



**Overberg Lowlands Conservation Trust**  
**Trading as Overberg Renosterveld Conservation Trust**

**Box 27**  
**Napier**  
**7270**

**12 August 2024**

Attention: Michelle Naylor  
Lornay Environmental Consulting

Dear Michelle

With reference to the Schietpad / Windhoek unlawful ploughing case (Wessels), we have visited the site and discussed the conservation options with Mr Andre Wessels. While we would all like to see a Nature Reserve declaration here, we agreed that this will not be possible under the current circumstances. Firstly, there is a mining application over this property and several adjoining neighbours (see [www.savetheoverberg.com](http://www.savetheoverberg.com)) and secondly, there are many small remnants and watercourses which would make the surveying costs of a NR declaration far too expensive and complicated.

Fow now, we are proposing a Conservation Servitude (easement) in favour of the Overberg Renosterveld Conservation Trust. We have provided Mr Wessels with an example of a Management Plan (for a nearby site), as well as the blank notarial agreement that would require signing, should he give us the go-ahead to proceed.

*The process works as follows:* The landowner considers the documents that we have provided and gives consent for us to start the legal process. We then instruct our attorneys, Badenhorst, in Bredasdorp, to draw up a resolution for all trustees (of the farms) to sign (assigning power of attorney to one individual to sign the notarial agreement). Once the resolution is signed, we then draft the integrated management plan (IMP) (together with the landowner) and finalise the map which will be appended to the IMP. While we are doing this, our attorneys also apply for bondholder consent (if there is a bond over the property). Only once the landowner is happy with the map and the IMP, and the bondholder has given consent, then we sign the final documentation (notarial agreement registered over the whole farm and attached to the properties' title deeds). The map below is only a rough map showing the various remnants and watercourses but requires ground-truthing and verifying before it is finalized. This we also do with the landowner's inputs.

The entire process should not take more than a few months, if all the title deeds are in order, and all trustees sign the resolution timeously. The cost of the legal process is generally about R15k to R30k, to be borne by the landowner. The ORCT does not usually offer to assist with management on 'reactive' sites, but because of the importance of this site and the fact that we are developing a closer working relationship with several farmers in this 'cluster', through our shared opposition to the proposed mine by Cienth, we are more than willing to assist with key management activities on the site (e.g. alien-clearing, other forms of restoration, etc.). We

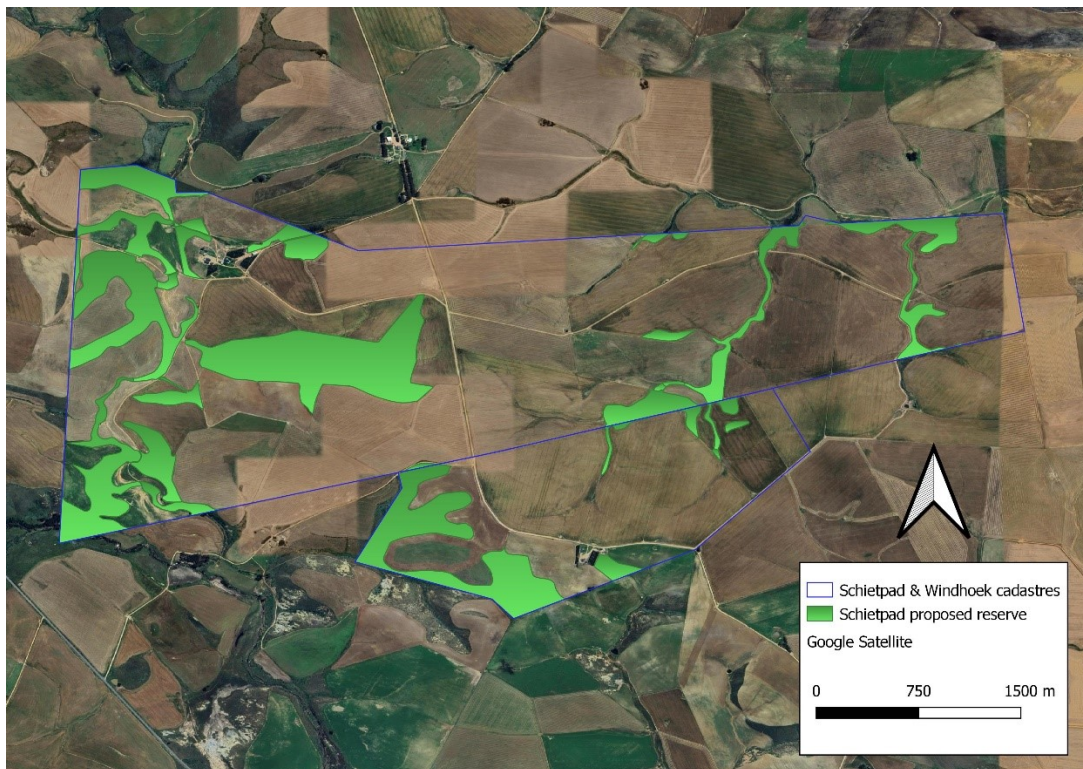
**Overberg Lowlands Conservation Trust, trading as Overberg Renosterveld Conservation Trust.**

**NPO 124-296. [www.overbergrenosterveld.org.za](http://www.overbergrenosterveld.org.za)**

**Board of Trustees: Dirk van Papendorp (Chair), Lesley Richardson (Vice-Chair), Sean Privet, Muthama Muasya, Christina Stewart**

want to do this as a gesture of goodwill and a genuine commitment to forming a positive relationship with the Wessels and their neighbours.

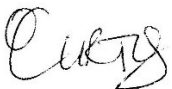
We hope this will suffice and look forward to a positive way forward for the special remnants of renosterveld that occur on this property. If this agreement is signed by the landowners and the ORCT, we deem it a sufficient offset for approval of a 24G application, but of course the final determination lies with the competent authority, DEA&DP. Of course, if the landowners do not sign the resolution to proceed with the conservation servitude, the process will be hampered and yourselves and DEA&DP will need to discuss further. But our engagements with Mr Wessels have been positive and we look forward to a good working relationship through this partnership.



*Above is a DRAFT map of potential renosterveld remnants and watercourses found on the proposed conservation servitude site. However, some of the smaller remnants have already proven to be mere rock piles and will be removed. Thus, this is not the final map, but just an indication of the extent and fragmentation of the conservation areas on these two properties.*

Kind regards

Odette Curtis Scott



CEO, Overberg Renosterveld Conservation Trust

**Overberg Lowlands Conservation Trust, trading as Overberg Renosterveld Conservation Trust.**

**NPO 124-296. [www.overbergrenosterveld.org.za](http://www.overbergrenosterveld.org.za)**

**Board of Trustees: Dirk van Papendorp (Chair), Lesley Richardson (Vice-Chair), Sean Privet, Muthama Muasya, Christina Stewart**