacia cyclops</i>) in the vicinity of the main house and outbuildings, which may be needed for screening or shade. <b>[Please note for practical purposes this mitigation measure will be implemented within three years from the date of a valid Environmental Authorisation and will be externally audited with reports provided to DEADP and Cape Nature accordingly]</b></li> <li>- No spraying of herbicide should be allowed anywhere where there is any natural vegetation.</li> <li>- No further soil disturbance should be allowed anywhere on the property (hence no scraping by machinery), as this</li> </ul>

encourages alien plant invasion.

- All natural vegetation in moderate to good condition on the applicant property (about 23.4ha in total, excluding just the built and developed footprints) should be signed up with CapeNature's Stewardship program within one year of any authorisation, with the applicant being responsible for all costs associated with this registration, and all Stewardship site management costs going forward.
- No alien invasive kikuyu grass (*Cenchrus clandestinus*) should be planted anywhere on site.

Please note that the Botanical and Faunal Impact Assessment also included the following mitigation measure: "No grass or other planting should be undertaken around the prefab house, and the disturbed area should be allowed to rehabilitate naturally." This measure will not be implemented in full. Approximately 267 m<sup>2</sup> of vegetation clearance was undertaken around the caretaker's cottage. Of this, approximately 200 m<sup>2</sup> will be retained and landscaped with suitable locally indigenous, vegetation to provide an adequate fire protection zone around the dwelling. The remaining disturbed areas will be allowed to rehabilitate naturally.

The appointed botanist has also recommended that a stewardship agreement be entered into with CapeNature. The Applicant is committed to conserving the undeveloped portions of the property and is open to a stewardship-based approach. The nature, extent, and details of the agreement will be finalised with CapeNature following environmental authorisation to ensure conservation objectives are met while safeguarding the property's primary use rights.

**Mitigation according to the Freshwater Impact Assessment:**

- During the construction of the new pumphouse and roofed deck area, all activities should be confined to the existing cleared platform, with no construction vehicles or materials permitted outside of the established footprint.
- Disturbed areas should be rehabilitated using locally indigenous wetland and riparian plant species, including *Salicornia perennis*, *Atriplex semibaccata*, and *Disphyma crassifolium* within the floodplain marsh.
- Invasive plant species within and adjacent to the wetland and riparian areas should be identified and removed, with a focus on *Acacia saligna*.
- Follow-up monitoring and control should be implemented at least annually to prevent re establishment of invasive species.
- A 20 m buffer zone should be maintained around the floodplain salt marsh, with all future activities restricted to areas outside this buffer.
- A 30 m buffer zone should be maintained around the Breede River Estuarine Functional Zone, with all future activities restricted to areas outside this buffer.
- During the construction of the new pumphouse and roofed deck area, care should be taken that no sediment and/or other pollutants wash down from the platform into the wetland area. This can be prevented through the installation of silt fences on the edge of the platform.
- Stabilise any of the remaining exposed soils using geotextiles, mulch, or vegetative cover.
- Install temporary silt fences or sediment traps if and where necessary during rehabilitation of the slopes.
- Monitor vegetation establishment and slope stability over the life of the infrastructure, addressing any erosion or vegetation issues as necessary.

**8. IMPACT ASSESSMENT SUMMARY**

Briefly describe the impacts (as appropriate), significance rating of impacts, mitigation and significance rating of impacts of the activity. This must include an assessment of the significance of all impacts.

IDENTIFIED IMPACTS	SIGNIFICANCE PRIOR TO MITIGATION	SIGNIFICANCE POST MITIGATION
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<b>PLANNING, DESIGN &amp; CONSTRUCTION PHASES (PREFERRED ALTERNATIVE)</b>		
Excavation to expand the existing house platform resulting in localised disturbance of soil and landform, with potential for erosion.	Low-Medium Negative	Low Negative
Soil removal altering the geomorphology within the Floodplain Saltmarsh Wetland	Low-Medium Negative	Low Negative
Hardening and compaction of soil within a largely natural landscape	Low-Medium Negative	Low Negative
Removal of indigenous vegetation – Permanent Loss	Low-Medium Negative	Low-Medium Negative
Removal of indigenous vegetation – Temporary Loss	Low-Medium Negative	Low Negative
Plant SoCC – Loss of footprint subpopulations of 3 or 4 plant species of conservation concern	Low-Medium Negative	Low-Medium Negative
Faunal Impact – Permanent & temporary habitat loss	Low Negative	Low Negative
Loss of biodiversity & ecological function within the Floodplain Saltmarsh	Low-Medium Negative	Low Negative
Potential sedimentation and water quality impacts on the Breede River Estuarine Functional Zone.	Low Negative	Low-Negligible Negative
Increased traffic to farm along Malgas-Infanta Road	Low Negative	Low Negative
Employment (direct and indirect) during construction	Low Positive	Low Positive
Stimulation of the local economy and supply chain through the procurement of goods and services during construction.	Low Positive	Low Positive
Noise created during construction	Low Negative	Very Low Negative
Dust created during construction	Low Negative	Very Low Negative
Waste generation from construction activities – general construction waste.	Low Negative	Low Negative
Visual Impact during construction activities	Low Negative	Low Negative
<b>OPERATIONAL PHASE (PREFERRED ALTERNATIVE)</b>		
Increased hardened surfaces within a largely natural landscape	Low Negative	Very Low Negative
Habitat fragmentation	Low Negative	Low Positive
Local increase in alien invasive vegetation caused by soil disturbance	Low Negative	Low Positive
Proposed rehabilitation activities within the floodplain saltmarsh wetland altering surrounding geomorphology	Low Negative	Low Positive
Employment (direct and indirect) creation	Low Positive	Low Positive
Waste generation from operational activities – sewage, domestic waste, garden waste	Low Negative	Low Negative
Visual impact of expanded development footprint	Low Negative	Low Negative
<b>DECOMMISSIONING AND CLOSURE PHASES (NO-GO ALTERNATIVE)</b>		
Removal of new infrastructure onsite. Existing infrastructure and land left derelict.	Low Negative	Low Negative
Extensive ongoing alien plant invasion	Low-Medium Negative	Low-Medium Negative
Loss of operational phase long term employment	Low Negative	Low Negative

## 9. SUMMARY OF THE CONSEQUENCES OF/ IMPACTS OF THE UNLAWFULLY COMMENCED ACTIVITY/IES

Please provide a detailed summary of the consequences/impacts of commencement of the activity/ies on the environment.

**Summary:**

The unlawfully commenced activities relate to the clearing of approximately 0,4ha of indigenous vegetation from three disturbance footprints within the property, the removal of more than 10 cubic meters of soil from within a floodplain saltmarsh wetland, the excavation of more than 5 cubic metres of soil and rock to expand the existing platform for the construction of the garage, water tanks and expansion of the development footprint by more than 50m<sup>2</sup> within 100m from the high water mark of the Breede River Estuarine functional zone.

**Impacts on vegetation:**

Botanical impacts associated with the development of an area may be both direct and indirect, with the former occurring mostly at the construction stage and the latter mostly at the operational stage. Direct impacts may be both permanent and long term. All impacts in this case are negative, although proposed/required mitigation would have notable positive impacts.

In this instance the direct primary impacts have already occurred being the temporary disturbance of approximately 1200m<sup>2</sup> of indigenous vegetation in Footprints 2 and 3, and the permanent loss of approximately 2000m<sup>2</sup> of indigenous vegetation in Footprints 1 and 3. The majority of the site supports Potberg Ferricrete Fynbos, a vegetation type listed as Critically Endangered.

The development activities have likely affected between three and four plant Species of Conservation Concern (two Near Threatened, one Vulnerable, and one Data Deficient) within the cleared footprints. At a regional scale, the impact on these species is considered Low, as fewer than 40 individuals of each species were affected and all occur in larger populations across the greater property and surrounding region.

Overall, the botanical impacts during the construction phase are assessed as Low to Medium negative, both before and after mitigation. Effective mitigation is primarily achievable during the operational phase through natural rehabilitation of disturbed areas and extensive alien invasive vegetation control across the broader property.

The main impacts to terrestrial vegetation during the operational phase of the proposed development will be habitat fragmentation and increased risk of alien invasive plant invasion, associated with soil disturbance at all three footprints. Habitat fragmentation impacts are limited to Footprint 1 and Footprint 3 (the two residential footprints) and are assessed as having a Low negative significance before mitigation. This impact can be largely mitigated through effective alien invasive plant management in the remaining natural areas, using appropriate control methods (as outlined in Martins et al., 2021). After mitigation, the impact is expected to improve to a Low positive outcome. Soil disturbance across all three footprints is likely to promote the germination of alien invasive species such as Rooikrans and Port Jackson, which have large seed banks in the area. This impact is assessed as Low negative before mitigation and is expected to become Low positive after mitigation with the implementation of ongoing alien invasive plant control measures.

**Impacts on fauna:**

Eight bird Species of Conservation Concern are flagged for the area, with seven potentially occurring occasionally near the development footprints. Only two species—the Black Harrier (*Circus maurus*) and Southern Korhaan (*Afrotis afra*)—may occasionally breed within 200 m of the footprints. No significant or permanent impacts on these birds are expected, as any individuals present would have temporarily moved away during clearing. No vertebrate faunal SoCC are likely to have been permanently present, and none are expected to have been permanently impacted.

Overall, no animals are likely to have been permanently and negatively impacted by any of the activities, and no faunal SCC are likely to have been permanently impacted by the activities. In general, the faunal impacts are likely to have been of Low negative significance, before and after mitigation. Adequate and appropriate mitigation is only likely to be viable at the operational phase, primarily in the form of natural rehabilitation of disturbed areas and extensive alien vegetation removal on the greater property.

**Impacts on aquatic systems:**

Direct impacts occurred through the clearance of vegetation within the floodplain marsh, resulting in disturbance to the wetland habitat. Indirect impacts occurred through clearing and levelling activities within the broader Breede River Estuarine Functional Zone buffer area. The existing impacts are assessed as part of the operational phase.

The primary impacts include localized loss of biodiversity within the Floodplain Saltmarsh and Breede River Estuarine Functional

Zone and potential water quality impacts within the Breede River Estuarine Functional Zone. Clearance within the Floodplain Saltmarsh led to a reduction in ecological function (approximately 7%) and temporary loss of associated invertebrate habitat, resulting in a local, long-term impact of Low to Medium negative significance.

Clearing and levelling activities within the larger Breede River Buffer Zone occurred on elevated, sloped ground and was separated from the wetland by an existing road, with no observable loss of biodiversity or evidence of sedimentation within the estuarine functional zone. These impacts are therefore considered negligible.

Future development activities are proposed outside the regulated buffer and floodline and within an already cleared area. The revegetation of the remaining cleared area will also serve as rehabilitation, enhancing overall biodiversity within the buffer zone, providing a long-term, local, low positive benefit to the bordering estuarine wetland.

Given that the clearing and levelling activities took place within the Breede River's buffer zone, these activities could have had an impact on water quality in the area. Excavation of soils on a slope could have led to sedimentation in the downstream wetland, potentially resulting in some loss of wetland habitat. However, as noted above, this wetland was well buffered by the existing road running along its edge, and no signs of disturbance or sedimentation were observed north of the road. Therefore, this activity is considered to have had no to negligible impact on water quality or sedimentation in the downstream wetland.

Similarly, the construction of the small pumphouse and roofed deck area will be located within the already cleared section of the 30 m buffer zone, and is expected to have only a short-term, local, low to negligible impact on water quality and sedimentation in the downstream wetland.

**10. OTHER MANAGEMENT, MITIGATION AND MONITORING MEASURES**

(a) Over and above the mitigation measures described above, please indicate any additional management, mitigation and monitoring measures.

- A detailed EMPr has been developed that incorporates all specialists' recommendations together with additional relevant mitigation and management measures to ensure effective long-term environmental management of the site.
- A Rehabilitation Plan forms part of the EMPr. The plan specifies appropriate restoration approaches (passive and active), identifies priority areas for immediate intervention, and provides for follow-up monitoring and maintenance where required.
- An Alien Invasive Vegetation Management Plan has been included in the EMPr, aligned with best-practice methodologies as set out in Martins et al. (2021), to guide systematic and ongoing control across the property.

(b) Describe the ability of the applicant to implement the management, mitigation and monitoring measures.

The applicant is willing and able to implement the management, monitoring and mitigation measures as prescribed by the EAP in this document and the accompanying EMP. The applicant has both displayed a willingness to comply and is financially able to implement the requirements.

**Please note:** A draft **ENVIRONMENTAL MANAGEMENT PROGRAMME** must be attached to this application as **Appendix I**.

**SECTION G: ASSESSMENT METHODOLOGIES AND CRITERIA, GAPS IN KNOWLEDGE, UNDERLYING ASSUMPTIONS AND UNCERTAINTIES**

(a) Please describe adequacy of the assessment methods used.

Assessment methods used include the following:

- Site visits to determine the nature and sensitivity of the site and the surrounding environment.
- Consulting with the Applicant to gain an understanding of the need for the proposed activity.

- Consideration of the applicable Legislation, Guidelines and Policies.
- Consideration of the district and provincial IDPs, SDFs in order to understand the socio-economic context of the proposed development.
- Obtaining specialist botanical and aquatic input.

It is the opinion of the EAP that the assessment methods used were adequate.

(b) Please describe the assessment criteria used.

**Impact rating methodology**

The significance of each impact identified was assessed according to the following variables (evaluation components):

**Significance** is the product of **probability and severity**.

**Probability** describes the likelihood of the impact actually occurring, and is rated as follows:

PROBABILITY		
IMPROBABLE	LOW POSSIBILITY OF IMPACT TO OCCUR EITHER BECAUSE OF DESIGN OR HISTORIC EXPERIENCE.	RATING = 1
PROBABLE	DISTINCT POSSIBILITY THAT IMPACT WILL OCCUR.	RATING = 2
HIGHLY PROBABLE	MOST LIKELY THAT IMPACT WILL OCCUR.	RATING = 3
DEFINITE	IMPACT WILL OCCUR, IN THE CASE OF ADVERSE IMPACTS REGARDLESS OF ANY PREVENTION MEASURES.	RATING = 4

The **severity factor** is calculated from the factors given to “**intensity**” and “**duration**”. Intensity and duration factors are awarded to each impact, as described below.

The **intensity factor** is awarded to each impact according to the following method:

INTENSITY FACTOR		
LOW INTENSITY	NATURAL AND MAN-MADE FUNCTIONS NOT AFFECTED.	FACTOR 1
MEDIUM INTENSITY	ENVIRONMENT AFFECTED BUT NATURAL AND MAN-MADE FUNCTIONS AND PROCESSES CONTINUE.	FACTOR 2
HIGH INTENSITY	ENVIRONMENT AFFECTED - NATURAL OR MAN-MADE FUNCTIONS ARE ALTERED TO THE EXTENT THAT IT WILL TEMPORARILY OR PERMANENTLY CEASE OR BECOME DYSFUNCTIONAL.	FACTOR 3

**Duration** is assessed and a factor awarded in accordance with the following:

DURATION		
SHORT TERM	<1 TO 5 YEARS	FACTOR 1
MEDIUM TERM	5 TO 15 YEARS	FACTOR 2
LONG TERM	IMPACT WILL ONLY CEASE AFTER THE OPERATIONAL LIFE OF THE ACTIVITY, EITHER BECAUSE OF NATURAL PROCESS OR BY HUMAN INTERVENTION	FACTOR 3
PERMANENT	MITIGATION, EITHER BY NATURAL PROCESS OR BY HUMAN INTERVENTION, WILL NOT OCCUR IN SUCH A WAY OR IN SUCH A TIME SPAN THAT THE IMPACT CAN BE CONSIDERED TRANSIENT	FACTOR 4

The **severity rating** is obtained from calculating a severity factor and comparing the severity factor to the rating in the table below. For example:

The severity factor = intensity factor x duration factor  
 = 2 x 3

= 6

A **severity factor** of six (6) equals a severity rating of medium severity (rating 3) as per table below:

RATING	FACTOR
LOW SEVERITY (RATING 2)	CALCULATED VALUES 2 TO 4
MEDIUM SEVERITY (RATING 3)	CALCULATED VALUES 5 TO 8
HIGH SEVERITY (RATING 4)	CALCULATED VALUES 9 TO 12
VERY HIGH SEVERITY (RATING 5)	CALCULATED VALUES 13 TO 16
SEVERITY FACTORS BELOW 3 INDICATE NO IMPACT	

A **significance rating** is calculated by multiplying the severity rating with the probability rating.

The **significance rating** should influence the development project as described below:

SIGNIFICANCE RATING		
LOW SIGNIFICANCE	CALCULATED SIGNIFICANCE RATING 4 TO 6	POSITIVE IMPACT AND NEGATIVE IMPACTS OF LOW SIGNIFICANCE SHOULD HAVE NO INFLUENCE ON THE PROPOSED DEVELOPMENT PROJECT.
MEDIUM SIGNIFICANCE	CALCULATED SIGNIFICANCE RATING >6 TO 15	POSITIVE IMPACT: SHOULD WEIGH TOWARDS A DECISION TO CONTINUE  NEGATIVE IMPACT: SHOULD BE MITIGATED TO A LEVEL WHERE THE IMPACT WOULD BE OF MEDIUM SIGNIFICANCE BEFORE PROJECT CAN BE APPROVED.
HIGH SIGNIFICANCE	CALCULATED SIGNIFICANCE RATING 16 AND MORE	POSITIVE IMPACT: SHOULD WEIGH TOWARDS A DECISION TO CONTINUE, SHOULD BE ENHANCED IN FINAL DESIGN.  NEGATIVE IMPACT: SHOULD WEIGH TOWARDS A DECISION TO TERMINATE PROPOSAL, OR MITIGATION SHOULD BE PERFORMED TO REDUCE SIGNIFICANCE TO AT LEAST MEDIUM SIGNIFICANCE RATING.

The impacts were assessed for the preferred and alternative and for the "no - go" option, with and without the implementation of proposed mitigation measures.

**Cumulative impact:** in relation to an activity, means the past, current and reasonably foreseeable future impact of an activity, considered together with the impact of activities associated with that activity that in itself may not be significant, but may become significant when added to the existing and reasonably foreseeable impacts eventuating from similar or diverse activities.

(c) Please describe the gaps in knowledge.

No gaps in knowledge pertaining to the activity exist at this time, however, should any be identified, they will be communicated in an open and transparent manner and documented in the S24G application report.

(d) Please describe the underlying assumptions.

The following assumptions apply to the current application report:

- It is assumed that all information on which this report is based is both correct and truthful and without omission.
- It is assumed that comprehensive specialist assessments were undertaken.
- It is assumed that all impacts associated with the development activities have been identified.
- It is assumed that all relevant mitigation measures specified in this report will be fully implemented and complied with on a long-term basis, in order to ensure that the impact on the surrounding environment is minimized, to an acceptable level.

The following assumptions and limitations apply to the botanical and faunal impact assessment:

- The property was visited on 16 September 2025. Although this would be within the optimal winter - spring flowering season in the main winter rainfall region the study area is actually located in an area of bimodal rainfall, with peaks in autumn and early summer, and was actually very dry at the time of the site visit. Most, but not all perennial plant species were identifiable, but few of the seasonally evident bulbs and annuals were identifiable and evident. It is thus possible that certain plant Species of Conservation Concern may have been overlooked (i.e. were not evident) in the cleared areas and the adjacent natural areas, due to both the seasonal constraints and the recent clearing. However, the author believes that sufficient information was available to make an accurate assessment of the vegetation in both the cleared and surrounding areas and its botanical and faunal significance, and the confidence level in the accuracy of the findings is high.
- All plant and animal species observed were noted in the field, and various digital photographs were taken (using a Fuji XT5 camera and a Xiaomi 14T cellphone), most of which have been uploaded to the biodiversity website inaturalist.org. The GIS based South African National Biodiversity Institute (SANBI) vegetation map for South Africa (Mucina & Rutherford 2006 and 2018 online update) was consulted, along with the National List of Threatened Ecosystems (Government of South Africa 2022), and other relevant references noted in the text. Photographs of particular species observed on site, including most of the SCC, have been posted to the biodiversity website inaturalist.org.
- Conclusions were drawn based on this documentation and professional experience in the area and the region.
- Faunal observations were made whilst on site, but no trapping or photography was undertaken.
- Google Earth satellite imagery dated November 2023 and May 2024 was used to verify vegetation patterns, cleared areas and the chronology, and for mapping purposes.
- Google Earth was used to measure areas.
- It is assumed that all mitigation recommendations made in this report will be included in any environmental authorisation, and that they will be adequately and timeously implemented.

The following assumptions and limitations apply to the Freshwater Impact Assessment:

- The purpose of this report is to comment on the PES and EIS of the freshwater features on site as well as determine any freshwater constraints posed to future development of the property.
- Analysis of the freshwater ecosystems was undertaken at a rapid level and did not involve detailed habitat and biota assessments (Ecosystem level III);
- The project deliverables, including the reported results, comments, recommendations and conclusions, are based on the author's professional knowledge as well as available information. Even though every care was taken to ensure the accuracy of this report, environmental assessment studies are limited in scope, time, and budget. Discussions and proposed mitigations are to some extent made on reasonable and informed assumptions built on bona fide information sources, as well as deductive reasoning. No biomonitoring or physical-chemical aspects of the water found in the study were conducted.
- The author reserves the right to modify aspects of the report including the recommendations if and when new information may become available from ongoing research or further work in this field, or pertaining to this investigation.

- The author has exercised reasonable skill, care and diligence in the provision of services; however, accepts no liability or consequential liability for the use of the supplied project deliverables and any information or material contained therein. The client, including their agents, by receiving these deliverables indemnifies EverWater Freshwater Consulting (including its members, employees and sub-consultants) against any actions, claims, demands, losses, liabilities, costs, damages and expenses arising directly or indirectly from or in connection with services rendered, directly or indirectly by EverWater Freshwater Consulting.

Any further assumptions that may be required will be made public knowledge.

(e) Please describe the uncertainties.

Please refer to section (d) above for limitations encountered within the specialist reports.

**SECTION H: RECOMMENDATIONS OF THE EAP**

In my view (EAP), the information contained in the Application and the documentation attached hereto is sufficient to make a decision in respect of the activity applied for.	<b>YES X</b>	NO
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If "NO", list the aspects that should be further assessed through additional specialist input/assessment:

If "YES", please indicate below whether in your opinion the applicant should be directed to cease the activity or if it should be authorised:

Applicant should be directed to cease the activity:	YES	<b>NO X</b>
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Please provide reasons for your opinion

The development activities were undertaken to expand and improve the functionality of the existing residential dwelling through the construction of inter alia a garage, pumproom, additions to the main dwelling and additional water storage tanks to support resource availability. The caretaker's cottage enables a permanently employed caretaker to reside on site and manage the property, including ongoing alien invasive vegetation control. The vegetation clearance and soil disturbance within the floodplain saltmarsh were undertaken without the landowner's consent at the initiative of the contractor and should not have occurred. This area will be rehabilitated.

The development components proposed to be retained are directly linked to the long-term sustainable management of the property. The development is in line with various precedents set along the river ito scale and proximity to the river. Prior to mitigation, the botanical and faunal impacts and loss of biodiversity within the Floodplain Saltmarsh Wetland are assessed as Low to Medium negative, no notable loss of biodiversity occurred within the Breede River Estuarine Functional Zone, and the surrounding wetland area is considered to have experienced negligible impacts. Clearing, levelling and development within the Breede River buffer zone have had only short-term, local, and low-to-negligible impacts on water quality and sedimentation.

To mitigate future soil erosion and sedimentation, the client has already replanted slopes within Cleared Footprint 1, which currently show good vegetation cover, and intends to revegetate the remaining undeveloped portions of Cleared Footprint with indigenous landscaping, further reducing risk. The EAP, supported by botanical and freshwater specialists, concludes that feasible mitigation measures exist to reduce impacts to acceptable levels. Natural rehabilitation of temporarily disturbed areas is expected to be successful, provided ongoing alien invasive vegetation management — which the applicant has committed to — is implemented.

Ceasing all development activities at this stage would be unlikely to yield a meaningful positive environmental outcome. The Botanical and Faunal Impact assessment states that the No Go alternative would in this case probably not be the environmentally preferred alternative, as it may have a Low to Medium negative impact over time, driven mainly by the negative ecological impacts of ongoing, unmanaged alien plant invasion. In contrast, implementing the recommended mitigation measures — including rehabilitation of disturbed areas, ongoing management of alien invasive vegetation, and the proposed Biodiversity Stewardship Agreement with CapeNature — is expected to deliver a low positive impact in terms of botanical and faunal impacts while aquatic impacts can be reduced from low to medium negative to low negative. As such the EAP is of the opinion that the current development proposal inclusive of the proposed mitigation measures represents the most effective and responsible strategy for conserving and restoring the ecological integrity of the site.

If you are of the opinion that the activity should be authorised, then please provide any conditions, including mitigation measures that should in your view be considered for inclusion in an authorisation.

- The EMPr should be implemented in full.
- All woody invasive alien vegetation (notably *Acacia cyclops* and *A. saligna*) within 100m of all footprints noted in this report (i.e. new houses, levelled areas, new garage, depression area, and prefab house) must be felled, using appropriate methodology (following best practise as outlined in Martens et al 2021). No heavy machinery may be used, and stems should be cut at close to ground level and immediately painted (not sprayed) with a suitable herbicide such as Garlon (but this not necessary for rooikrans). This must be completed within one year of the date of a valid Environmental Authorisation and should be externally audited.
- A team trained in invasive alien invasive plant management (see Martens et al 2021) should be appointed to remove all woody alien invasive species on the on the applicant property (section of Ptn 54 of Potteberg Estate 516) over the next three years, as well as all seedlings of invasive alien *Acacia* species, such that there is less than 1% overall woody alien vegetation cover on the property. The least densely invaded areas should be cleared first, as this is the most cost and ecologically effective strategy. This must be completed within three years of the date of a valid Environmental Authorisation, and should be externally audited by. If not adequately completed within three years the DEA&DP or similar authority should be tasked with enforcing this. The only alien trees that could be kept are a few of the larger rooikrans (*Acacia cyclops*) in the vicinity of the main house and outbuildings, which may be needed for screening or shade.
- No spraying of herbicide should be allowed anywhere where there is any natural vegetation.
- No further unauthorised soil disturbance should be allowed anywhere on the property (hence no scraping by machinery), as this encourages alien plant invasion.
- The appointed botanist has recommended that a stewardship agreement be entered into with CapeNature. The Applicant is committed to conserving the undeveloped portions of the property and is open to a stewardship-based approach. The nature, extent, and details of the agreement will be finalised with CapeNature following environmental authorisation to ensure conservation objectives are met while safeguarding the property's primary use rights.
- No alien invasive kikuyu grass (*Cenchrus clandestinus*) should be planted anywhere on site.
- During the construction of the new pumphouse and roofed deck area, all activities should be confined to the existing cleared platform, with no construction vehicles or materials permitted outside of the established footprint.
- Disturbed areas should be rehabilitated using locally indigenous wetland and riparian plant species, including *Salicornia perennis*, *Atriplex semibaccata*, and *Disphyma crassifolium* within the floodplain marsh.
- Invasive plant species within and adjacent to the wetland and riparian areas should be identified and removed, with a focus on *Acacia saligna*.
- Follow-up monitoring and control should be implemented at least annually to prevent re establishment of invasive species.
- A 20 m buffer zone should be maintained around the floodplain salt marsh, with all future activities restricted to areas outside this buffer.
- A 30 m buffer zone should be maintained around the Breede River Estuarine Functional Zone, with all future activities restricted to areas outside this buffer.
- During the construction of the new pumphouse and roofed deck area, care should be taken that no sediment and/or other pollutants wash down from the platform into the wetland area. This can be prevented through the installation of silt fences on the edge of the platform.
- Stabilise any of the remaining exposed soils using geotextiles, mulch, or vegetative cover.
- Install temporary silt fences or sediment traps if and where necessary during rehabilitation of the slopes.
- Monitor vegetation establishment and slope stability over the life of the infrastructure, addressing any erosion or

vegetation issues as necessary.

**SECTION I: REPRESENTATIONS – RESPONSE TO AN INCIDENT OR EMERGENCY SITUATION**

This section is only applicable to instances where Section 49A (2) of NEMA applies. Please list all steps that were taken in response to the incident or emergency situation.

**Not Applicable**

**Please note:**

**Section 30 of NEMA deals with the procedures to be followed for the control of emergency incidents and Section 30A deals with procedures to be followed in the case of emergency situations.**

**SECTION J: PUBLIC PARTICIPATION**

**1. PUBLIC PARTICIPATION PROCESS TO BE FOLLOWED**

**1.1 THE PUBLIC PARTICIPATION PROCESS IN TERMS OF THE SECTION 24G FINE REGULATIONS, 2017**

Regulation 8 of the Section 24G Fine Regulations require that all applicants must conduct public participation **prior to submission** of a section 24G application (as outlined in Annexure A of the Section 24G Fine Regulations - Section D: Preliminary Advertisement).

**“The applicant must place a preliminary advertisement in-**

(1) A local newspaper in circulation in the area in which the activity was, or activities were, commenced; and on the applicant's website, if any.

(2) This advertisement must comply with the requirements set out in Annexure A, Section D of the Section 24G Fine Regulations, 2017.

(3) The applicant must open and maintain of a register of interested and affected parties.

(4) The **register must be attached to the application form and included in the report**, or form part of the information submitted in terms of section 24G(1) of the Act, which the register must, as a minimum, contain the names, contact details and addresses of-

(a) all persons who, as a consequence of the public participation process conducted in respect of the application, have submitted written comments or attended meetings with the applicant or any environmental assessment practitioner or other specialist appointed by the applicant to assist with the application;

(b) all persons who have requested the applicant, in writing, to place their names on the register; and

(c) all organs of state that have jurisdiction in respect of the activity to which application relates.”

Please provide a summary of the steps followed where public participation was undertaken in accordance with Regulation 8 prior to submission of this Application Form. Ensure that proof of compliance with Regulation 8 is submitted with this Application Form, including, *inter alia*, proof of preliminary advertisement in a local newspaper.

Pre-application public participation still to be undertaken:

- A pre-application draft Section 24G Application will be circulated for public comment for a 30 day period
- An advertisement (in English) will be published in the local newspaper, the Suidernuus
- A site notice will be placed at a visible location at the boundary of the proposed development site
- The pre-application Draft Section 24G Application and supporting documentation, plus the draft EMPr will be available for download from the PHS website for the duration of the commenting period
- All identified IAPs will be notified by email or registered mail as applicable of the proposed project and the availability of the documentation for comment.

Please indicate whether the applicant has a website (please tick relevant box):

	YES	<b>NO X</b>
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If yes, please note that the application information as specified above must have been advertised on such website and proof thereof must accompany this application.

**The application information will be placed on the EAP's website.**

Please note: Annexure A: Section D attached to this Application form must be strictly adhered to.

**1.2 THE PUBLIC PARTICIPATION PROCESS IN TERMS OF NEMA EIA REGULATIONS, 2014**

As the applicant, you may be directed to conduct the public participation process that fulfils the requirements outlined in Chapter 6 of the EIA Regulations, 2014. In doing so, you must take into account any applicable guidelines published in terms of Section 24J of NEMA, the Department's Circular EADP 0028/2014 on the "One Environmental Management System" and the EIA Regulations, 2014 as well as any other guidance provided by the Department. Note that the public participation requirements are applicable to all proposed sites.

Please highlight the appropriate box below to indicate the public participation process that has been or will be undertaken to give notice of the application to all potential interested and affected parties, including deviations that may be agreed to by the competent authority:

1. In terms of regulation 41 of the EIA Regulations, 2014 -			
(a) fixing a notice board at a place conspicuous to and accessible by the public at the boundary, on the fence or along the corridor of -			
(i) the site where the activity to which the application relates is or is to be undertaken; and	YES X	DEVIATION	
(ii) any alternative site <b>N/A</b>	YES	DEVIATION	
(b) giving written notice, in any manner provided for in section 47D of the NEMA, to -			
(i) the occupiers of the site and, if the applicant is not the owner or person in control of the site on which the activity is to be undertaken, the owner or person in control of the site where the activity is or is to be undertaken or to any alternative site where the activity is to be undertaken;	YES X	DEVIATION	N/A
(ii) owners, persons in control of, and occupiers of land adjacent to the site where the activity is or is to be undertaken or to any alternative site where the activity is to be undertaken;	YES X	DEVIATION	
(iii) the municipal councillor of the ward in which the site or alternative site is situated and any organisation of ratepayers that represent the community in the area;	YES X	DEVIATION	
(iv) the municipality (Local and District Municipality) which has jurisdiction in the area;	YES X	DEVIATION	
(v) any organ of state having jurisdiction in respect of any aspect of the activity; and	YES X	DEVIATION	
(vi) any other party as required by the Department;	YES	DEVIATION	N/A X
(c) placing an advertisement in -			
(i) one local newspaper; or	YES X	DEVIATION	
(ii) any official Gazette that is published specifically for the purpose of providing public notice of applications or other submissions made in terms of these Regulations;	YES	DEVIATION	N/A X
(d) placing an advertisement in at least one provincial newspaper or national newspaper, if the activity has or may have an impact that extends beyond the boundaries of the metropolitan or district municipality in which it is or will be undertaken	YES	DEVIATION	N/A X
(e) using reasonable alternative methods, as agreed to by the Department, in those instances where a person is desirous of but unable to participate in the process due to— (i) illiteracy; (ii) disability; or (iii) any other disadvantage.	YES	DEVIATION	N/A X
If you have indicated that "DEVIATION" applies to any of the above, then Section 2. below must be completed.			
NOTE: 2. The NEM: WA requires that a notice must be placed in at least two newspapers. <b>N/A</b>			
If applicable, have/will an advertisement be placed in at least two newspapers?	YES	NO	
If "NO", then an application for exemption from the requirement must be applied for.			

1. Provide a list of all the state departments that has been / will be consulted:		
List of State Depts.	Comment obtained (YES/NO	If not, provide reasons
DEA&DP: Directorate: Environmental Governance (Rectification)	Still to be obtained	Still to be obtained
DEA&DP: Directorate: Environmental Law Enforcement	Still to be obtained	Still to be obtained
DEADP Directorate: Pollution and Chemical Management	Still to be obtained	Still to be obtained
DEADP Directorate: Biodiversity and Coastal Management	Still to be obtained	Still to be obtained
BOCMA	Still to be obtained	Still to be obtained

Western Cape Department of Agriculture	Still to be obtained	Still to be obtained
Overberg District Municipality	Still to be obtained	Still to be obtained
Swellendam Local Municipality	Still to be obtained	Still to be obtained
Cape Nature	Still to be obtained	Still to be obtained
Department of Transport and Public Works	Still to be obtained	Still to be obtained
Ward Counsellor	Still to be obtained	Still to be obtained

**2. Provide a summary of the issues raised by I&APs and an indication of the manner in which the issues raised were incorporated, or the reasons for not being incorporated or addressed. (The details of the outcomes of this process, including supporting information must be included in the Comments and Report to be attached to this application as Appendix G.)**

To be completed after initial PPP

**3. Provide a summary of any conditional aspects identified / highlighted by any Organs of State, which have jurisdiction in respect of any aspect of the relevant activity.**

To be completed after initial PPP

**Please note:**

- A list of all the potential interested and affected parties, including the organs of State must be opened, maintained and made available to any person requesting access, in writing, to the register.
- All comments of interested and affected parties on the Application Form and Additional Information must be recorded, responded to and included in the Comments and Responses Report attached as Appendix G to the Application. The Comments and Responses Report must also include a description of the Public Participation Process followed.
- The minutes of any meetings held by the EAP with interested and affected parties and other role players which record the views of the participants must also be submitted as part of the public participation information to be attached to the additional information/Environmental Impact Report as Appendix G.
- Proof of all the notices given as indicated, as well as of notice to the interested and affected parties of the availability of the Application Form/Additional Information must be submitted as part of the public participation information to be attached to the application as Appendix G.

**2. REPRESENTATIONS REGARDING DEVIATION FROM PUBLIC PARTICIPATION REQUIREMENTS IN TERMS OF THE EIA REGULATIONS, 2014**

Please provide detailed reasons (representations) as to why it would be appropriate not direct you to comply with all of the requirements and to deviate from the requirements of regulation 41 as indicated above.

n/a

**3. LIST OF STATE DEPARTMENTS**

Section 24(O)(2) obliges the relevant authority to 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.

Provide a list of all the State departments that will be/have been consulted, including the name and contact details of the relevant official.			
State Department	Name of person	Contact details	
DEA&DP: Environmental (Rectification)	Directorate: Governance Zaidah Toefy & Nabeelah Khan	Tel	021 483 2443
		E-mail	Zaidah.Toefy@westerncape.gov.za Nabeelah.Khan@westerncape.gov.za

DEA&DP: Directorate: Environmental Law Enforcement	Yena Gunguluzi	Tel	021 483 0779
		Email	Yena.Gunguluzi@westerncape.gov.za
DEADP Directorate: Pollution and Chemical Management	Gunther Frantz Rabia Reynolds	Tel	021 483 2660
		E-mail	Gunther.Frantz@westerncape.gov.za Rabia.Reynolds@westerncape.gov.za
DEADP Directorate: Biodiversity and Coastal Management	Mercia Liddle	Tel	021 483 4627
		E-mail	mercia.liddle@westerncape.gov.za
BOCMA	Nolutando Ndlumbini Elkerine Rossouw	Tel	023 346 8000
		E-mail	info@bocma.co.za nndlumbini@bocma.co.za erossouw@bocma.co.za
Western Cape Department of Agriculture	Cor van der Walt	Tel	021 808 5099
		E-mail	Cor.VanderWalt@westerncape.gov.za Brandon.Layman@westerncape.gov.za
Overberg District Municipality	Rulien Volschenk	Tel	028 425 1157
		E-mail	rvolschenk@odm.org.za
Swellendam Local Municipality	Ron Brunings	Tel	028 514 8500
		E-mail	rbrunings@swellendam.gov.za
Cape Nature	Rhett Smart	Tel	087 087 8017 / 072 835 8741
		E-mail	rsmart@capenature.co.za
Department of Transport and Public Works	TBD	Tel	021 483 2203
		E-mail	land.use@westerncape.gov.za
Ward Counsellor	Cllr. Donovan Jeremy Julius	Tel	061 834 6189
		E-mail	donovanj@swellendam.gov.za juliusdonovan7@gmail.com

**Please note:**

A State department consulted in terms of Section 24O(2) of NEMA and Regulations 3(4) and 43(2) must within 30 days from the date of the Department/EAP's request for comment, submit such comment in writing to the Department. The applicant/EAP is therefore required to inform this Department in writing when the application/relevant information is submitted to the relevant State Departments. Upon receipt of this confirmation, this Department will in accordance with Section 24O (2) & (3) of the NEMA inform the relevant State Departments of the commencement date of the 30-day commenting period.

## PART 2 – ANNEXURE A TO THE SECTION 24G APPLICATION FORM

## SECTION A: DIRECTIVES

Section 24G(1) of NEMA provides that on application by a person who has commenced with a listed or specified activity without an environmental authorisation in contravention of section 24F(1); or a person who has commenced, undertaken or conducted a waste management activity without a waste management licence in terms of section 20(b) of the National Environment Management: Waste Act, 2008 (Act 59 of 2008) ("NEM:WA") the Minister, the Minister responsible for mineral resources or the MEC concerned (or the official to which this power has been delegated), as the case may be, may direct the applicant to-

i	<i>immediately cease the activity pending a decision on the application submitted in terms of this subsection</i>	
ii	<i>investigate, evaluate and assess the impact of the activity on the environment</i>	
iii	<i>remedy any adverse effects of the activity on the environment</i>	
iv	<i>cease, modify or control any act, activity, process or omission causing pollution or environmental degradation</i>	
v	<i>contain or prevent the movement of pollution or degradation of the environment</i>	
vi	<i>eliminate any source of pollution or degradation</i>	
vii	<i>compile a report containing-</i>	
	aa	<i>a description of the need and desirability of the activity</i>
	bb	<i>an assessment of the nature, extent, duration and significance of the consequences for or impacts on the environment of the activity, including the cumulative effects and the manner in which the geographical, physical, biological, social, economic and cultural aspects of the environment may be affected by the proposed activity</i>
	cc	<i>a description of mitigation measures undertaken or to be undertaken in respect of the consequences for or impacts on the environment of the activity</i>
	dd	<i>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</i>
	ee	<i>an environmental management programme</i>
viii	<i>provide such other information or undertake such further studies as the Minister, Minister responsible for mineral resources or MEC, as the case may be, may deem necessary.</i>	

You are hereby provided with an opportunity to make representations on any or all of the abovementioned instructions including where you are of the opinion that any of these instructions are not relevant for the purposes of your application setting out the reasons for your assertion. Kindly note further that after taking your representation into account a final directive may be issued.

**Please Note:**

**Notwithstanding the above, subsequent to submission of the application form to the Department, you may be issued with a specific directive in terms of section 24G(1)(i) to (viii), and you will therefore be provided with an opportunity to make further representations as to the specific directive.**

**The appointed Environmental Assessment Practitioner, on behalf of the applicant, may be directed to compile and submit a report that meets the requirements of section 24G(vii)(aa)-(ee) as specified above.**

**SECTION B: DEFERRAL OF THE APPLICATION**

Section 24G(7) of the NEMA provides that if at any stage after the submission of an application it comes to the attention of the Minister, the Minister responsible for mineral resources or the MEC, that the applicant is under criminal investigation for the contravention of, or failure to comply with, section 24F(1) of the NEMA or section 20(b) of the NEM:WA, the Minister, Minister responsible for mineral resources or MEC may defer a decision to issue an environmental authorisation until such time as the investigation is concluded and-

- (a) the National Prosecuting Authority has decided not to institute prosecution in respect of such contravention or failure;
- (b) the applicant concerned is acquitted or found not guilty after prosecution in respect of which such contravention or failure has been instituted; or
- (c) the applicant concerned has been convicted by a court of law of an offence in respect of such contravention or failure and the applicant has in respect of the conviction exhausted all the recognised legal proceedings pertaining to appeal or review.

Kindly answer the following questions:

<i>Are you, the applicant, being investigated for a contravention of section 24F(1) of the NEMA in respect of a matter that is <u>not subject to this application</u> and in any province in the Republic?</i>	YES _____	<b>NO X</b> _____	UNCERTAIN _____
<i>If yes provide details of the offence being investigated and authority conducting the investigation. If uncertain provide details of the activity or activities in relation to which you suspect you may be under investigation.</i>			
<i>Are you, the applicant, being investigated for the contravention of section 20(b) of the NEMWA in respect of a matter that is <u>not subject to this application</u> and in any province in the Republic?</i>	YES _____	<b>NO X</b> _____	UNCERTAIN _____
<i>If yes provide details of the offence being investigated and authority conducting the investigation. If uncertain provide details of the activity or activities in relation to which you suspect you may be under investigation.</i>			
<i>Are you, the applicant, being investigated for an offence in terms of section 24F(1) of the NEMA or section 20(b) of the NEMWA <u>in terms of which this application directly relates?</u></i>	YES _____	<b>NO X</b> _____	UNCERTAIN _____
<i>If yes provide details of the offence being investigated and authority conducting the investigation. If uncertain provide details of the activity or activities in relation to which you suspect you may be under investigation.</i>			

If you have answered yes or uncertain to any of the above questions, you are hereby provided with an opportunity to make representations as to why the Minister, Minister responsible for mineral resources or MEC, as the case may be, should not defer the application as he or she is entitled to do under section 24G(7).

**SECTION C: QUANTUM OF THE SECTION 24G FINE**

In terms of section 24G(4) of the NEMA, it is mandatory for an applicant to pay an administrative fine as determined by the competent authority before the Minister, Minister responsible for mineral resource or MEC may take a decision on whether or not to grant an *ex post facto* environmental authorisation or a waste management licence as the case may be. The quantum of this fine may not exceed R5 million.

Having regard to the factors listed below, you are hereby afforded with an opportunity to make representations in respect of the quantum of the fine and as to why the competent authority should not issue a maximum fine of R5 million.

Please note that Part 1 of this section must be completed by an independent environmental assessment practitioner after conducting the necessary specialist studies, copies of which must be submitted with this completed application form.

Please also include in your representations whether or not the activities applied for in this application (if more than 1) are in your view interrelated and provide reasons therefor.

**PART 1: THE IMPACTS OR POTENTIAL IMPACTS OF THE ACTIVITY/ACTIVITIES**

Index	Socio Economic Impact	Place an "x" in the appropriate box
Description of variable		
	<b>The activity is not giving, has not given and will not give rise to any negative socio-economic impacts</b>	X
	The activity is giving, has given, or could give rise to negative socio-economic impacts, but highly localised	
	The activity is giving, has given, or could give rise to significant negative socio-economic and regionalized impacts	
	The activity is resulting, has resulted or could result in wide-scale negative socio-economic impacts.	
Motivation: This application relates to the unauthorised clearing of natural vegetation and development on a private farm. The activity would result in positive socio-economic impacts in the form of temporary (direct and indirect) job creation during the construction phase and long-term job creation through employment of labour onsite for site management and clearance of alien invasive vegetation.		

Index	Biodiversity Impact	Place an "x" in the appropriate box
Description of variable		
	The activity is not giving, has not given and will not give rise to any impacts on biodiversity	
	<b>The activity is giving, has given or could give rise to localised biodiversity impacts</b>	X
	The activity is giving, has given or could give rise to significant biodiversity impacts	
	The activity is, has or is likely to permanently / irreversibly transform/ destroy a recognised biodiversity 'hot-spot' or threaten the existence of a species or sub-species.	
Motivation: The activity has resulted in localised biodiversity impacts associated with the clearance and disturbance of approximately 0.4 ha of indigenous vegetation within three disturbance footprints and associated development activities. Suitable mitigation is available to reduce impacts to within acceptable limits.  <u>Impacts on vegetation:</u> The affected area supports Potberg Ferricrete Fynbos, a Critically Endangered vegetation type. The		

development activities have likely affected between three and four plant Species of Conservation Concern within the cleared footprints. At a regional scale, the impact on these species is considered Low, as fewer than 40 individuals of each species were affected and all occur in larger populations across the greater property and surrounding region.

Overall, the construction phase botanical impacts were found to be Low to Medium negative, both before and after mitigation. Effective mitigation is primarily achievable during the operational phase through natural rehabilitation of disturbed areas and extensive alien invasive vegetation control across the broader property.

Operational phase impacts include habitat fragmentation and an increased risk of alien invasive plant establishment due to soil disturbance. These impacts are assessed as Low negative before mitigation and are expected to improve to a Low positive outcome after mitigation through rehabilitation of disturbed areas and ongoing alien invasive vegetation control.

Impacts on fauna:

No animals are likely to have been permanently and negatively impacted by any of the activities, and no faunal SCC are likely to have been permanently impacted by the activities. In general the faunal impacts are likely to have been of Low negative significance, before and after mitigation. Adequate and appropriate mitigation is only likely to be viable at the operational phase, primarily in the form of natural rehabilitation of disturbed areas and extensive alien vegetation removal on the greater property.

Impacts on aquatic systems:

The primary impacts on aquatic systems included localized loss of biodiversity within the Floodplain Saltmarsh and potential water quality impacts within the Breede River Estuarine Functional Zone. Clearance within the Floodplain Saltmarsh led to a reduction in ecological function (approximately 7%) and temporary loss of associated invertebrate habitat, resulting in a local, long-term impact of Low to Medium negative significance. There was no observable loss of biodiversity or evidence of sedimentation or water quality impacts within the estuarine functional zone. These impacts are therefore considered negligible.

Overall, the biodiversity impacts are local in extent and range from Low to Low-Medium negative significance and can be effectively mitigated through the implementation of the recommended rehabilitation, alien invasive vegetation control, and environmental management measures.

Index	Sense of Place Impact and / or Heritage Impact	Place an "x" in the appropriate box
Description of variable		
<b>The activity is in keeping with the surrounding environment and / or does not negatively impact on the affected area's sense of place and /or heritage</b>		<b>X</b>
The activity is not in keeping with the surrounding environment and will have a localised impact on the affected area's sense of place and/or heritage		
The activity is not in keeping with the surrounding environment and will have a significant impact on the affected area's sense of place and/ or heritage		
The activity is completely out of keeping with the surrounding environment and will have a significant impact on the affected area's sense of place and/ or heritage		
Motivation:		
The site is located within a rural landscape and has historically been used solely for residential purposes. This use will continue, with the addition of a caretaker's cottage to support ongoing land and		

environmental management. The development is small in scale, consistent with the rural character of the area, and there are limited to no direct receptors nearby. The majority of the proposed expansion of the existing dwelling is proposed behind the current structure and borders a small hill, ensuring minimal visual or spatial impact. As a result, the sense of place of the surrounding environment will remain unchanged. No impacts on cultural or heritage resources are anticipated, and the development does not trigger the submission of a Notice of Intent to Develop to Heritage Western Cape.

Index	Pollution Impact	Place an "x" in the appropriate box
Description of variable		
	<b>The activity is not giving, has not given and will not give rise to any pollution</b>	X
	The activity is giving, has given or could give rise to pollution with low impacts.	
	The activity is giving, has given or could give rise to pollution with moderate impacts.	
	The activity is giving, has given or could give rise to pollution with high impacts.	
	The activity is giving, has given or could give rise to pollution with major impacts.	
Motivation: The unauthorised clearing of natural vegetation has not resulted in any pollution, and any construction rubble will be removed from site by the contractor. Although clearing and levelling occurred within the Breede River's buffer zone, potential impacts on water quality were mitigated by existing site features. Excavation on sloped areas could have caused sedimentation in downstream wetlands; however, the adjacent road provided a physical buffer, and no evidence of sedimentation or water quality degradation was observed. The small pumphouse and roofed deck area within the already cleared 32 m buffer zone is expected to have only a short-term, local, and negligible impact on water quality and sedimentation. The operation of the existing residential dwelling and caretaker's cottage will not give rise to pollution, provided that all management and mitigation measures outlined in the EMP are implemented. Consequently, these activities are not considered to have caused, nor are they likely to cause, any significant pollution to the surrounding environment.		

**PART 2: COMPLIANCE HISTORY AND KNOWLEDGE OF THE APPLICANT**

Index	Previous administrative action (i.e. administrative enforcement notices) issued to the applicant in respect of a contravention of section 24F(1) of the National Environmental Management Act and/or section 20(b) of the National Environmental Management Waste Act	Place an "x" in the appropriate box
Description of variable		
	Administrative action was previously taken against the applicant in respect of the abovementioned provisions.	
	No previous administrative action was taken against the applicant but previous administrative action was taken against a firm(s) on whose board one or more of the applicant's directors sit or sat at the relevant time when the administrative action was taken.	
	<b>Administrative action was <u>not</u> previously taken against the applicant in respect of the abovementioned provisions.</b>	X
Explanation of all previous administrative action taken in respect of the above:		

Index	Previous Convictions in terms of section 24F(1) of the National Environmental Management Act and/or section 20(b) of the National Environmental Management Waste Act	Place an "x" in the appropriate
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Description of variable	box
The applicant was previously convicted in terms of either or both of the abovementioned provisions.	
No previous convictions have been secured against the applicant but a conviction has been secured against a firm(s) on whose board one or more of the applicant's directors sit or sat at the relevant time; or a conviction was secured against a director of the applicant in his or her personal capacity.	
<b>The applicant has not previously been convicted in terms of either or both of the abovementioned provisions.</b>	<b>X</b>
Explanation of all previous convictions in respect of the above:	

Index	Number of section 24G applications previously submitted by the applicant	Place an "x" in the appropriate box
Description of variable		
	Previous applications in terms of section 24G of NEMA were submitted by the applicant.	N/A
	No previous applications have been submitted by the applicant but a previous application(s) have been submitted by a firm(s) on whose board one or more of the applicant's directors sit or sat at the relevant time.	
	No previous applications have been submitted by the applicant but the applicant sat on the board of a firm that previously submitted an application.	
Explanation in respect of all previous applications submitted in terms of section 24G:		

**PART 3: APPLICANT'S PERSONAL CIRCUMSTANCES**

Index	Applicant's legal persona	Place an "x" in the appropriate box
Description of variable		
	The applicant is a natural person.	
	<b>The applicant is a firm.</b>	<b>X</b>
Describe the firm: WABD Pty LTD is owned by the Harry Leslie Trust, the Directors of WABD are WD Leslie and A Leslie		

Index	Any other relevant information that the applicant would like to be considered.
	<p>Motivate and explain fully:</p> <p>The applicant wishes to emphasise their full commitment to compliance with all environmental legislation moving forward. Having gained a clear understanding of the regulatory requirements, the applicant is now fully aware that prior environmental authorisation is required for any activities triggering the NEMA EIA Regulations.</p> <p>The applicant is committed to implementing all necessary mitigation measures, including the rehabilitation of the previously cleared wetland area, ongoing management and removal of alien vegetation and adherence to best-practice conservation management principles. The appointed botanist has recommended that a stewardship agreement be entered into with CapeNature. The Applicant is committed to conserving the undeveloped portions of the property and is open to a stewardship-based approach. The nature, extent, and details of the agreement will be finalised with CapeNature following environmental authorisation to ensure conservation objectives are met while safeguarding the property's primary use rights.</p> <p>The applicant recognises that the prior works were undertaken without the required environmental</p>

authorisation and acknowledges that this was an oversight. In mitigation the earthmoving operator acted outside of the brief and cleared a much larger area than agreed. In submitting this application, they are taking responsibility for rectifying the situation and are fully committed to ensuring that all future activities on the site are undertaken in full compliance with environmental legislation. The applicant intends to proceed with the proposed development as planned, with a strong focus on responsible management, ecological rehabilitation, and mitigation measures to minimise impacts and enhance conservation outcomes.

A request for the reduction of a fine is respectfully made considering the disturbance in the wetland will be rehabilitated, alien clearance will continue and a Cape Nature stewardship management approach will be considered.

**NOTE: An explanation as to why the applicant did not obtain an environmental authorisation and/or waste management licence must be attached to this application.**

**Explanation as to why the applicant did not obtain an EA:**

The applicant did not intentionally undertake the activities without the required environmental authorisation. At the time, the applicant was not aware that the extent of the works could trigger listed activities requiring environmental authorisation.

The applicant further indicated that the appointed earthworks contractor carried out certain activities beyond the originally agreed scope of work. As the applicant was not present on site during the construction period, some of these activities—such as the removal of soil from within Footprint 2 (the floodplain saltmarsh wetland) and the extent of the expansion of Footprint 1—only became apparent after the work had already been completed. The applicant has stated that these actions were neither specifically instructed nor authorised and were only identified after the fact. Furthermore, the applicant wishes to clarify that the positioning of the caretaker's cottage was influenced by an incident in which a truck became stuck in that location, resulting in unavoidable damage.

The failure to obtain environmental authorisation prior to the commencement of the works appears to have resulted from a misunderstanding regarding the regulatory requirements, compounded by the contractor undertaking works beyond the anticipated scope. While the above circumstances contributed to the situation, the applicant acknowledges that activities triggering the NEMA EIA Regulations require prior environmental authorisation. The applicant therefore recognises that the works should not have commenced prior to obtaining the necessary environmental authorisation and is now undertaking the required rectification process to regularise the matter.

**SECTION D: PRELIMINARY ADVERTISEMENT**

When submitting this application form, the applicant must attach proof that the application has been advertised in at least one local newspaper in circulation in the area in which the activity was commenced, and on the applicant's website, if any.

The advertisement must state that the applicant commenced a listed or specified activity or activities or waste management activity or activities without the necessary environmental authorisation and/or waste management licence and is now applying for *ex post facto* approval. It must include the following:

- the date;

- the location;
- the applicable legislative provision contravened; and
- the activity or activities commenced with without the required authorisation.

Interested and affected parties must be provided with the details of where they can register as an interested and affected party and / or submit their comment. At least 20 days must be provided in which to do so.

This advertisement shall be considered as a preliminary notification and the competent authority may direct the applicant to undertake further public participation and advertising after receipt of this application form.

**NOTE:** Unless protected by law, all information contained in and attached to this application form may become public information on receipt by the competent authority. This application must be attached to any documentation or information submitted by an applicant further to section 24G(1).

## PART 3 -

APPENDICES

The following appendices must, where applicable, be attached to this form:

Appendix		Tick the box if Appendix is attached
Appendix A:	Locality map	✓
Appendix B:	B1 - Proposed Site plan	✓
	B2 - Site plan showing unauthorised clearance	✓
	B3 – Development footprint overlain on environmental sensitivities	✓
Appendix C:	Building plans (if applicable)	In process
Appendix D:	Colour photographs	✓
Appendix E:	Biodiversity overlay map	✓
Appendix F:	Permit(s) / license(s) from any other organ of state including service letters from the municipality	✓
Appendix G:	Public participation information: G1 - IAP register G2 - Comments and Response Report	✓ Still to be provided – First PPP to be undertaken from 3 April – 6 May 2026
Appendix H:	Specialist Report(s): H1 - Botanical and Faunal Impact Assessment	✓
	H2 - Freshwater Assessment	✓
Appendix I:	Environmental Management Programme	✓
Appendix J:	Supporting documents relating to compliance/enforcement history of the applicant, including but not limited to, Pre-compliance/compliance notices, Pre-directives/directives etc.	
	J1 – Pre-Compliance Notice (30 June 2025)	✓
	J2 – Pre-Directive (30 June 2025)	✓
	J3 – Applicant response to Pre-Compliance Notice and Pre-Directive (3 July 2025)	✓
	J4 – Additional response to Pre-Compliance Notice and Pre-Directive (7 July 2025)	✓
	J5 – Estimated project timeframe (6 August 2025)	✓
	J6 – Compliance Notice (25 August 2025)	✓
Appendix K:	Certified copy of Identity Document of Applicant	✓
Appendix L:	Certified copy of the title deed (or title deeds in the case of linear activities)	✓

<b>Appendix M:</b>	<b>M1 - Screening Tool Report</b> <b>M2 - Site Sensitivity Verification Report</b>	✓
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Where an application has been made in terms of the waste management activities, please complete and annex Annexure 1 as in the following:

<b>Annexures for waste listed activity/ies supporting information</b>		<b>Tick the box if Annexure is attached</b>
<b>Annexure 1</b>	<b>Waste listed activities supporting information (as in prescribed attached form)</b>	
<b>Other</b>	(please list accordingly)	

**DECLARATIONS**

**THE APPLICANT**

Note: Duplicate this section where there is more than one applicant

- I WARWICK & ANGELIQUE LESLIE in my personal capacity or duly authorised as DIRECTORS (state capacity) by WABD INVESTMENTS PTY(LTD) thereto hereby declare/affirm that all the information contained in this application to be true and correct, and that I:
  - am fully aware of my responsibilities in terms of the National Environmental Management Act of 1998 (Act No. 107 of 1998) ("NEMA"), the Environmental Impact Assessment Regulations, 2014 ("EIA Regulations") in terms of NEMA, the National Environmental Management: Waste Act, 2008 (Act 59 of 2008) ("NEM:WA") and all relevant specific environmental management Act(s), and that failure to comply with these requirements may constitute an offence in terms of the environmental legislation;
  - appointed the environmental assessment practitioner as indicated above, which meet all the requirements in terms of Regulation 13 of the EIA Regulations to act as the independent Environmental Assessment Practitioner for this application;
  - have provided the environmental assessment practitioner and the competent authority with access to all information at my disposal that is relevant to the application;
  - am aware that I may be issued with a directive and that I must comply with such a directive;
  - am fully aware of the administrative fine to be paid before a decision, with respect to the continuation of the listed activity(ies), will be made;
  - will be responsible for the costs incurred in complying with the environmental legislation including but not limited to –
    - o costs incurred in connection with the appointment of the environmental assessment practitioner or any specialist appointed in terms of Regulation 13 of the EIA Regulations);
    - o costs incurred in respect of the undertaking of any process required in terms of this application;
    - o costs in respect of any prescribed fee payable in respect of this application;
    - o costs in respect of specialist reviews, if the competent authority decides to recover costs;
    - o the provision of security to ensure compliance with the applicable management and mitigation measures; and
    - o fine costs
  - am responsible for complying with the conditions that might be attached to any decision(s) issued by the competent authority;
  - have the ability to implement the applicable management, mitigation and monitoring measures; and
  - hereby indemnify, the government of the Republic of South Africa, the competent authority and all its officers, agents and employees, from any liability arising out of, inter alia, the content of any report, any procedure or any action for which the applicant or environmental assessment practitioner is responsible.

am aware that a false declaration is an offence in terms of Regulation 48 of the EIA Regulations, 2014

**Please Note:** If acting in a representative capacity, a certified copy of the resolution or power of attorney must be attached.

Signature of the applicant: 

WARWICK DOUGLAS LESLIE AND ANGELIQUE LESLIE

Name:

WABD INVESTMENTS PTY (LTD)

Name of Firm (if applicable):

29/03/2026

Date:

**THE INDEPENDENT ENVIRONMENTAL ASSESSMENT PRACTITIONER (“EAP”)**

**Paul Slabbert**

I ..... as the appointed independent environmental practitioner (“EAP”) hereby declare/affirm the correctness of the information provided or to be provided as part of the application, and that I:

- act/ed as the independent EAP in this application;
- regard the information contained in this application to be true and correct, and
- do not have and will not have any financial interest in the undertaking of the activity, other than remuneration for work performed in terms of the the National Environmental Management Act of 1998 (Act No. 107 of 1998) (“NEMA”), the Environmental Impact Assessment Regulations, 2014 (“EIA Regulations”) in terms of NEMA, the National Environmental Management: Waste Act, 2008 (Act 59 of 2008) (“NEM:WA”) and the relevant specific environmental management Act(s);
- have and will not have any vested interest in the proposed activity proceeding;
- have disclosed, to the applicant and competent authority, any material information that have or may have the potential to influence the decision of the competent authority or the objectivity of any report, plan or document required in terms of the NEMA, the EIA Regulations, the NEM:WA and any specific environmental management Act(s);
- am able to meet the responsibilities in terms of NEMA, the EIA Regulations (specifically in terms of Regulation 13 of the EIA Regulations, 2014) and any specific environmental management Act, and am fully aware that failure to comply with these requirements may constitute and result in disqualification;
- have ensured that information containing all relevant facts in respect of the application was distributed or made available to interested and affected parties and the public and that participation by interested and affected parties was facilitated in such a manner that all interested and affected parties were provided with a reasonable opportunity to participate and to provide comments;
- have ensured that the comments of all interested and affected parties were considered, recorded and submitted to the competent authority in respect of the application;
- have kept a register of all interested and affected parties that participated in the public participation process; and
- have provided the competent authority with access to all information at my disposal regarding the application, whether such information is favourable to the applicant or not.
- am aware that a false declaration is an offence in terms of Regulation 48 of the EIA Regulations

**Note:** The terms of reference must be attached.



\_\_\_\_\_  
Signature of the environmental assessment practitioner:

**PHS Consulting**

\_\_\_\_\_  
Name of company:

**16/03/2026**

\_\_\_\_\_  
Date:

**THE INDEPENDENT ENVIRONMENTAL ASSESSMENT PRACTITIONER ("EAP")**

I, Olivia Venter (Candidate), as the appointed independent environmental practitioner ("EAP") hereby declare/affirm the correctness of the information provided or to be provided as part of the application, and that I:

- act/ed as the independent EAP in this application;
- regard the information contained in this application to be true and correct, and
- do not have and will not have any financial interest in the undertaking of the activity, other than remuneration for work performed in terms of the the National Environmental Management Act of 1998 (Act No. 107 of 1998) ("NEMA"), the Environmental Impact Assessment Regulations, 2014 ("EIA Regulations") in terms of NEMA, the National Environmental Management: Waste Act, 2008 (Act 59 of 2008) ("NEM:WA") and the relevant specific environmental management Act(s);
- have and will not have any vested interest in the proposed activity proceeding;
- have disclosed, to the applicant and competent authority, any material information that have or may have the potential to influence the decision of the competent authority or the objectivity of any report, plan or document required in terms of the NEMA, the EIA Regulations, the NEM:WA and any specific environmental management Act(s);
- am able to meet the responsibilities in terms of NEMA, the EIA Regulations (specifically in terms of Regulation 13 of the EIA Regulations, 2014) and any specific environmental management Act, and am fully aware that failure to comply with these requirements may constitute and result in disqualification;
- have ensured that information containing all relevant facts in respect of the application was distributed or made available to interested and affected parties and the public and that participation by interested and affected parties was facilitated in such a manner that all interested and affected parties were provided with a reasonable opportunity to participate and to provide comments;
- have ensured that the comments of all interested and affected parties were considered, recorded and submitted to the competent authority in respect of the application;
- have kept a register of all interested and affected parties that participated in the public participation process; and
- have provided the competent authority with access to all information at my disposal regarding the application, whether such information is favourable to the applicant or not.
- am aware that a false declaration is an offence in terms of Regulation 48 of the EIA Regulations

**Note:** The terms of reference must be attached.



Signature of the environmental assessment practitioner:

**PHS Consulting**

Name of company:

**16/03/2026**

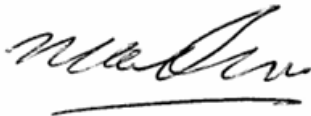
Date:

**DECLARATION OF THE SPECIALIST**

**Note:** Duplicate this section where there is more than one specialist.

I NA Helme as the appointed Specialist hereby declare/affirm the correctness of the information provided or to be provided as part of the application, and that:

- In terms of the general requirement to be independent:
  - other than fair remuneration for work performed in terms of this application, have no business, financial, personal or other interest in the development proposal or application and that there are no circumstances that may compromise my objectivity; or
  - ~~◦ am not independent, but another specialist (the "Review Specialist") that meets the general requirements set out in Regulation 13 of the NEMA EIA Regulations has been appointed to review my work (Note: a declaration by the review specialist must be submitted);~~
- In terms of the remainder of the general requirements for a specialist, have throughout this EIA process met all of the requirements;
- I have disclosed to the applicant, the EAP, the Review EAP (if applicable), the Department and I&APs all material information that has or may have the potential to influence the decision of the Department or the objectivity of any Report, plan or document prepared or to be prepared as part of the application; and
- I am aware that a false declaration is an offence in terms of Regulation 48 of the EIA Regulations.



16 Mar 2026

Signature of the Specialist:

Date:

Nick Helme Botanical Surveys

Name of company (if applicable):

**DECLARATION OF THE SPECIALIST**

**Note:** Duplicate this section where there is more than one specialist.

I .....**Jeanne Snyman**....., as the appointed Specialist hereby declare/affirm the correctness of the information provided or to be provided as part of the application, and that:

- In terms of the general requirement to be independent:
  - other than fair remuneration for work performed in terms of this application, have no business, financial, personal or other interest in the development proposal or application and that there are no circumstances that may compromise my objectivity; or
  - ~~○ am not independent, but another specialist (the "Review Specialist") that meets the general requirements set out in Regulation 13 of the NEMA EIA Regulations has been appointed to review my work (Note: a declaration by the review specialist must be submitted);~~
- In terms of the remainder of the general requirements for a specialist, have throughout this EIA process met all of the requirements;
- I have disclosed to the applicant, the EAP, the Review EAP (if applicable), the Department and I&APs all material information that has or may have the potential to influence the decision of the Department or the objectivity of any Report, plan or document prepared or to be prepared as part of the application; and
- I am aware that a false declaration is an offence in terms of Regulation 48 of the EIA Regulations.

  
 \_\_\_\_\_  
 Signature of the Specialist:

30/03/2026  
 \_\_\_\_\_  
 Date:

EverWater Freshwater Consulting  
 \_\_\_\_\_  
 Name of company (if applicable):

**PART 4 -**

**ANNEXURE B - SUPPORTING INFORMATION WHERE THE ACTIVITY BEING APPLIED FOR IS A LISTED WASTE MANAGEMENT ACTIVITY/IES (IF RELEVANT)**

**1. WASTE QUANTITIES**

Indicate or specify types of waste and list the estimated quantities (expected to be) managed daily (should you need more columns; you are advised to add more)

**Note:** In this case of hazardous waste, the National Department of Environmental Affairs is the relevant competent authority to consider the 24G application.

Non-hazardous waste	Total waste handled (tonnes per day)

Source of information supplied in the table above Mark with an "X"

**Determined from volumes**

**Determined with weighbridge/scale**

**Estimated**


**1.1. Recovery, Reuse, Recycling, treatment and disposal quantities:**

Indicate the applicable waste types and quantities expected to be disposed of and salvaged annually:

TYPES OF WASTE	MAIN SOURCE (NAME OF COMPANY)	QUANTITIES		ON-SITE RECOVERY REUSE RECYCLING TREATMENT OR DISPOSAL	OFFSITE RECOVERY REUSE RECYCLING TREATMENT OR DISPOSAL	OFFSITE DISPOSAL
		Tons/ Month	M <sup>3</sup> / Month	Method & Location	Method & Location and Contractor details	

**2. GENERAL**

Prevailing wind direction (e.g. NWW)

November – April

May - October


The size of population to be served by the facility:

	Mark with "X"	Comment
0-499		
500-9,999		
10,000-199,999		
200,000 upwards		

**LANDFILL PARAMETERS (If applicable)**

The method of disposal of waste:

Land-building  Land-filling  Both

**The dimensions of the disposal site in metres**

	At commencement	After rehabilitation

**The total volume for the disposal of waste on the site:**

Volume Available	Mark with "X"	Source of information (Determined by surveyor/ Estimated)
Up to 99		
100-34 999		
35 000- 3,5 million		
>3,5 million		

**The total volume already used for waste disposal on the site:**

(a) Will the waste body be covered daily	Yes	No
(b) Is sufficient cover material available	Yes	No
(c) Will waste be compacted daily	No	No

If the answers (a) and/or (b) are No, what measures will be employed to prevent the problems of burning or smouldering of waste and the generation of nuisance?

**The Salvage method**

Mark with an "X" the method to be used.

<b>At source</b>	<input type="checkbox"/>
<b>Recycling installation</b>	<input type="checkbox"/>
<b>Formal salvaging</b>	<input type="checkbox"/>
<b>Contractor</b>	<input type="checkbox"/>
<b>No salvaging planned</b>	<input type="checkbox"/>

**Fatal flaws for the site:**

Indicate which of the following apply to the facility for a waste management activity:

Within a 3000m radius of the end of an airport landing strip	Yes	No
Within the 1 in 50-year flood line of any watercourse	Yes	No
Within an unstable area (fault zone, seismic zone, dolomitic area, sinkholes)	Yes	No
Within the drainage area or within 5 km of water source	Yes	No
Within the drainage area or within 5 km of water source	Yes	No
Within an area adjacent to or above an aquifer	Yes	No
Within an area with shallow bedrock and limited available cover material	Yes	No
Within 100 m of the source of surface water	Yes	No
Within 1km from the wetland	Yes	No

Indicate the distance to the boundary of the nearest residential area  
 Indicate the distance to the boundary of the industrial area

	metres
	metres

**Wettest six months of the year**

November- April	
May -October	

For the wettest six-month period indicated above, indicate the following for the preceding 30 years

	Total rainfall for 6 months	Total rainfall for 6 months	Total rainfall for 6 months
For the 1st wettest year			
For the 2nd wettest year			
For the 3rd wettest year			
For the 4th wettest year			
For the 5th wettest year			
For the 6th wettest year			
For the 7th wettest year			
For the 8th wettest year			
For the 9th wettest year			
For the 10th wettest year			

**Location and depth of ground water monitoring boreholes:**

Codes of the boreholes	Borehole locality	Depth (m)	Latitude	Longitude
			° ' "	° ' "
			° ' "	° ' "
			° ' "	° ' "
			° ' "	° ' "
			° ' "	° ' "
			° ' "	° ' "
			° ' "	° ' "

**Location and depth of landfill gas monitoring test pit:**

Codes of the boreholes	Borehole locality	Latitude	Longitude
		° ' "	° ' "
		° ' "	° ' "
		° ' "	° ' "
		° ' "	° ' "
		° ' "	° ' "
		° ' "	° ' "